



CIVIL AVIATION RULES AND STANDARDS

FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

**PART 10 — COMMERCIAL AIR TRANSPORT BY
FOREIGN AIR OPERATORS WITHIN ETHIOPIA**

APRIL 2015

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10.1 GENERAL

10.1.1.1 APPLICABILITY

- (a) These rules and standards prescribes requirements applicable to the operation of any civil aircraft, including aeroplane or helicopter, for –
 - (1) The purpose of commercial air transportation operations by any air operator whose Air Operator Certificate is issued and controlled by a civil aviation authority other than Ethiopia.
- (b) Part 10 does not apply to aircraft when used by military, customs, and police services, which are not used for compensation or hire.

10.1.1.2 DEFINITIONS

- (a) For the purpose of Part 10, the following definitions shall apply:
 - (1) **Aeroplane Flight Manual.** A manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the aeroplane.
 - (2) **Air Operator Certificate.** A certificate authorizing an operator to carry out specified commercial air transport operations.
 - (3) **Aircraft Operating Manual.** A manual, acceptable to the State of the Operator, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft.
 - (4) **Foreign Air Operator.** Any operator, not being an air operator holding an Air Operator Certificate issued by the Authority under the provisions of ICAO Annex 6, Part I or Part III, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of Ethiopia, whether on a scheduled or charter basis.
 - (5) **Foreign Authority.** The civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator.
 - (6) **Minimum Equipment List.** A list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the Master Minimum Equipment List (MMEL) established for the aircraft type.
 - (7) **Operations Manual.** A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.
 - (8) **Rotorcraft Flight Manual.** A manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the rotorcraft.

10.1.1.3 ABBREVIATIONS

- (a) The following abbreviations are used in Part 10:
- (1) AFM – Aeroplane Flight Manual.
 - (2) AOC – Air Operator Certificate.
 - (3) AOM – Aeroplane Operating Manual.
 - (4) MEL – Minimum Equipment List.
 - (5) RFM – Rotorcraft Flight Manual.

10.1.1.4 COMPLIANCE

- (a) A foreign air operator may not operate an aircraft in commercial air transportation operations in Ethiopia contrary to the requirements of:-
- (1) Part 10;
 - (2) Applicable provisions of Parts 7 and 8;
 - (3) Applicable standards contained in the Annexes to the Convention on International Civil Aviation for the operation to be conducted; and
 - (4) Any other requirements that the Authority may specify.
- (b) Compliance by a foreign operator with laws, regulations and procedures of a State
- (1) When a State identifies a case of non-compliance or suspected non-compliance by a foreign operator with laws, regulations and procedures applicable within that State's territory, or a similar serious safety issue with that operator, that State shall immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
 - (2) In the case of notification to States as specified in 1, if the issue and its resolution warrant it, the State in which the operation is conducted shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

Note:- *The Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335) provides guidance on the surveillance of operations by foreign operators. The manual also contains guidance on the consultations and related activities, as specified in 2, including the ICAO model clause on aviation safety, which, if included in a bilateral or multilateral agreement, provides for consultations among States, when safety issues are identified by any of the parties to a bilateral or multilateral agreement on air services.*

10.1.1.5 NON-COMPLIANCE

- (a) When a State identifies a case of non-compliance or suspected non-compliance by a foreign operator with laws, regulations and procedures applicable within that State's territory, or a similar serious safety issue with that operator, that State shall immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.

10.1.1.6 AUTHORITY TO INSPECT

- (a) A foreign air operator shall ensure that any person authorized by the Authority, will be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Ethiopia, to
 - (1) Inspect the documents and manuals required by this Part;
 - (2) Conduct an inspection of the aircraft.

10.1.1.7 SURVEILLANCE OF OPERATIONS BY A FOREIGN OPERATOR

- (a) Contracting States shall recognize as valid an air operator certificate issued by another Contracting State provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in this Annex.
- (b) States shall establish a programme with procedures for the surveillance of operations in their territory by a foreign operator and for taking appropriate action when necessary to preserve safety.
- (c) An operator shall meet and maintain the requirements established by the States in which the operations are conducted.

Note:- Guidance on the surveillance of operations by foreign operators may be found in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335).

10.1.1.8 OPERATIONS MANUAL

- (a) An operator shall make available, for the use and guidance of operations personnel concerned, an operations manual constructed using the guidance contained in Attachment G. The operations manual shall be amended or revised as is necessary to ensure that the information contained therein is kept up to date. All such amendments or revisions shall be notified to all personnel that are required to use this manual.

- (b) The State of the Operator shall establish a requirement for the operator to provide a copy of the operations manual together with all amendments and /or revisions, for review and acceptance and, where required, approval. The operator shall incorporate in the operations manual such mandatory material as the State of the Operator may require.

Note:- Guidance for the organization and contents of an operations manual is provided in Attachment G.

Note:- Specific items in an operations manual require the approval of the State of the Operator in accordance with the Standards in 8.8.1.7 (c) and 8.2.1.8 (c).

10.2 OPERATIONS SPECIFICATIONS

10.2.1.1 GENERAL REQUIREMENTS FOR APPLICATION FOR FOREIGN AIR OPERATOR OPERATIONS SPECIFICATIONS

- (a) An air operator who does not hold an Air Operator Certificate issued by the appropriate authority of the State of the air operator to operate an air transport service shall not operate an aircraft in Ethiopia unless it holds an Operations Specifications issued to it by the Authority.
- (b) Where an air operator wishes to apply to operate in Ethiopia it shall:-
- (1) Make such application to the Authority in the form and manner prescribed; and
- (c) An application for Operations Specifications shall be accompanied by:-
- (1) A copy of a valid air operator certificate or equivalent document issued by the foreign authority;
 - (2) A copy of the licence or authorization granted to the air operator by the appropriate authority of the State of the air operator to operate an air transport service to and from Ethiopia;
 - (3) A copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the air operator to and from Ethiopia;
 - (4) A representative copy of a Certificate of Registration issued for the aircraft types proposed to be operated by the air operator to and from Ethiopia;
 - (5) A copy of a document identifying the maintenance checks that are required to be carried out for aircraft of the air operator while they are operated to and from Ethiopia;
 - (6) A copy of the maintenance contract between the air operator and the Approved Maintenance Organization, where the maintenance under subparagraph (g), is carried out by an Approved Maintenance Organization approved by the foreign authority;
 - (7) A copy of the lease agreement for any aircraft operated by the air operator who does not hold an Air Operator Certificate issued by the Authority which is not registered by the foreign authority;

- (8) A copy of any equivalent Operations Specifications issued by the foreign authority for any specialized flight operations specifications requested by the foreign air operator for operations in Ethiopia;
 - (9) A proposed Aircraft Operator Security Programme for the foreign air operator who does not hold an Air Operator Certificate issued by the Authority which meets the requirements of the Civil Aviation Rules and Standards, for the acceptance and subsequent approval of the Authority; and
 - (10) Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.
- (d) An applicant under these rules and standards shall apply for the initial issue of a foreign air operator Operations Specifications at least ninety days before the date of commencement of intended operation.

10.2.1.2 CONDITIONS FOR THE ISSUANCE OF FOREIGN AIR OPERATOR OPERATIONS SPECIFICATIONS

- (a) The Director may recommend that the Authority issue Operations Specifications to an air operator who does not hold an Air Operator Certificate issued by the Authority to conduct commercial air operations in Ethiopia where the Director is satisfied that such air operator:-
- (1) Has a valid Air Operator Certificate issued by a foreign Civil Aviation Authority;
 - (2) Has had its Aircraft Operator Security Programme approved by its Civil Aviation Authority for the operations intended.
 - (3) Meets the applicable flight operations requirements in Part 8 and the equipment requirements in Part 7 for the operation to be conducted;
 - (4) Meets the standards contained in applicable Annexes to the Chicago Convention for the operation to be conducted; and
 - (5) Has sufficient financial resources to conduct safe operations.
- (b) No foreign air operator may commence commercial air transport operations in and to Ethiopia until the Operations Specifications have been issued.

10.2.1.3 OPERATIONS SPECIFICATIONS

- (a) Operations Specifications issued shall specify which specific operations are authorized, prohibited, limited, or subject to certain conditions, in the interest of public safety.
- (b) Operations Specifications issued under this section shall contain details of the following:
- (1) The purpose of issuance;

- (2) Application and duration;
 - (3) Limitations to, or actions required by, the operator;
 - (4) General provisions;
 - (5) En-route authorization and limitations;
 - (6) Aerodrome authorizations and limitations;
 - (7) Maintenance;
 - (8) Mass and balance;
 - (9) Interchange of equipment operations; and
 - (10) Aircraft leasing operations.
- (c) The Operations Specification issued to a foreign air operator by the Authority shall be supplementary to these rules and standards.

10.2.1.4 CONTINUED VALIDITY OF OPERATIONS SPECIFICATIONS

- (a) A foreign air operator shall, when conducting operations in and to Ethiopia, ensure that it complies at all times with the requirements of:-
- (1) Its Operations Specifications;
 - (2) Its approved Aircraft Operator Security Programme; and
 - (3) The security requirements for aircraft operators operating in Ethiopia.

10.3 DOCUMENTS

10.3.1.1 FOREIGN AIR OPERATOR'S AIRCRAFT TECHNICAL LOG

- (a) A foreign air operator shall use an aircraft technical log system containing the following information for each aircraft:-
- (1) Information about each flight necessary to ensure continued flight safety;
 - (2) The current aircraft certificate of release to service;
 - (3) The current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
 - (4) All outstanding deferred defects that affect the operation of the aircraft, and

- (5) Any necessary guidance instructions on maintenance support.

10.3.1.2 AIR OPERATOR MANUALS, DOCUMENTS AND FLIGHT CREW LICENCES TO BE CARRIED

- (a) A foreign air operator shall ensure that the following manuals, documents and licences are carried on flights into Ethiopia:-
 - (1) A certified true copy of the air operator certificate and a copy of the authorisations, conditions and limitations relevant to the aircraft type, issued in conjunction with the certificate – all of which shall be in the English language;
 - (2) Copy of applicable Operations Specifications required under Part 10;
 - (3) The current parts of the Operations Manual relevant to the duties of the crew are carried on each flight;
 - (4) Those parts of the Operations Manual which are required for the conduct of a flight are easily accessible to the crew on board the aircraft on each flight, such as the MEL; and
 - (5) The current AFM or RFM approved by the State of Registry, or AOM approved by the State of Operator is carried on the aircraft on each flight. The AFM or RFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design;
 - (6) The current certificate of registration, and airworthiness certificate in force in respect of that aircraft;
 - (7) The appropriate licences of the members of the flight crew; and
 - (8) Appropriate approval/licence of crewmembers for aircraft radio operation.

10.3.1.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED

- (a) A foreign air operator shall ensure that, in addition to the documents and manuals prescribed 10.2.2.2 and 10.1.2.2, the following information and forms, relevant to the type and area of operation, are carried on each flight:-
 - (1) Operational Flight Plan;
 - (2) Aircraft Technical Log containing at least the information required in 10.2.2.1(a);
 - (3) Appropriate NOTAM/AIS briefing documentation;
 - (4) Appropriate meteorological information;
 - (5) Passenger and Cargo manifests as appropriate for the intended flight;

- (6) Mass and balance document for the aircraft certifying that the load carried is properly distributed and safely secured;
 - (7) Notification of special loads including any dangerous goods; and
 - (8) Current maps and charts for the area of operation.
- (b) The Authority may authorize the information detailed in subparagraph (a) above, or parts thereof, to be presented in a form other than on printed paper provided the information is accessible for inspection.

10.3.1.4 PRODUCTION OF DOCUMENTATION, MANUALS AND RECORDS

- (a) A foreign air operator shall:-
- (1) Give any person authorized by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
 - (2) Produce all such documents, manuals and records, when requested to do so by the Authority, within a reasonable period of time.
- (b) The pilot in command shall, within a reasonable time of being requested to do so by a person authorized by the Authority, produce to that person the documentation, manuals and records required to be carried on board.

10.3.1.5 PRESERVATION, PRODUCTION AND USE OF FLIGHT RECORDER RECORDINGS

- (a) Following an accident, incident, in Ethiopia involving an aircraft of a foreign operator, or when the Authority so directs, the foreign operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of not less than 60 days unless otherwise directed by the authority.

10.4 OPERATIONS AND PERFORMANCE

10.4.1.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHTS

- (a) A foreign air operator shall compute the mass of passengers and checked baggage using:-
- (1) The actual weighed mass of each person and the actual weighed mass of baggage; or
 - (2) The standard mass values specified by the foreign Authority.
- (b) The Authority may require a foreign air operator conducting operations in Ethiopia to produce evidence validating any standard mass values used.

10.4.1.2 SINGLE-ENGINE AEROPLANES AT NIGHT OR IN IMC

- (a) A foreign air operator may not operate a single-engine, non-turbine aircraft
 - (1) At night; or
 - (2) In Instrument Meteorological Conditions except under Special Visual Flight Rules.
- (b) A foreign air operator may operate a single-engine turbine aircraft at night and in IMC conditions provided the State of the Operator has ensured:-
 - (1) The reliability of the turbine engine;
 - (2) The operator's maintenance procedures, operating practices, flight dispatch procedures and crew training programmes are adequate;
 - (3) The aeroplane is appropriately equipped for flight at night and in IMC;
 - (4) For aeroplanes issued a certificate of airworthiness before 1 January 2005—an engine trend monitoring system; and
 - (5) For aeroplanes issued a certificate of airworthiness after 1 January 2005—an automatic trend monitoring system.

10.4.1.3 SINGLE PILOT OPERATIONS UNDER IFR OR AT NIGHT

- (a) A foreign air operator shall not operate an aeroplane under IFR or at night by a single pilot unless approved by the State of the Operator and the aeroplane meets the following conditions :-
 - (1) The flight manual does not require a flight crew of more than one pilot;
 - (2) The aeroplane is propeller-driven;
 - (3) The maximum approved passenger seating configuration is not more than nine;
 - (4) The maximum certificated take-off mass does not exceed 5,700 kg ,
 - (5) The aeroplane is equipped with:
 - (i) A serviceable autopilot that has at least altitude hold and heading select modes;
 - (ii) A headset with a boom microphone or equivalent; and
 - (iii) Means of displaying charts that enables them to be readable in all ambient light conditions.
 - (6) The PIC has satisfied the requirements of experience, training, checking and recency.

10.4.1.4 FLIGHT RULES WITHIN Ethiopia

- (a) Within the territorial boundaries of Ethiopia, foreign air operator shall comply with the flight rules and limitations contained in Part 8.
- (b) Foreign air operators shall ensure that their flight crew have available and have become familiar with the flight rules in Part 8 of this rules and standards.

10.5 FLIGHT CREW MEMBER QUALIFICATIONS

10.5.1.1 GENERAL

- (a) Foreign air operators shall ensure that their flight crew have the appropriate licences and ratings for the operations to be conducted in Ethiopia.

10.5.1.2 AGE LIMITATIONS

- (a) Foreign air operators shall ensure that the required PIC engaged in single pilot operations on aircraft operating in Ethiopia shall be less than 60 years of age.
- (b) Foreign air operators shall ensure, for aircraft engaged in operations in Ethiopia requiring more than one pilot as flight crew members, that if one pilot is between the age of 60 and up to age 65, the other pilot shall be less than age 60.

10.5.1.3 LANGUAGE PROFICIENCY

- (a) Foreign air operators shall ensure that flight crew operating aircraft in Ethiopia meet the language proficiency requirement of least the operational level 4 as contained in ICAO Annex 1 for the English language and that such proficiency is endorsed on the licence.

10.6 SECURITY

10.6.1.1 AIRCRAFT SECURITY

- (a) A foreign air operator shall:-
 - (1) Ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programs of the Federal Democratic Republic of Ethiopia.;
 - (2) Establish, maintain and conduct approved training programs which enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur;
 - (3) Following an act of unlawful interference on board an aircraft the commander or, in his absence the operator, shall submit, without delay, a report of such an act to the designated local authority and the Authority in the State of the operator;

- (4) Ensure that all aircraft carry a checklist of the procedures' to be followed for that type in searching for concealed weapons, explosives, or other dangerous devices; and
- (5) If installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.

10.6.1.2 UNAUTHORISED CARRIAGE

- (a) A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

10.7 DANGEROUS GOODS

10.7.1.1 OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR

- (a) No foreign air operator may accept dangerous goods for transport by air in Ethiopia unless the foreign air operator:-
 - (1) Has been authorized to do so by the foreign Authority; and
 - (2) Has conducted the required personnel training.
- (b) The foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods program as approved by the foreign Authority.
- (c) The foreign air operator shall state in the Operations Specifications required in 10.2 whether or not that operator has been authorized to accept dangerous goods by the foreign Authority.
- (d) When the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods program authorized by the foreign Authority, the foreign operator shall file a copy of its dangerous goods program with the Authority.

10.7.1.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR

- (a) A foreign air operator conducting commercial air transportation operations to Ethiopia shall:
 - (1) Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned.
 - (2) Ensure that weapons of war and munitions of war are:
 - (i) Stowed in the aircraft in a place which is inaccessible to passengers during flight; and

- (ii) In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph.
- (3) Ensure that the pilot in command is notified before the flight begins of the details and location on board the aircraft of any weapons of war and munitions of war that are intended to be carried.

10.7.1.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION

- (a) A foreign air operator conducting commercial air transportation operations to Ethiopia shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported.
- (b) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are:-
 - (1) Stowed in a place on the aircraft which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures, and
 - (2) In the case of firearms or other weapons that can contain ammunition, unloaded.
- (c) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in passenger's checked baggage, as approved by the Authority.