



Policy Statement

CAA-P-GEN002

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EXEMPTION POLICY

1.0 Introduction

Exemptions are granted by the Uganda Civil Aviation Authority (the Authority) to a regulated entity discharging it of its obligation to comply with any provisions of the regulations made under the Civil Aviation Act and Regulations made thereunder.

Exemptions shall be issued in cases where compliance with the Regulations is not feasible and where the safety or security risk introduced by failure to comply can be adequately mitigated.

2.0 General

2.1 All regulated entities may be granted exemptions subject to the conditions set forth in this policy, procedures, and the specific regulations for which an exemption is sought; however, exemption to one regulated entity may not be interpreted to mean exemption to all entities in the same class or category.

2.2 Any regulated entity seeking exemption from the provision of any regulations shall directly apply to the Authority sighting ground to justify the exemption and subject to any conditions established for granting the same.

3.0 Principles

3.1 The general principles guiding the consideration and granting of exemptions shall include:

3.1.1 Any exemption granted shall not compromise aviation safety and security standards

3.1.2 Exemptions granted by the Authority shall be in writing and shall specify when the regulated entity is expected to comply with the requirement

3.1.3 Exemptions shall not be granted for a period exceeding 6 months. Where a regulated entity requires longer than six months to comply with the regulations, a renewal of the exemption shall be sought after six months, save for aerodromes and ground aids on one hand and provision of air navigation services on the other hand.

3.1.4 Request for exemptions shall be initiated by the regulated entity and NOT by the Authority

- 3.1.5 Consideration for exemption requests shall ensure that the regulated entity has made every effort to comply before requesting for an exemption
- 3.1.6 The Authority shall consider every exemption request on merit and only grant those exemption requests that meet the requirements as established in the applicable procedures
- 3.1.7 Where multiple exemptions are sought with respect to a specific regulatory provision, the Authority may consider review of the regulation and where applicable, file difference with ICAO
- 3.1.8 Exemptions shall not be granted where it is considered that the applying regulated entity has misinterpreted the requirement(s)
- 3.2 The Authority shall publish all granted exemptions in a Uganda Gazette and or the UCAA website www.caa.go.ug
- 3.3 Applicants of exemptions shall be required to conduct a safety risk assessment or aeronautical study in respect to the proposed exemption and justification of any mitigation measures that are proposed.

4.0 Scope

This policy is only applicable to those exemptions granted by the Authority under Section 63 of the Civil Aviation Authority Act.

5.0 Alternative means of compliance

- 5.1 The Authority in granting exemptions shall ensure that the applicant has sufficiently demonstrated such alternative means of compliance to ensure that the safety and security standards are not compromised during the duration of the exemption.
- 5.2 Applications that do not contain sufficient explanations of alternative means of compliance shall not be considered.
- 5.3 Alternative means of compliance shall only be applicable for the duration of the exemption if granted.

6.0 Procedure for granting exemptions

- 6.1 Procedures for granting exemptions shall ensure that all requirements are met prior to granting any requested exemptions.
- 6.2 Procedures for granting exemptions shall ensure that all concerned departments of the Authority are involved in a systematic manner in evaluating the effect of such exemptions to ensure that the Authority is not exposed to unnecessary risk.

7.0 Enforcement Action

- 7.1 The Authority in considering enforcement action with respect to a regulated entity shall ensure that all such provisions for which the entity has sought and obtained an

exemption are not the subject of any form of enforcement except where a regulated entity that breaches conditions of an exemption may be subject to enforcement action.

7.2 Application for an exemption may not be used as defense in an ongoing enforcement case, however this may be considered as a mitigation measure to avoid continued violation of the regulatory provision.

