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THE CIVIL AVIATION ACT
(CAP. 80)

THE CIVIL AVIATION (SEARCH AND RESCUE) REGULATIONS,
2017

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THE CIVIL AVIATION ACT

(CAP. 80)

REGULATIONS

(Made under section 4)

THE CIVIL AVIATION (SEARCH AND RESCUE) REGULATIONS, 2017

PART 1

PRELIMINARY PROVISIONS

Citation

1. These Regulations may be cited as Civil Aviation (Aeronautical Search And Rescue) Regulations, 2017.

Interpretation

2. In these Regulations unless the context otherwise requires-
“accident” means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked or in the case of unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which;
(a) a person is fatally or seriously injured as a result of-
(i) being in the aircraft, or
(ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
(iii) direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted

or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

- (b) the aircraft sustains damage or structural failure which-
 - (i) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
 - (ii) would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or

- (c) the aircraft is missing or is completely inaccessible;

“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;

“alerting post” means any facility intended to serve as an intermediary between a person reporting an emergency and a rescue coordination centre or rescue sub-centre;

“alert phase” means a situation wherein apprehension exists as to the safety of an aircraft and its occupants;

“Authority” means the Tanzania Civil Aviation Authority;

“Committee” means the Search and Rescue Committee;

“craft” means an aircraft or a vessel;

“Director Air Navigation Services” means the Director for the time being responsible for air navigations services provided by Tanzania Civil Aviation Authority;

“Director General means the Director-General of Tanzania Civil Aviation Authority;

- “distress phase” means a situation wherein there is a reasonable certainty that an aircraft and its occupants are threatened by grave and imminent danger and require immediate assistance;
- “ditching” means the forced landing of an aircraft on water;
- “emergency phase” is a generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase;
- “flight information region” means an airspace of defined dimensions within which flight information service and alerting service are provided;
- “incident” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;
- “International Civil Aviation Organization (ICAO)” means the specialized agency of the United Nations responsible for formulating standards and recommended practices for the purposes of civilian international air transport, established in Chicago on 7th December 1944;
- “joint rescue coordination centre (JRCC)” means a rescue coordination centre responsible for both aeronautical and maritime search and rescue operations;
- “Minister” means the minister for the time being responsible for Civil Aviation;
- “operator” means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;
- “Person” means any institution or organization equipped to assist in a search and rescue operation, an organ of state, a government and an agency of the government of a foreign country;
- “Pilot-in-command” means the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;
- “Prescribed” means prescribed by regulation;

- “rescue” means an operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
- “rescue coordination centre” means a unit responsible for promoting efficient organization of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region;
- “rescue sub-centre” means a unit subordinate to a rescue coordination centre, established to complement the latter according to particular provisions of the responsible authorities;
- “search” means an operation normally coordinated by a rescue coordination centre or rescue sub-centre using available personnel and facilities to locate persons in distress;
- “search and rescue aircraft” means an aircraft provided with specialized equipment suitable for the efficient conduct of search and rescue missions;
- “search and rescue facility” means any mobile resource, including designated search and rescue units, used to conduct search and rescue operations;
- “search and rescue service” means the performance of distress monitoring, communication, coordination and search and rescue functions, initial medical assistance or medical evacuation, through the use of public and private resources, including cooperating aircraft, vessels and other craft and installations;
- “search and rescue region” means an area of defined dimensions, associated with a rescue coordination centre, within which search and rescue services are provided;
- “search and rescue unit” means a mobile resource composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations;
- “State of Registry” means the State on whose register the aircraft is entered;

“Conventions” means the Convention on International Civil Aviation adopted at Chicago on 7th December 1944;

“uncertainty phase” means a situation wherein uncertainty exists as to the safety of an aircraft and its occupants; and

“vessel” means any water-navigable craft of any type, whether self-propelled or not.

Application

3. These Regulations shall apply to all aircraft requiring search and rescue services and to persons or organizations responsible for the maintenance and operation of search and rescue services in the United Republic of Tanzania and in areas over the high seas to which the United Republic of Tanzania has been given responsibility under the regional air navigation plan.

PART II

SEARCH AND RESCUE ORGANIZATION

Provision of search and rescue services

4.-(1) The Authority shall arrange for the establishment and prompt provision of search and rescue services within the United Republic of Tanzania on a 24 hour basis to ensure that assistance is rendered to aircraft and persons in distress.

(2) The Authority shall coordinate and direct the prompt provision of search and rescue services within the United Republic of Tanzania including portions of the high seas as determined on the basis of regional air navigation agreements, to ensure that assistance is rendered to persons in distress.

(3) The designated search and rescue agency shall, in coordination with the Authority:

- (a) determine the type and degree of search and rescue services to be provided within the search and rescue region and shall coordinate such services in accordance with these regulations;

(b) establish a system for reporting occurrences and the conduct of Search and rescue operations to the Authority; and

(c) ensure the availability of sufficient resources and facilities to coordinate the search and rescue operations at any one time.

(4) The Authority shall, in coordination with designated search and rescue agency, ensure the availability of resources, communication facilities and skilled manpower to coordinate and provide the search and rescue functions.

(5) The designated search and rescue agency shall establish a process to improve service provision, including the aspects of planning domestic and international cooperative arrangements and training.

(6) A designated search and rescue agency:

(a) shall-

(i) provide assistance to an aircraft in distress and to survivors of air craft accidents regardless of the nationality, status of the persons or circumstances in which the persons are found.

(ii) facilitate consistency and cooperation between aeronautical and maritime search and rescue services; and

(b) may cooperate in establishment of joint rescue coordination centres to coordinate aeronautical and maritime search and rescue operations where practical.

(7) Search and rescue units and other available facilities shall be used to assist any aircraft or its occupants that are or appear to be in a state of emergency.

(8) Where separate aeronautical and maritime rescue coordination centres serve the same area, the designated search and rescue agency shall ensure the closest possible cooperation and coordination between the relevant aeronautical, maritime and military emergency response services.

Establishment of
Search and
rescue region

5. The search and rescue region within which search and rescue services shall be provided shall be coincident to the Tanzania Flight Information region published in the Tanzania aeronautical information publication (AIP), and shall with respect to the high seas, cover the Tanzania maritime search and rescue region.

Establishment of
Rescue
coordination
centre and rescue
sub centres

6.-(1) The designated search and rescue agency shall establish and publish in the AIP, a rescue coordination centre, equipped with appropriate facilities and personnel to:

- (a) facilitate efficient organization of search and rescue services; and
- (b) coordinate the conduct of search and rescue operations within the search and rescue region.

(2) The designated search and rescue agency may establish and publish in the AIP search and rescue sub centres subordinate to the rescue coordination centre where this is considered to improve the efficiency of search and rescue services within the United Republic of Tanzania.

(3) The appropriate rescue coordination centre and, rescue sub centre, shall be staffed by trained personnel proficient in the use of English language used for radiotelephony communications 24 hours a day.

(4) The rescue coordination centre personnel involved in the conduct of radiotelephony communications shall be proficient in the use of the English language.

- (5) The designated search and rescue agency shall:
 - (a) make formal arrangements for cooperative and appropriate use of public and private search and rescue units that are suitably located, equipped and crewed for search and rescue operations throughout the search and rescue region; and such units shall be published in the AIP as alerting posts; and

- (b) maintain an accurate and complete database of Search and Rescue Units and other Search and Rescue facilities and resources within the search and rescue region and make arrangements for the timely advice to the Rescue Coordination Centre of any change in their readiness or capability.

(6) In areas where telecommunications facilities would not permit persons observing an aircraft in emergency to notify the rescue coordination centre concerned directly and promptly, suitable units of public or private services shall be designated.

Search and
rescue
communications

7.-(1) The designated search and rescue agency shall ensure that the rescue coordination centre shall have means of rapid and reliable two way communication with:

- (a) associated air traffic services units;
- (b) associated rescue sub-centres;
- (c) appropriate direction-finding and position-fixing stations;
- (d) where appropriate, coastal radio stations capable of alerting and communicating in the region;
- (e) the headquarters of search and rescue units in the region;
- (f) all maritime rescue coordination centres in the region and aeronautical, maritime or joint rescue coordination centres in adjacent regions;
- (g) a designated meteorological office or meteorological watch office;
- (h) search and rescue units;
- (i) alerting posts; and
- (j) the COSPAS-SARSAT Mission Control Centre servicing the search and rescue region.

(2) The designated search and rescue agency shall ensure that each rescue sub centre have means of rapid and reliable two-way communication with:

- (a) adjacent rescue sub-centres;
- (b) a meteorological office or meteorological watch office;
- (c) search and rescue units; and
- (d) alerting posts.

Search and
rescue units

8. The designated search and rescue agency shall publish in the AIP:

- (a) as search and rescue units, elements of public or private services suitably located and equipped for search and rescue operations.
- (b) as parts of the search and rescue plan of operation, elements of public or private services that do not qualify as search and rescue units but are able to participate in search and rescue operations.

Search and
rescue
equipment

9.-(1) The designated search and rescue agency shall ensure that-

- (a) search and rescue units are provided with equipment for locating promptly, and for providing adequate assistance at, the scene of an accident;
- (b) search and rescue units have means of rapid and reliable two-way communication with other search and rescue facilities engaged in the same operation;
- (c) search and rescue aircraft are equipped to be able to communicate on the aeronautical distress and on-scene frequencies and on such other frequencies as may be determined by the Authority;
- (d) each search and rescue aircraft are equipped with a device for homing on distress frequencies;
- (e) search and rescue aircraft, when used for search and rescue over maritime areas, are equipped to be able to communicate with vessels;

(f) each search and rescue aircraft, when used for search and rescue over maritime areas carry a copy of the International Code of Signals to enable it to overcome language difficulties that may be experienced in communicating with ships.

(2) Unless it is established that there is no need to provide supplies to survivors by air, at least one of the aircraft participating in a search and rescue operation shall carry droppable survival equipment.

(3) The designated search and rescue agency shall ensure that appropriate survival equipment, suitably packed for dropping by aircraft are located at aerodromes.

PART III
COOPERATION AND COORDINATION OF SEARCH
AND RESCUE SERVICES

Cooperation and
coordination
with other States
and agencies

- shall-
- 10.-(1) The designated search and rescue agency
- (a) ensure that the search and rescue organization is coordinated with the search and rescue agencies of neighboring States especially when its operations are proximate to adjacent search and rescue regions;
 - (b) in so far as practicable, develop common search and rescue plans and procedures to facilitate coordination of search and rescue operations with those of neighboring States; and
 - (c) make arrangements for:
 - (i) joint training exercises involving its search and rescue units, those of other States and operators, in order to promote search and rescue efficiency;
 - (ii) periodic liaison visits by personnel of its rescue coordination centres and sub-centres to the centres of neighboring States;

(iii) the search and rescue agency shall ensure their search and rescue services cooperate with those responsible for investigating accidents and those responsible for care of those who suffered from the accident.

(2) The Authority, through the rescue coordination centre:

- (a) may request from other rescue coordination centres such assistance, including aircraft, vessels, persons or equipment, as may be needed;
- (b) shall grant any necessary permission for the entry of such aircraft, vessels, persons or equipment into the territory; and
- (c) make the necessary arrangements with the appropriate customs, immigration or other authorities with a view to expediting such entry.

(3) The rescue coordination centre shall when requested, provide assistance to other rescue coordination centres, and shall coordinate any assistance required by those rescue coordination centres in the form of aircraft, vessels, persons or equipment.

Search and
rescue letters of
agreement

11.-(1) The designated search and rescue agency shall, in coordination with the Authority and relevant government authorities, establish letters of agreement with search and rescue service providers within the State and with all search and rescue agencies of contiguous States to strengthen search and rescue cooperation and coordination.

(2) Subject to sub-regulation (1), the designated search and rescue agency shall set forth in the agreements, the conditions for entry of each other's search and rescue units into respective territories and shall ensure that these agreements also provide for expediting entry of such units with the least possible formalities.

Entry into the territory of the United Republic of Tanzania by other States' parties

12.-(1) The Director General shall in coordination with relevant government authorities and subject to such conditions as may be prescribed by such authorities, permit immediate entry into the territory United Republic of Tanzania, search and rescue units of other States for the purpose of searching for the site of aircraft accidents and rescuing survivors of such accidents.

(2) Other States parties, who wish their search and rescue units to enter the territory of the United Republic of Tanzania for search and rescue purposes shall transmit a written request, giving full details of the projected mission, to the Director General.

(3) Subject to sub-regulation (2), the Director General shall:

- (a) acknowledge the receipt of such a request, and
- (b) in coordination with relevant State agencies, as soon as possible, indicate the conditions, if any, under which the projected mission may be undertaken.

Cooperation with other services not forming part of the search and rescue organization

13.-(1) All aircrafts, vessels local service and facilities, which do not form part of the search and rescue organization shall cooperate fully with the search and rescue organization in search and rescue and shall extend any possible assistance to the survivors of aircraft accidents.

(2) Close coordination between relevant aeronautical and maritime authorities shall be maintained to provide for the most effective and efficient search and rescue services.

(3) The designated search and rescue agency shall ensure that search and rescue services cooperates with those agencies responsible for investigating accidents and with those responsible for the care of those who suffer from the accidents.

(4) To facilitate accident investigation, rescue units shall, when practicable, be accompanied by persons

qualified in the conduct of aircraft accident and incident investigations.

Establishment of aeronautical search and rescue committee

14.-(1) The Minister, shall in coordination with the relevant government departments, establish an aeronautical search and rescue committee to ensure a coordinated and effective search and rescue service within the United Republic of Tanzania.

(2) The aeronautical search and rescue committee shall comprise representatives from:

- (a) the Ministry responsible for civil aviation;
- (b) the Tanzania Civil Aviation Authority;
- (c) Air traffic services;
- (d) Aircraft operators;
- (e) the Tanzania Peoples Defence forces;
- (f) the Tanzania Port Authority;
- (g) the Tanzania Police Force;
- (h) the Tanzania Meteorological Agency;
- (i) the Tanzania Airports Authority;
- (j) the Tanzania Pilots Association;
- (k) Accident Investigation; unit of
- (l) Communication agencies;
- (m) the Zanzibar Ports Authority;
- (n) Tanzania and Zambia Railways; and
- (o) Such other person as may be deemed necessary by the Minister.

(3) The Cabinet Secretary shall appoint the chairperson of the committee from among the members, whose role will be to coordinate the functions of the committee with the assistance of a secretary appointed by the committee from among its members.

(4) The committee shall, in coordination with the designated search and rescue agency, ensure the effective delivery of search and rescue services within the search and rescue region in accordance with these regulations.

(5) Notwithstanding sub-regulation (4), the committee shall in coordination with the designated search and rescue agency, be responsible for:

- (a) developing and recommending the national strategic search and rescue policy;
- (b) coordination of administrative and operational matters regarding search and rescue of aircraft;
- (c) providing an interface between the national and other regional and international organizations involved in search and rescue operations;
- (d) overseeing the implementation of the search and rescue plan for the United Republic of Tanzania and of procedures contained in the aeronautical search and rescue Manual;
- (e) coordinating arrangements for search and rescue training and exercises required by the search and rescue plan including follow-up of actions recommended following the conduct of search and rescue exercises;
- (f) promoting effective use of all available facilities for search and rescue;
- (g) serving as a co-operative forum to exchange information and develop positions and policies of interest to Parties involved in the Plan;
- (h) promoting close co-operation and co-ordination between civilian and military authorities and organizations for the provision of effective search and rescue services;
- (i) improving co-operation among aeronautical, maritime and land search and rescue communities for the provision of effective search and rescue services;
- (j) coordinating search and rescue exercises as necessary;
- (k) ensuring the availability of appropriately packed, droppable life support equipment that is securely positioned and maintained at strategic locations throughout the search and rescue region and readily available for rapid loading onto search and rescue units; and

- (1) determining other ways to enhance the overall effectiveness and efficiency of search and rescue services within United Republic of Tanzania and to standardize search and rescue procedures and equipment where practicable; and

(6) The Committee shall meet at least twice a year to discuss matters related to its functions pursuant to sub-regulation (5) and to make any necessary recommendations to the Director General on matters affecting aeronautical search and rescue services in the United Republic of Tanzania.

(7) The chairperson of the committee may at any time and in coordination with the designated search and rescue agency, call a special meeting of the committee when circumstances so require at a time and place to be determined and shall notify the members of the committee in writing.

Dissemination of information

15.-(1) The designated search and rescue agency shall:

- (a) designate and publish in the Tanzania AIP, a search and rescue point of contact for the receipt of COSPAS-SARSAT distress data.
- (b) publish in the AIP, arrangements and information necessary for the entry into the United Republic of Tanzania of search and rescue units of other States for the purpose of search and rescue of aircraft.
- (c) make available, through the rescue coordination centres or other agencies, information regarding search and rescue plans of operation.

(2) The Minister shall, to the extent desirable and practicable, disseminate information to the general public and emergency response authorities regarding actions to be taken when there is reason to believe that an aircraft's emergency situation may become cause for public concern or require a general emergency response.

PART IV
PREPARATORY MEASURES

Preparatory
information

16.-(1) The designated search and rescue agency shall:

- (a) make readily available, at all times, up to-date information concerning the following in respect of its search and rescue region, search and rescue units, rescue sub-centres and alerting posts, and air traffic services units-
 - (i) means of communication that may be used in search and rescue operations,
 - (ii) addresses and telephone numbers of all operators, or their designated representatives, engaged in operations in the region; and
 - (iii) any other public and private resources including medical and transportation facilities that are likely to be useful in search and rescue.
- (b) ensure that the rescue coordination centre have readily available all other information of interest to search and rescue, including information regarding:
 - (i) the locations, call signs, hours of watch, and frequencies of all radio stations likely to be employed in support of search and rescue operations;
 - (ii) the locations and hours of watch of services keeping radio watch, and the frequencies guarded;
 - (iii) locations where supplies of droppable emergency and survival equipment are stored; and
 - (iv) objects which it is known might be mistaken for unallocated or unreported

wreckage, particularly if viewed from the air.

(2) The rescue coordination centre shall coordinate with the marine search and rescue units to have ready access to information regarding the positions, course and speed of ships within areas that may be able to provide assistance to aircraft in distress and information on how to contact such ships.

- (a) in cooperation with other States, and in cooperation with the maritime authority arrange communication links with amvers or regional ship reporting systems to facilitate search and rescue operations at sea; and
- (b) provide relevant information on the availability of Search and Rescue Units within the search and rescue region for publication in the AIP.

Search and
rescue plan of
operation

17.-(1) The designated search and rescue agency shall prepare detailed plans of operation for the conduct of search and rescue operations within the search and rescue region.

(2) Search and rescue plan of operations shall be developed jointly with representatives of the operators and other public or private services that may assist in providing search and rescue services or benefit from them, taking into account that the number of survivors could be large.

(3) The plans of operation shall specify arrangements for the servicing and refueling, to the extent possible, of aircraft, vessels and vehicles employed in search and rescue operations, including those made available by other States.

(4) The search and rescue plans of operation shall contain details regarding actions to be taken by those persons engaged in search and rescue, including:

- (a) the manner in which search and rescue operations are to be conducted in the search and rescue region;

- (b) the use of available communication systems and facilities;
- (c) the actions to be taken jointly with other rescue coordination centres;
- (d) the methods of alerting en-route aircraft and ships at sea;
- (e) the duties and prerogatives of persons assigned to search and rescue;
- (f) the possible redeployment of equipment that may be necessitated by meteorological or other conditions;
- (g) the methods for obtaining essential information relevant to search and rescue operations, such as weather reports and forecasts, appropriate NOTAM, etc.;
- (h) the methods for obtaining, from other rescue coordination centres, such assistance, including aircraft, vessels, persons or equipment, as may be needed;
- (i) the methods for assisting distressed aircraft being compelled to ditch to rendezvous with surface craft;
- (j) the methods for assisting search and rescue operation or other aircraft to proceed to aircraft in distress; and
- (k) cooperative actions to be taken in conjunction with air traffic services units and other authorities concerned to assist aircraft known or believed to be subject to unlawful interference.

(5) Search and rescue plans of operation shall be integrated with airport emergency plans to provide for rescue services in the vicinity of aerodromes including, for coastal aerodromes, areas of water.

(6) Search and rescue plans for operation shall be integrated with emergency response plans developed by the air operators in accordance with the provisions of the Civil Aviation (Operation of Aircraft) Regulations.

(7) To facilitate the implementation of the search and rescue plan, the designated search and rescue agency shall prepare and keep updated, a search and rescue manual containing the necessary procedures for search and rescue operations and matters connected therewith.

Search and
rescue units

18.-(1) The designated search and rescue agency shall ensure that each search and rescue unit:

- (a) is cognizant of all parts of the plans of operation described in regulation 17 that are necessary for the effective conduct of its duties;
- (b) keeps the rescue coordination centre informed of its preparedness.
- (c) maintains readiness and the required number of search and rescue facilities; and
- (d) maintains adequate supplies of rations, medical stores, signaling devices and other survival and rescue equipment.

Training and
exercises

19. To achieve and maintain maximum efficiency in search and rescue, the designated search and rescue agency shall provide for regular training of its search and rescue personnel and arrange appropriate search and rescue exercises.

Wreckage

20. The Minister shall ensure that wreckage resulting from aircraft accidents within the United Republic of Tanzania or, in the case of accidents on the high seas, within the search and rescue regions, is removed, obliterated or charted following completion of the accident investigation, if its presence might constitute a hazard or confuse subsequent search and rescue operations.

PART V
OPERATING PROCEDURES

Information concerning emergencies

21.-(1) Any authority or any element of the search and rescue organization having reason to believe that an aircraft is in an emergency shall give immediately all available information to the rescue coordination centre.

(2) The rescue coordination centre shall, immediately upon receipt of information concerning aircraft in emergency, evaluate such information and assess the extent of the operation required.

(3) When information concerning aircraft in emergency is received from other sources than air traffic services units, the rescue coordination centre shall determine to which emergency phase the situation corresponds and shall apply the procedures applicable to that phase.

Procedures for rescue coordination centre during emergency phases

22.-(1) Upon the occurrence of:

- (a) an uncertainty phase, the rescue coordination centre shall cooperate with air traffic services units and other appropriate agencies and services in order that incoming reports may be speedily evaluated;
- (b) an alert phase the rescue coordination centre shall immediately alert search and rescue units and initiate any necessary action;
- (c) a distress phase, the rescue coordination centre shall immediately initiate action by search and rescue units in accordance with the appropriate plan of operation;
 - (i) ascertain the position of the aircraft, estimate the degree of uncertainty of this position, and, on the basis of this information and the circumstances, determine the extent of the area to be searched;

- (ii) notify the operator, where possible, and keep the operator informed of developments;
- (iii) notify other rescue coordination centres, the help of which seems likely to be required, or which may be concerned in the operation;
- (iv) notify the associated air traffic services unit, when the information on the emergency has been received from another source;
- (v) request at an early stage such aircraft, vessels, coastal stations and other services not specifically included in the appropriate plan of operation and able to assist to:
- (vi) maintain a listening watch for transmissions from the aircraft in distress, survival radio equipment or ELT 406Mhz.
- (vii) assist the aircraft in distress as far as practicable; and inform the rescue coordination centre of any developments;
- (viii) from the information available, draw up a detailed plan of action for the conduct of the search and/or rescue operation required and communicate such plan for the guidance of the authorities immediately directing the conduct of such an operation;
- (ix) amend as necessary, in the light of evolving circumstances, the detailed plan of action;
- (x) notify the appropriate accident investigation authorities;
- (xi) notify the State of Registry of the aircraft; and

- (d) the order in which these actions are described shall be followed unless circumstances dictate otherwise.
- (2) In the event that an emergency phase is declared in respect of an aircraft whose position is unknown the following shall apply:
 - (a) when a rescue coordination centre is notified of the existence of an emergency phase and is unaware of other centres taking appropriate action, it shall assume responsibility for initiating suitable action in accordance with these regulations and shall confer with neighboring rescue coordination centres with the objective of designating one rescue coordination centre to assume responsibility forthwith;
 - (b) unless otherwise decided by common agreement of the rescue coordination centres concerned, the rescue coordination centre to coordinate search and rescue action shall be the centre responsible for:
 - (i) the region in which the aircraft last reported its position; or
 - (ii) the region to which the aircraft was proceeding when its last reported position was on the line separating two search and rescue regions; or
 - (iii) the region to which the aircraft was destined the region to which the aircraft was destined when it was not equipped with suitable two-way radio communication or not under obligation to maintain radio communication; or
 - (iv) the region in which the distress site is located as identified by the COSPAS-SARSAT system.
- (3) After declaration of the distress phase, the rescue coordination centre with overall coordination responsibility shall inform all rescue coordination centres

that may become involved in the operation of all the circumstances of the emergency and subsequent developments.

(4) All rescue coordination centres that become aware of any information pertaining to the emergency shall inform the rescue coordination centre that has overall responsibility for the search and rescue.

(5) In passing of information to aircraft in respect of which an emergency phase has been declared, the rescue coordination centre responsible for search and rescue action shall forward to the air traffic services unit serving the flight information region in which the aircraft is operating, information of the search and rescue action initiated.

Procedures where responsibility for operations extends to two or more rescue coordination centres

23. Where the conduct of operations over the entire search and rescue region is the responsibility of more than one rescue coordination centre, each involved rescue coordination centre shall take action in accordance with the relevant plan of operations when so requested by the rescue coordination centre of the region.

Procedures for authorities in the field

24. The authorities immediately directing the conduct of search and rescue operations in the field or any part thereof shall:

- (a) give instructions to the units under their direction and inform the rescue coordination centre of such instructions; and
- (b) keep the rescue coordination centre informed of any developments.

Procedures for rescue coordination centre - termination and suspension of operations

25.-(1) Search and rescue operations shall continue, when practicable, until all survivors are delivered to a place of safety or until all reasonable hope of rescuing survivors has passed.

(2) The rescue coordination centre shall be responsible for determining when to discontinue search and rescue operations.

(3) When a search and rescue operation has been successful or when a rescue coordination centre considers, or is informed, that an emergency no longer exists, the emergency phase shall be cancelled, the search and rescue operation shall be terminated and any authorities, facilities or services that have been activated or notified shall be promptly informed.

(4) Where a search and rescue operation becomes impracticable and the rescue coordination centre concludes that there might still be survivors, the centre shall suspend on-scene activities pending further developments and shall promptly inform any agency, facility or service which has been activated or notified.

(5) The information subregulation (4) shall be evaluated and search and rescue operations resumed when justified and practicable.

Procedures at the scene of an accident

26.-(1) Where multiple facilities are engaged in search and rescue operations on scene, the rescue coordination centre or rescue sub-centre shall designate one or more units on scene to coordinate all actions to help ensure the safety and effectiveness of air and surface operations, taking into account facility capabilities and operational requirements.

(2) Where a pilot-in-command observes that either another aircraft or a surface craft is in distress, the pilot shall, if possible and unless considered unreasonable or unnecessary:

- (a) keep the craft in distress in sight until compelled to leave the scene or advised by the rescue coordination centre that it is no longer necessary;
- (b) determine the position of the craft in distress;
- (c) as appropriate, report to the rescue coordination centre or air traffic services

unit as much of the following information as possible:

- (i) type of craft in distress, its identification and condition;
- (ii) its position, expressed in geographical or grid coordinates or in distance and true bearing from a distinctive landmark or from a radio navigation aid;
- (iii) time of observation expressed in hours and minutes coordinated universal time (UTC);
- (iv) number of persons observed;
- (v) whether persons have been seen to abandon the craft in distress;
- (vi) on-scene weather conditions
- (vii) apparent physical condition of survivors;
- (viii) apparent best ground access route to the distress site; and

(d) act as instructed by the rescue coordination centre or the air traffic services unit.

(3) Where-

- (a) the first aircraft to reach the scene of an accident is not a search and rescue aircraft, it shall take charge of on-scene activities of all other aircraft subsequently arriving until the first search and rescue aircraft reaches the scene of the accident; and
- (b) in the meantime, such aircraft is unable to establish communication with the appropriate rescue coordination centre or air traffic services unit, it shall, by mutual agreement hand over to an aircraft capable of establishing and maintaining such communications until the arrival of the first search and rescue aircraft.

(4) When it is necessary for an aircraft to convey information to survivors or surface rescue units, and two-way communication is not available, it shall, where practicable, drop communication equipment that would enable direct contact to be established, or convey the information by dropping a hard copy message.

(5) When a ground signal has been displayed, the aircraft shall indicate whether the signal has been understood or not by the means described in sub-regulation (4) or, if this is not practicable, by making the appropriate visual signal.

(6) When it is necessary for an aircraft to direct a surface craft to the place where an aircraft or surface craft is in distress, the aircraft shall do so by transmitting precise instructions by any means at its disposal and if no radio communication can be established, the aircraft shall make the appropriate visual signal.

Procedures for a pilot-in-command intercepting a distress transmission

27.-(1) Whenever a distress transmission is intercepted by a pilot-in-command of an aircraft, the pilot shall, if feasible:

- (a) acknowledge the distress transmission;
- (b) record the position of the craft in distress if given;
- (c) take a bearing on the transmission;
- (d) inform the appropriate rescue coordination centre or air traffic services unit of the distress transmission, giving all available information; and
- (e) at the pilot's discretion, while awaiting instructions, proceed to the position given in the transmission.

Search and rescue signals

28.-(1) The air-to-surface and surface-to-air visual signals described in the Schedule shall, when used, have the meaning indicated therein and shall be used only for the purpose indicated and no other signals likely to be confused with them shall be used.

(2) Upon observing any of the signals, aircraft shall take such action as may be required by the interpretation of the signal given in the Schedule to these Regulations.

Maintenance of records, appraisals and information sharing

29.-(1) The rescue coordination centre shall keep a record of the operational efficiency of the search and rescue organization in the region.

(2) The rescue coordination centre shall prepare appraisals of actual search and rescue operations in the region and the reports shall include any pertinent remarks on the procedures used and on the emergency and survival equipment, and any suggestions for improvement of those procedures and equipment.

(3) Appraisals which are likely to be of interest to other States shall be submitted to ICAO for information and dissemination as appropriate.

PART VI GENERAL PROVISIONS

Requisition of aircraft or vessel

30.-(1) The Minister may for purposes of any aeronautical search and rescue operation-

- (a) requisition any civil aircraft or vessel;
- (b) request the assistance of any military aircraft or vessel; or
- (c) request any holder of a [the United Republic of Tanzania aircraft flight crew license or the master or captain of a vessel to assist in the operation.

(2) Where the Minister contemplates requisitioning a civilian aircraft or vessel or requesting a civilian holder of a the United Republic of Tanzania aircraft flight crew licence or the master of a vessel, the Minister may do so only if-

- (a) human life is in immediate and grave danger;
and
- (b) there is no other means available for the
conduct of the operation.

Recovery of
certain expenses

31.-(1) Where any search and rescue operation is undertaken in connection with any occurrence caused by the unlawful act or omission of any person, the Minister may recover from that person the whole or any portion of the expenses incurred in connection with that operation.

(2) The Minister may, after having recovered the expenses contemplated in sub-regulation (1), compensate any person who has incurred any loss or damage as a result of the operation.

(3) Subject to sub-regulations (1) and (2), the Minister shall determine and notify in writing the expenses to be recovered depending on the nature of the unlawful act or omission.

Record keeping
by the designated
search and
rescue agency

32. The designated search and rescue agency shall retain all data relating to every search and rescue action undertaken by the rescue coordination centre in an orderly and easily accessed manner for a period of at least twelve calendar months.

Failure to
comply with
direction or
instructions

33.-(1) A person who fails to comply with any direction or instructions given to him under these regulations commits an offence.

(2) A person who becomes aware of a violation of the provisions of any of these regulations, rules or orders issued thereunder, shall without delay report it to the Authority.

(3) The Authority shall upon being notified of a violation, determine the nature and type of investigation or enforcement action that need to be taken.

PART X
EXEMPTIONS

Requirements
for application
for exemption

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

(2) Unless in case of emergency, a person requiring exemption from any provision of these Regulations shall make an application to the Authority at least sixty days prior to the proposed effective date, giving the following information-

- (a) name and contact address including electronic mail and fax if any;
- (b) telephone number;
- (c) a citation of the specific requirement from which the applicant seeks exemption;
- (d) justification for the exemption;
- (e) a description of the type of operations to be conducted under the proposed exemption;
- (f) the proposed duration of the exemption;
- (g) an explanation of how the exemption would be in the public interest;
- (h) 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;
- (i) A safety risk assessment carried out in respect of the exemption applied for;
- (j) if the applicant handles international operations and seeks to operate under the proposed exemption, an indication whether the exemption would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organization (ICAO); and
- (k) any other information that the Authority may require.

(3) Where the applicant seeks emergency processing of an application for exemption, the

application shall contain supporting facts and reasons for not filing the application within the time specified in sub regulation (2) and satisfactory reason for deeming the application an emergency.

(4) The Authority may in writing, refuse an application made under sub regulation (3), where in the opinion of the Authority, the reasons given for emergency processing are not satisfactory.

(5) The application for exemption shall be accompanied by fee to be prescribed by the Authority.

Review and publication.

35.-(1) The Authority shall review the application for exemption made under regulation 52 for accuracy and compliance and if the application is satisfactory, the Authority shall publish a detailed summary of the application for comments, within a prescribed time, in either-

- (a) aeronautical information circular; or
- (b) a daily newspaper with national circulation.

(2) Where application requirements have not been fully complied with, the Authority shall request the applicant in writing, to comply prior to publication or making a decision under sub regulation (3).

(3) Where the request is for emergency relief, the Authority shall publish the decision as soon as possible after processing the application.

Evaluation of the request

36.-(1) Where the application requirements have been satisfied, the Authority shall conduct an evaluation of the request to include-

- (a) determination of whether an exemption would be in the public interest;
- (b) a determination, after a technical evaluation of 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) a determination of whether a grant of the exemption would contravene these Regulations; and
- (d) a recommendation based on the preceding elements, of 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 in writing of, the decision to grant or deny the request and publish a detailed summary of its evaluation and decision.

(3) The summary 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 XI GENERAL PROVISIONS

Drug and alcohol testing and reporting.

37.-(1) Any person who performs any function prescribed by these Regulations directly or by contract under the provisions of these Regulations may be tested for drug or alcohol usage.

(2) A person who-

- (a) refuses to be tested for alcohol percentage in the blood; or
- (b) refuses to be tested or examine for to determination of presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, when so requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority,

shall-

- (i) be denied any licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to one year from the date of that refusal; or
- (ii) have their licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

(3) Any person who is convicted for the violation of any local or national statute relating to the use, growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, shall-

- (a) be denied any license, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to one year after the date of conviction; or
- (b) have their licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

Change of
Name

38.-(1) A holder of a certificate issued under these Regulations may apply to the Authority for-

- (a) a replacement of the certificate if lost or destroyed;
- (b) a change of name on the certificate; or
- (c) an endorsement on the certificate.

(2) For the purposes of subregulation (1), the holder of a certificate shall submit to the Authority-

- (a) the original certificate or a copy thereof in case of loss; and
- (b) a court order, or other legal document verifying the name change.

(3) The Authority shall return to the holder of a certificate, with the appropriate changes applied for, if any, the documents in subregulation (2) and, where necessary, retain copies thereof.

Change of
address

39.-(1) A holder of a certificate issued under these Regulations shall notify the Authority of the change in the physical and mailing address within fourteen days of such change.

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

Replacement of
documents.

40. A person may apply to the Authority, in the prescribed form for a replacement of the documents issued under these Regulations where the documents are lost or destroyed.

Use and
retention of
documents and
records

41.-(1) A person shall not-

- (a) use any certificate or exemption issued or required by or under these Regulations which is forged, altered, cancelled, or suspended, or to which he is not entitled; or
- (b) forge or alter any certificate or exemption issued or required by or under these Regulations; or
- (c) lend any certificate or exemption issued or required by or under these Regulations to any other person; or
- (d) make any false representation for the purpose of procuring for himself or any other person the grant, issue, renewal or variation of any such certificate or exemption.
- (e) 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.

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

(3) A person shall not issue any certificate:

(a) or exemption under these Regulations unless he is authorised to do so by the Authority; or

(b) referred to in sub-regulation (3) unless he has satisfied himself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

Reports of violation
Cap.80

42.-(1) A person who knows of a violation of the Act, or any Regulations, rules, or orders issued there under, shall report it to the Authority.

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

Failure to comply with direction

43. A 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 commits an offence.

Aeronautical fees

44.-(1) The Authority shall notify, in writing, the fees to be charged in connection with the issue, renewal or variation of any certificate, test, inspection or investigation required by, or for the purpose of these Regulations any orders, notices or proclamations made there under.

(2) An applicant for anything under these Regulations shall, before the application is accepted, be required to pay the fee so chargeable for the respective application.

(3) Where a payment has been made in terms of sub regulation (2) and the applicant decides to withdraw the application the Authority shall not refund the payment made.

PART XII
OFFENCES AND PENALTIES

Penalties

45.-(1) A person who contravenes any provision of these Regulations, orders, notices or proclamations made there under shall, upon conviction, be liable to a fine not exceeding one million shillings or to imprisonment for a term not more than six months or both, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

(2) Where 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 any person is aggrieved by any order made under these Regulations the person may, within twenty one days of such order being made, appeal against the order to a court of law with competent jurisdiction.

General penalty

46. A person who contravenes any provision of these Regulations for which no penalty has been provided, commits an offence and-

- (a) shall, on conviction be liable to a fine of the sum equivalent in Tanzanian shillings of five hundred United States dollars; and
- (b) may, on conviction have his certificate, approval, authorisation, exemption or such other document revoked or suspended.

SCHEDULE

(Made under regulation 28)

SEARCH AND RESCUE SIGNALS

1. Signals with surface craft

(1) The following maneuvers performed in sequence by an aircraft mean that the aircraft wishes to direct a surface craft towards an aircraft or a surface craft in distress:

- (a) circling the surface craft at least once;
- (b) crossing the projected course of the surface craft close ahead at low altitude, but not lower than 500 ft above ground level, and
 - (i) rocking the wings, or
 - (ii) opening and closing the throttle, or
 - (iii) Changing the propeller pitch

Due to high noise level on board surface craft, the sound signals in (ii) and (iii) may be less effective than the visual signal in (i) and are regarded as alternative means of attracting attention.

- (c) heading in the direction in which the surface craft is to be directed.

(2) Repetition of such maneuvers has the same meaning.

(3) The following maneuvers by an aircraft means that the assistance of the surface craft to which the signal is directed is no longer required:

- (a) crossing the wake of the surface craft close astern at a low altitude and rocking the wings; or
- (b) opening and closing the throttle; or
- (c) changing the propeller pitch.
- (d) the changing of heading to follow the aircraft.

2. Ground-air visual signal code for use by survivors

No.	Message	Code symbol
1	Require assistance	V
2	Require medical assistance	X
3	No or Negative	N
4	Yes or Affirmative	Y
5	Proceeding in this direction	↑

3. Ground-air visual signal code for use by rescue units.

No.	Message	Code symbol
1	Operation completed	LLL
2	We have found all personnel	<u>LL</u>
3	We have found only some personnel	++
4	We are not able to continue. Returning to base	XX
5	Have divided into two groups. Each proceeding in direction indicated	
6	Information received that aircraft is in this direction	
7	Nothing found. Will continue to search	NN

4. Symbols shall be at least 2.5 metres (8 feet) long and shall be made as conspicuous as possible.

Note 1. — Symbols may be formed by any means such as: strips of fabric, parachute material, pieces of wood, stones or such like material; marking the surface by tramping, or staining with oil.

Note 2. — Attention to the above signals may be attracted by other means such as radio, flares, smoke and reflected light.

5. Air-to-ground signals

- (1) The following signals by aircraft mean that the ground signals have been understood:
 - (a) during the hours of daylight
 - (i) by rocking the aircraft's wings;
 - (b) during the hours of darkness:
 - (ii) flashing on and off twice the aircraft's landing lights or,
 - (iii) if not so equipped, by switching on and off twice its navigation lights.
- (2) Lack of the above signal indicates that the ground signal is not understood.

Dar es Salaam,
20th February, 2017

MAKAME M. MBARAWA
*Minister for Works, Transport
and Communication*