

GOVERNMENT NOTICE No.. published on.....

THE CIVIL AVIATION ACT
(CAP. 80)

REGULATIONS

(Made under Section 4)

THE CIVIL AVIATION (AIRCRAFT REGISTRATION AND MARKING)
REGULATIONS, 2011

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REGULATIONS

(Made under Section 4)

THE CIVIL AVIATION (AIRCRAFT REGISTRATION AND MARKING)
REGULATIONS, 2011

PART I
PRELIMINARY PROVISIONS

- Citation **1.** These Regulations may be cited as the Civil Aviation (Aircraft Registration and Marking) Regulations, 2011.
- Interpretation **2.** In these Regulations, unless the context otherwise requires-
- “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;
 - “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;
 - “airship” means a power-driven lighter-than-air aircraft;
 - “Authority” means the Tanzania Civil Aviation Authority;
 - “balloon” means a non-power-driven lighter-than-air aircraft;
 - “commercial air transport” means an aircraft operation involving in the transport of passengers, cargo, or mail for remuneration or hire;
 - “Contracting State” means a state that is a signatory to the Convention on

- International Civil Aviation;
- “fireproof material” means a material capable of withstanding heat as well or better than steel when the dimensions in both cases are appropriate for the specific purpose;
- “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;
- “gyroplane” means a heavier-than-air aircraft, deriving its lift in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes;
- “heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;
- “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;
- “lighter-than-air” aircraft means any aircraft supported chiefly by its buoyancy in the air;
- “ornithopter” means heavier-than-air aircraft supported in flight chiefly by reactions of the air on planes to which a flapping motion is imparted;
- “rotorcraft” means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors; and
- “sea plane” means an aeroplane equipped with floats or other devices enabling it to land and take off from the surface of water.

PART II AIRCRAFT REGISTRATION REQUIREMENTS

General

3.-(1) A person shall not operate an aircraft, as classified in the First Schedule to these Regulations, within or fly over the United Republic of Tanzania unless-

- (a) for an aircraft eligible for registration under the laws of the United Republic of Tanzania, the aircraft is registered by owner in accordance with these Regulations and the Authority has issued a certificate of registration for that aircraft which shall be carried aboard that aircraft for all operations; or
- (b) it is registered in-
 - (i) a Contracting State to the Convention on International Civil Aviation;
 - (ii) some other State in relation to which there is in force an agreement between the Government of the United

Republic of Tanzania and the Government of that State which makes provisions for the flight over the United Republic of Tanzania of aircraft registered in that State.

(2) An aircraft shall not be registered or continue to be registered in the United Republic of Tanzania where-

- (a) the aircraft is registered outside of the United Republic of Tanzania;
- (b) an unqualified person is entitled as owner to any legal or beneficial;
- (c) interest in the aircraft or to any share therein;
- (d) it would be inexpedient in the public interest for the aircraft to be or to continue to be registered in the United Republic of Tanzania; and
- (e) the aircraft does not qualify to be issued with a certificate of airworthiness as specified in the Civil Aviation (Airworthiness) Regulations, 2011.

(3) A person shall not operate or fly an aircraft unless it bears painted thereon or affixed thereto, in the manner required by-

- (a) the law of the State in which it ;
- (b) the nationality; and;
- (c) registration marks required by that law.

(4) An aircraft shall not bear any marks which purport to indicate that the aircraft is-

- (a) registered in a State in which it is not in fact registered; or
- (b) a State aircraft of a particular State if it is not in fact such an aircraft unless the appropriate authority of that State has sanctioned the bearing of such marks.

(5) The Authority shall be responsible for the registration of aircraft in the United Republic of Tanzania and maintain a register on its premises and record in a manner specified in Regulation 6.

Eligibility for registration.

4.-(1) An aircraft is eligible for registration if it is-

- (a) owned by a citizen of the United Republic of Tanzania;
- (b) a corporation lawfully organized and doing business under the laws of the United Republic of Tanzania;
- (c) is owned by an individual citizen of a foreign State who is lawfully admitted for residency in the United Republic of Tanzania;
- (d) not registered under the laws of any foreign country; and

- (e) a government entity of the United Republic of Tanzania; and
- (2) The following persons shall be qualified to be the owners of a legal or beneficial interest in an aircraft registered in the United Republic of Tanzania, or a share therein-
 - (a) the Government of the United Republic of Tanzania;
 - (b) citizens of the United Republic of Tanzania or persons bona fide resident in the United Republic of Tanzania;
 - (c) such other persons as the Authority may approve, on condition that the aircraft is not used for commercial air transport, flying training or aerial work and such other conditions as the Authority may specify; and
 - (d) bodies corporate-
 - (i) established under subject laws of the United Republic of Tanzania; or
 - (ii) established under and subject to the laws of such country as the Authority may approve.
- (3) If an unqualified person residing or having a place of business in the United Republic of Tanzania is entitled as owner to a legal or beneficial interest in an aircraft, or a share therein, the Authority, may upon being satisfied that the aircraft otherwise be properly registered, register the aircraft in the United Republic of Tanzania and that person shall not cause or permit the aircraft while it is registered in pursuance of this sub-regulation to be used for the purpose of commercial air transport operations or aerial work.
- (4) If an aircraft is leased or is the subject of a lease, charter or hire purchase agreement to a person qualified under sub-regulation (2), the Authority may, whether or not an unqualified person is entitled as owner to a legal or beneficial interest therein, register the aircraft in the names of the parties to the charter or hire purchase agreement upon being satisfied that the aircraft may otherwise remain so registered during the continuation of the lease, charter or hire-purchase agreement.

Application for registration of aircraft

- 5.-(1) A person who wishes to register an aircraft in the United Republic of Tanzania shall submit an application for aircraft registration to the Authority for registration on a form prescribed by the Authority.
- (2) Each application shall-
 - (a) certify as to the citizenship of the applicant;
 - (b) show evidence identifying ownership; and
 - (c) be signed in ink.
- (2) The application for aircraft registration shall be submitted with the prescribed fee to the Authority.

(3) An application for the registration of an aircraft in the United Republic of Tanzania may be made by, or on behalf of the owner:

Provided that:

- (a) the applicant is legally entitled to the aircraft;
- (b) a written notice is submitted to the Authority identifying the person making the application on behalf of the owner;
- (c) in case of a body corporate, a written notice identifying an officer of the body corporate, and address, who may be served with documents, including the registration certificate issued by the Authority;
- (d) for imported aircraft with previous registration of a foreign country, a statement issued by the authority responsible for registration of aircraft in that country stating when the registration was cancelled;
- (e) a description of the aircraft that identifies it by reference to its manufacturer;
- (f) if the aircraft has previously been registered in the United Republic of Tanzania or anywhere else particulars of the registration mark, if it has been reserved for the aircraft;
- (g) the name and address of each person who holds a property interest in the aircraft and a description of the person's property interest;
- (h) the name and address of the registered owner if different from paragraph (d);
- (i) physical station where the aircraft is usually stationed;
- (j) name and signature of the applicant; and
- (k) date of the application.

Registration of
aircraft

6.-(1) Upon receiving an application for the registration of an aircraft and being satisfied that the aircraft may properly be registered, the Authority shall register the aircraft, and include in the register and on the certificate the following particulars-

- (a) the number of the certificate;
- (b) the nationality mark of the aircraft, and the registration mark assigned to it by the Authority;
- (c) the name of the manufacturer and the manufacturer's designation of the aircraft;
- (d) the serial number of the aircraft;
- (e) the name and address of every person who is entitled as owner to a legal interest in the aircraft or a share therein, or, in the case of a

lease agreement or financial arrangement, the names and addresses of lessee and lessor or as the case may be, the financier; and

(f) conditions with regard to which it is registered.

(2) The register of unmanned free balloons shall contain the date, time and location of release, the type of balloon and the name of the operator.

Certificate of registration

7.-(1) The Authority shall furnish to the person in whose name the aircraft is registered, in this regulation referred to as the “registered owner”, a certificate of registration, which shall include the particulars specified in regulation 6 and the date on which the certificate was issued.

(2) Subject to regulation 4, if at any time after an aircraft has been registered in the United Republic of Tanzania an unqualified person becomes entitled as owner to a legal or beneficial interest in the aircraft or share therein, or the ownership of that aircraft is transferred to a person not qualified under the provisions of regulation 4, the registration of the aircraft shall thereupon become void and the certificate of registration shall forthwith be returned by the registered owner to the Authority for cancellation.

Change of registration or ownership particulars

8.-(1) A person registered as the owner of an aircraft registered in the United Republic of Tanzania shall notify the Authority in writing of-

- (a) any change in the particulars which were furnished to the Authority upon application being made for the registration of the aircraft;
- (b) the destruction of the aircraft or its permanent withdrawal from use; and
- (c) in the case of an aircraft registered in pursuance of regulation 4(4), the termination of the lease, charter or hire-purchase agreement.

(2) A person who becomes the owner of an aircraft registered in the United Republic of Tanzania shall inform the Authority in writing about the change of registration of ownership.

(3) The Authority may, where it appears necessary or appropriate, or for purposes of updating the register in accordance with sub-regulations (1) and (2), correct or amend the particulars entered on the register.

(4) For purposes of this regulations reference to the registered owner of the aircraft shall include, in the case of a deceased person, his legal representative and in the case of a body corporate which has been dissolved, its successor.

De-registration

9.-(1) The Authority may de-register or cancel the registration of an aircraft under the following circumstances-

- (a) upon application by the registered owner for purposes of registering the aircraft in another state or for any other purpose; or
 - (b) upon the destruction of the aircraft or its permanent withdrawal from use.
- (2) The Authority shall, before de-registering an aircraft in accordance with this Regulation, require the registered owner to-
- (a) return to the Authority the certificate of aircraft registration;
 - (b) settles any liens or encumbrances attached to the aircraft;
 - (c) remove all nationality and registration marks assigned to the aircraft; and
 - (d) comply with any such other conditions as the Authority may specify.

PART III THE NATIONALITY AND REGISTRATION MARKS

Marking and
manner of
affixation

10.-(1) A person shall not operate a aircraft registered in the United Republic of Tanzania unless it displays nationality and registration marks in accordance with the requirements of these Regulations.

(2) The marks used to identify the nationality of the United Republic of Tanzania shall conform to the requirements outlined in regulation 11 followed by a series of numbers or letters assigned by the Authority.

(3) Unless otherwise authorized by the Authority, a person shall not place on any aircraft a design, mark or symbol that modifies or confuses the nationality and registration marks.

(4) When letters are used for the registration mark, combinations shall not be used which might be confused with-

- (a) the three-letter combinations beginning with Q used in the Q Code;
- (b) five-letter combinations used in the International Code of Signals;
- (c) the distress signal SOS, or other similar urgent signals, for example XXX, PAN and TTT.

(5) The marks used shall not be so similar to international marks as to be confused with the International Five Letter Code of Signals or Distress Codes.

(6) Permanent marking of aircraft nationality and registration shall-

- (a) be painted on the aircraft or affixed by other means ensuring a similar degree of permanence;

- (b) have no ornamentation;
- (c) contrast in colour with the background;
- (d) be legible; and
- (e) be kept clean and visible at all times.

(7) The side marks for lighter-than-air aircraft shall be located as to be visible both from the sides and from the ground.

Display of marks

11.-(1) An owner of an aircraft registered in the United Republic of Tanzania shall display on that owner's aircraft the nationality mark "5H" followed by the registration of the aircraft consisting of three Roman Capital letters assigned by the Authority with a hyphen placed between the nationality mark and the registration mark.

(2) If, because of the aircraft configuration, it is not possible to mark the aircraft in accordance with these Regulations, the owner may apply to the Authority for a different procedure.

Location of marks

12.-(1) A person shall not operate a heavier-than-air aircraft unless the aircraft is marked as follows-

(a) an aircraft with fixed wing-

- (i) the marks shall be located on the lower surface of the port wing of the aircraft unless they extend across the lower surfaces of both of the wings of the aircraft and shall as far as possible, be located equidistant from the leading and trailing edges of the wing with the top of the letters, and number, comprising the marks, towards the leading edge of the wing or wings;
- (ii) for an aircraft having more than one set of wings, the mark shall be placed on the lower wing or the lower set of wings, as the case maybe;
- (iii) the marks shall also appear either on the fuselage, or equivalent structure, of the aircraft or on the vertical tail surface of the aircraft, and shall be on each side of the fuselage or equivalent structure between the wings and the tail surfaces;
- (iv) the marks on the vertical tail surfaces shall be on each side of the vertical tail surface for aircraft with a single vertical surface, and shall be on each of the out board sides of the outer vertical surfaces of the tail structure for an aircraft with multi-vertical surface structure;

- (b) rotorcraft - the marks shall be located horizontally on both the port and starboard sides and on any of the following where it is clearly visible--
 - (i) on the fuselage;
 - (ii) on the engine cowling;
 - (iii) on the tank or tanks;
 - (iv) on the tail boom; or
 - (v) on any other external surface approved by the Authority.
- (2) Lighter-than-air aircraft-
 - (a) spherical Balloon other than unmanned free balloons, the marks shall appear in two places diametrically opposite and be located near the maximum horizontal circumference of the balloon;
 - (b) Non-spherical Balloon other than unmanned free balloons, the marks shall appear on each side and shall be located near the maximum cross section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cable.
 - (c) Airship, the marks shall appear on each side of the hull of the airship and also on the upper surface on the line of symmetry and they shall be located lengthwise near the maximum cross-section of the airship; and
 - (d) all lighter-than-air-aircraft other than unmanned free balloons, the side marks shall be visible both from the sides and from the ground.

Measurement
of marks

13.-(1) A person shall not operate an aircraft unless the aircraft is marked with the number and letters comprising one or more marks on the same aircraft of equal height.

(2) The width of each letter and number except the letter I and the number '1' and the length of each hyphen shall be two-thirds the height of a letter or number.

(3) The letters, numbers and hyphens shall be-

- (a) formed by solid lines with thickness of one-sixth of the height of the marks; and
- (b) of colour that is clear contrast to the colour of the background to the marks.

(4) Each letter, or number, shall be separated from a letter, a number or hyphen, which precedes or follows it, by a space not less than one quarter of the width of a character except the letter I and the number '1'.

(5) In the case of lighter-than-air aircraft, other than unmanned free

balloons, the length of the marks shall be at least 50 centimetres.

(6) The marks on a balloon and unmanned free balloon shall be vertical and shall be at least 50 centimetres.

(7) In case of fixed wing heavier-than-air aircraft-

(a) the wing marks shall be at least 50 centimetres in height;

(b) the marks on the fuselage or equivalent structure shall be at least 30 centimetres in height without visually interfering with the outlines of the fuselage or equivalent structure; and

(c) the marks on the vertical tail surface shall be at least 30 centimetres in height with a clearance of 5 centimetres from leading and trailing edge of the tail surface.

(8) In the case of rotorcraft-

(a) the marks shall be at least 30 centimetres in height, or

(b) if the surface area of that part of the rotorcraft on which the marks are to be located is insufficient to enable compliance with paragraph (a), as high as possible; or

(c) in either case the mark shall leave a clearance of 5 centimetres from the edge of that part of the rotorcraft on which the marks are located and shall not interfere with the outlines of the rotorcraft.

(9) The marks shall be vertical or sloping at the same angle being an angle of no more than 30 degrees to the vertical axis.

Types of characters for nationality and registration marks

14. A person shall not operate an aircraft unless the aircraft is marked with capital letters in Roman characters without ornamentation and numbers shall be Arabic numbers without ornamentation and hyphens shall be considered as characters.

Deviations for size and location of marks

15.-(1) Where either one of the surfaces authorized for displaying required marks is large enough for display of marks meeting the size requirements of these Regulations and the other is not, the registered owner shall place full-size marks on the larger surface.

(2) Where, neither surface is large enough for full-size marks, the Authority may approve marks as large as practicable for display on the larger of the two surfaces.

Removal of marks

16. When an aircraft registered in the United Republic of Tanzania is sold, the holder of the certificate of registration shall upon de-registration remove, before its delivery to the purchaser, all nationality and registration marks of the United Republic of Tanzania, unless the purchaser is a citizen or other legal entity as prescribed in regulation 4(1).

Identification plate required

- 17.** The operator shall affix to each aircraft registered under the laws of the United Republic of Tanzania an identification plate-
- (a) containing the aircraft type, model, serial number, nationality and registration marks;
 - (b) made of fireproof metal or other fireproof material of suitable physical properties; and
 - (c) secured to the aircraft in a prominent position, near the main entrance, or, in the case of a free balloon, affixed conspicuously to the exterior of the payload.

PART IV GENERAL PROVISIONS

Inspection of certificate of registration

18. A person who holds a certificate of registration required by these Regulations shall present it for inspection upon a request from the Authority or any other person authorised by the Authority.

Change of name

- 19.**(1) A holder of a certificate issued under these Regulations may apply to the Authority for change of the name on the certificate.
- (2) The holder shall include with any such request-
 - (a) the current certificate; and
 - (b) a court order, or other legal document verifying the name change.
 - (3) The Authority may change the certificate and issue a replacement of the certificate.
 - (4) The Authority shall return to the holder the original documents specified in sub-regulation 2(b) of this regulation and retain copies thereof and return the replaced certificate with the appropriate endorsement.

Change of address

- 20.** (1) A holder of a certificate, 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-
- (a) the physical address, at least fourteen days in advance; and
 - (b) the mailing address upon the change.
- (2) A person who fails to notify the Authority of the change in the physical address within the time specified in sub-regulation (1) shall not exercise the privileges of the certificate.

Replacement of certificate

21. A person may apply to the Authority in the prescribed form for replacement of certificate of registration issued under these Regulations if such certificate is lost or destroyed.

Certificate suspension and revocations

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

Provided that, whether or not such further investigation has been completed, a provisional suspension under this sub-regulation shall, if not otherwise terminated, cease to have effect after twenty eight days.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to its satisfaction and where it considers it to be in the public interest, revoke, suspend, or vary any document issued or granted under these Regulations.

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

(4) A holder or any person having the possession or custody of any document which have been revoked, suspended or varied under these Regulations shall surrender it to the Authority within fourteen days from the date of revocation, suspension or variation.

(5) The breach of any condition subject to which any document is granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

Use and retention of certificates and records

23.-(1) A person shall not-

- (a) use any certificate issued under these Regulations which has been forged, altered or to which he is not entitled;
- (b) forge or alter any certificate issued under these Regulations;
- (c) lend any certificate issued 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 issue or change of any such certificate.

(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, 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 for the purpose of these Regulations unless he is authorised to do so under these Regulations.

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

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

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

Enforcement of directions

25. 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 commits an offence.

Aeronautical user fees

26.- (1) The Authority may notify the fees to be charged in connection with the issue including the issue of a duplicate copy thereof, or the undergoing of any examination or investigation required by, or for the purpose of these Regulations any orders, notices or proclamations made thereunder.

(2) Upon made of an application in connection with which any fee is chargeable in accordance with the provisions of sub-regulation (1), the applicant shall be required, before the application is entertained, to pay the fee so chargeable.

(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 payment made.

Application of regulations to Government and visiting forces, etc.

27.-(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.

(3) Meteorological pilot balloons used exclusively for meteorological purposes or to unmanned free balloons without a payload, shall be exempt from the provision of this regulation except otherwise expressly provided.

PART V EXTRA-TERRITORIAL APPLICATION OF REGULATIONS

Extra-territorial
application of
Regulations

28. 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 the United Republic of 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 the United Republic of 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 the United Republic of Tanzania by other persons shall, where such persons are citizens of the United Republic of Tanzania, apply to them wherever they may be.

PART VI OFFENCES AND PENALTIES

Contravention
of Regulations

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

30.-(1) A person who contravenes any provision of these Regulations, orders, notices or proclamations made thereunder shall in relation to an aircraft, the operator of that aircraft and the PIC, 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 the contravention, be deemed for the purposes of the following provisions of this Regulation to have contravened that provision unless that person 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 thereunder 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 a lien for the purpose of sub-regulation (5) may be seized by and placed in the custody of the Authority:

Provided that no such aircraft shall be so seized save with the consent of the Attorney General.

(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 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 of not less than one hundred and not more than three hundred United States dollars or its equivalent to the United Republic of Tanzania shillings for provisions referred to in sub-part (i) and sub-part (ii) in accordance with Second Schedule to these Regulations.

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

(10) A person who is aggrieved by any order made under sub-regulation (9), 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

PART VII TRANSITION, SAVINGS AND REPEAL

Transition,
Savings and
Repeal

31.-(1) The Tanzania Civil Aviation (Aircraft Registration and Marking) Regulations, 2006 are hereby revoked.

(2) All valid licences, certificates, permits or authorisations issued or granted by the Authority before the commencement of these regulations shall remain in force until they expire or revoked, annulled or replaced.

FIRST SCHEDULE

Regulation 3 (1)

CLASSIFICATION OF AIRCRAFT

Table I. Classification of aircraft

AIRCRAFT	Lighter-than-air aircraft	Non-power-driven: balloon	Free balloon	{ Spherical free balloon Non-spherical free balloon
			Captive balloon	{ Spherical captive balloon Non-spherical captive balloon ¹
		Power-driven	{ Airship	{ Rigid airship Semi-rigid airship Non-rigid airship
		Heavier-than-air aircraft	Non-power-driven	{ Glider Kite ⁴
	{ Aeroplane			{ Landplane ³ Seaplane ² Amphibian ²
	Power-driven		{ Rotorcraft	{ Gyroplane { Landgyroplane ³ Sea gyroplane ² Amphibian gyroplane ²
			{ Helicopter	{ Land helicopter ³ Sea helicopter ² Amphibian helicopter ²
	{ Ornithopter	{ Land ornithopter ³ Sea ornithopter ² Amphibian ornithopter ²		

1. Generally designated "kite-balloon".
2. "Float" or "boat" may be added as appropriate.
3. Includes aircraft equipped with ski-type landing gear (substitute "ski" for "land").
4. For the purpose of completeness only.

SECOND SCHEDULE

Regulation 29

PENALTIES

REG. NO.	TITLE	PART
3	General	B
8	Change of registration particulars	A
9	Change of aircraft ownership	A
10	Marking and manner of affixation	B
11	Display of marks	A
12	Location of marks	A
13	Measurement of marks	A
14	Types of characters for nationality and registration marks	A
16	Removal of marks	A
17	Identification plate required	A
23	Use and retention of certificates and records	B
24	Report of violations	B
25	Enforcement of directions	A

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....., 2011

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Minister for Transport