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STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2014 No. 61.

THE CIVIL AVIATION (AIRCRAFT REGISTRATION AND MARKING) REGULATIONS, 2014.

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S T A T U T O R Y I N S T R U M E N T S

2014 No. 61.

The Civil Aviation (Aircraft Registration and Marking) Regulations, 2014.

(*Under sections 34*(2) and 61 of the Civil Aviation Authority Act, Cap 354)

IN EXERCISE of the powers conferred on the Minister by sections 34(2) and 61 of the Civil Aviation Authority Act, Cap 354, and on the recommendation of the Civil Aviation Authority, these Regulations are made this 6th day of June, 2014.

PART I—PRELIMINARY.

1. Title

These Regulations may be cited as the Civil Aviation (Aircraft Registration and Marking) Regulations, 2014.

2. Interpretation

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 Civil Aviation Authority;
- "balloon" means a non-power-driven lighter-than-air aircraft;

- "commercial air transport" means an aircraft operation involving 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:
- "currency point" is equivalent to twenty thousand Uganda shillings;
- "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;
- "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; and
- "remotely piloted aircraft (RPA)" means an unmanned aircraft which is piloted from a remote pilot station.

PART II—AIRCRAFT REGISTRATION REQUIREMENTS.

3. General.

- (1) A person shall not operate an aircraft, as classified in the Second Schedule, within or fly over Uganda unless-
 - (a) the aircraft is registered by its owner in accordance with these Regulations and the Authority issues 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;

- (ii) in another State with which there is in force an agreement between the Government of Uganda and the Government of that State which makes provisions for the flight over Uganda of aircraft registered in that State.
- (2) Subject to this regulation, an aircraft shall not be registered or continue to be registered in Uganda where—
 - (a) the aircraft is registered outside of Uganda;
 - (b) an unqualified person is entitled as an owner to any legal or beneficial interest in the aircraft or to any share in the aircraft;
 - (c) it would not be in the public interest for the aircraft to be or to continue to be registered in Uganda; or
 - (d) the aircraft does not qualify to be issued with a certificate of airworthiness as specified in the Civil Aviation (Airworthiness) (Amendment) Regulations, 2014.
- (3) A person shall not operate or fly an aircraft unless it bears paint in the manner required by the law of the State in which it is registered, the nationality and registration marks required by the law of the State in which it is registered.
- (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 an aircraft of that State unless the appropriate authority of that State sanctions the bearing of those marks.
- (5) The Authority shall be responsible for the registration of aircraft in Uganda and shall maintain a register on its premises and shall record the particulars specified in regulation 6.

4. Eligibility for registration.

(1) An aircraft is eligible for registration if it is—

- (a) owned by a citizen of Uganda, an individual citizen of a foreign State who is lawfully admitted for residency in Uganda, a corporation lawfully organized and doing business under the laws of Uganda, or a government entity of Uganda; and
- (b) not registered under the laws of any foreign country.
- (2) The following shall be qualified to be the owners of a legal or beneficial interest or share in an aircraft registered in Uganda—
 - (a) the Government of Uganda;
 - (b) a citizen of Uganda or a bona fide resident in Uganda;
 - (c) any other individual that the Authority may approve, on condition that the aircraft is not used for commercial air transport, flying training or aerial work and any other condition as the Authority may specify; and
 - (d) bodies corporate—
 - (i) established under and subject to laws of Uganda; or
 - (ii) established under and subject to the laws of any other country as the Authority may approve.
- (3) Where an unqualified person residing or having a place of business in Uganda is entitled as owner to a legal or beneficial interest in an aircraft, or a share, the Authority, upon being satisfied that the aircraft may be properly registered, register the aircraft in Uganda and that person shall not cause or permit the aircraft while it is registered under this sub-regulation to be used for the purpose of commercial air transport operations or aerial work.
- (4) Where 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, register the aircraft in the names of the parties to the lease, charter or hire purchase agreement upon being satisfied that the aircraft may remain registered during the continuation of the lease, charter or hire-purchase agreement.

5. Application for registration of aircraft.

- (1) A person who wishes to register an aircraft in Uganda shall submit an application for registration to the Authority in a form prescribed by the Authority.
 - (2) Each application shall—
 - (a) certify the citizenship of the applicant;
 - (b) show evidence identifying ownership; and
 - (c) be signed in ink.
- (3) The application for aircraft registration shall be submitted with the prescribed fee to the Authority.
- (4) An application for the registration of an aircraft in Uganda may be made by, or on behalf of the owner, where—
 - (a) the applicant is legally entitled to a legal or beneficial interest in 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) the aircraft has previously been registered in Uganda or anywhere else particulars of the registration mark, if it has been reserved for the aircraft;

(g) the name and address of the registered owner if different from paragraph (d);

6. Registration of aircraft.

- (1) Upon receiving an application for the registration of an aircraft and being satisfied that the aircraft may properly be so registered, the Authority shall register the aircraft, and shall include in the register and on the certificate the following—
 - (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 entitled as owner to a legal interest in the aircraft or a share in the aircraft, or, in the case of a lease agreement or financial arrangement, the name and address of the lessee and lessor, or the financier;
 - (f) the name and address of each person who holds a property interest in the aircraft and a description of the person's property interest;
 - (g) the physical station where the aircraft will usually be stationed;
 - (h) the name and signature of the applicant;
 - (i) the date of the application; and
 - (j) the conditions with regard to which it is registered.
- (2) Subject to this regulation, 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.

7. Certificate of registration.

- (1) The Authority shall furnish the person in whose name the aircraft is registered, a certificate of registration, which shall include the particulars specified in regulation 6 and the date on which the certificate is issued.
- (2) Subject to regulation 4, if at any time after an aircraft has been registered in Uganda an unqualified person becomes entitled as owner to a legal or beneficial interest in the aircraft or share in the aircraft, 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 become void and the certificate of registration shall be returned to the Authority for cancellation by the person in whose name it was registered.

8. Change of registration or ownership particulars.

- (1) A person registered as the owner of an aircraft registered in Uganda shall notify the Authority in writing of—
 - (a) any change in the particulars which were furnished to the Authority in the application for 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 under regulation 4(4), the termination of the lease, charter or hire-purchase agreement.
- (2) A person who acquires an aircraft registered in Uganda shall inform the Authority in writing.
- (3) The Authority may, where it is necessary, or for purposes of updating the register in accordance with sub-regulations (1) and (2), amend the particulars entered on the register.
- (4) For the purposes of this regulation, reference to the registered owner of the aircraft includes, in the case of a deceased person, his or her legal representative and in the case of a body corporate is dissolved, its successor.

9. De-registration.

- (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 under this regulation, require the registered owner to—
 - (a) return to the Authority the certificate of registration;
 - (b) settle any liens or encumbrances attached to the aircraft;
 - (c) remove all nationality and registration marks assigned to the aircraft; and
 - (d) comply with any other conditions as the Authority may specify.

PART III—NATIONAL AND REGISTRATION.

10. Marking and manner of affixation.

- (1) A person shall not operate an aircraft registered in Uganda unless it displays the nationality and registration marks in accordance with the requirements of these Regulations.
- (2) The marks used to identify the nationality of Uganda shall conform to the requirements specified 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 or registration marks.
- (4) When letters are used for the registration mark, combinations which might be confused with the following shall not be used—

- (a) three-letter combinations beginning with Q used in the Q Code;
- (b) five-letter combinations used in the International Code of Signals; or
- (c) the distress signals, SOS, XXX, PAN, TTT or other similar urgent signals.
- (5) Permanent marking of aircraft nationality and registration shall—
 - (a) be painted on the aircraft or affixed by other means that ensure 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.
- (6) The side marks for lighter-than-air aircraft shall be located where they are visible from both sides of the aircraft and from the ground.

11. Display of marks.

- (1) An owner of an aircraft registered in Uganda shall display on the aircraft the nationality mark "5X" followed by the registration mark 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) Where as a result 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 display.

12. Location of marks.

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

- (a) for an aircraft with fixed wings—
 - (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 the wings of the aircraft and shall as far as possible, be located equidistant from the leading and trailing edges of the wing or wings with the top of the letters, and number, comprising the marks, towards the leading edge of the wing or wings;
 - (ii) 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; and
 - (iv) the marks on the vertical tail surfaces shall be on each side of the vertical tail surface for an 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) for a rotorcraft, the marks shall be located horizontally on the port, 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.

- (c) For a lighter-than-air aircraft—
 - (i) with a spherical balloon other than unmanned free balloons, the marks shall appear in two places diametrically opposite and shall be located near the maximum horizontal circumference of the balloon;
 - (i) with a 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;
 - (ii) 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 shall be located lengthwise near the maximum cross-section of the airship; and
 - (iii) other than unmanned free balloons, the side marks shall be visible both from the sides and from the ground.

13. Measurement of marks.

- (1) A person shall not operate an aircraft unless the aircraft is marked with the number and letters comprising one or more marks of equal height on the aircraft.
- (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 a thickness of one-sixth of the height of the marks; and
 - (b) of a colour that is a clear contrast to the colour of the background to the marks.
- (4) Each letter or number, shall be separated from the letter, number or hyphen, which precedes or follows it, by a space of not less than one quarter of the width of a character except the letter 'I' and the number '1'.

- (5) In the case of a lighter-than-air aircraft—
- (a) other than an unmanned free balloon, the length of the marks shall be at least 50 centimetres.
- (b) which does not possess parts of sufficient size to accommodate the marks described in sub-regulation 5(a), the measurements of the marks shall be determined by the Authority, taking account of the need for the aircraft to be identified readily."
- (6) The marks on a balloon and an unmanned free balloon shall be vertical and shall be at least 50 centimetres.
 - (7) In the case of a 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 marks shall be at least 30 centimetres in height with a clearance of 5 centimetres from the leading and trailing edge of the tail surface; and
 - (d) if the parts are too small to accommodate the marks described in a, b and c, the measurements of the marks shall be determined by the Authority, taking account of the need for the aircraft to be identified readily.
 - (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), the measurements of the marks shall be determined by the Authority, taking account of the need for the aircraft to be identified readily.

(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.

14. Types of characters for nationality and registration marks.

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

15. Deviations for size and location of marks.

- (1) Where either one of the surfaces authorized for displaying the 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.

16. Removal of marks.

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

17. Identification plate required.

The operator shall affix to each aircraft registered under the laws of Uganda 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;
- (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; and

(d) in the case of a remotely piloted aircraft, secured in a prominent position near the main entrance or compartment or affixed conspicuously to the exterior of the aircraft if there is no main entrance or compartment.

PART IV—GENERAL PROVISIONS.

18. Inspection of certificate of registration.

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

19. Change of name.

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

20. Change of address.

- (1) A holder of a certificate issued under these Regulations shall notify the Authority of the change in the physical address at least fourteen days prior to the change of the physical address and mailing address upon change of the mailing address.
- (2) A person who fails to notify the Authority of the change in the physical address within the time frame specified in sub-regulation (1) shall not exercise the privileges of the certificate.

21. Replacement of certificate.

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

22. Suspension and revocation of certificate.

- (1) The Authority may, in the public interest, suspend provisionally, pending further investigation, any certificate issued, under these Regulations.
- (2) The Authority may, upon completion of an investigation which shows sufficient ground and where it considers it to be in the public interest, revoke, suspend, or vary any certificate issued under these Regulations.
- (3) Any person in possession of a certificate which is revoked, suspended or varied under these Regulations shall surrender it to the Authority within fourteen days from the date of the revocation, suspension or variation.
- (5) The breach of any condition subject to which any certificate is issued under these Regulations shall render the certificate invalid during the continuance of the breach.

23. Use of certificates and records.

- (1) A person shall not—
- (a) use any certificate which is forged, altered or to which he or she is not entitled to use;
- (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 herself or any other person the issue or change of the certificate.

- (2) During the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible, destroy any records, or any entry made, required under these Regulations to be maintained, or make, procure or assist in the making of, any false entry in any record, or wilfully omit to make a material entry in the record.
- (3) All records required to be maintained under these Regulations shall be recorded in a permanent and indelible material.
- (4) A person shall not issue any certificate for the purpose of these Regulations unless he or she is authorised to do so.
- (5) A person shall not issue any certificate under these regulations unless he or she is satisfied that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

24. Reports of violation.

- (1) A person who knows of a violation of the Civil Aviation Act or Regulations made under the Act, shall report the violation to the Authority.
- (2) The Authority shall determine the nature and type of any additional investigation or enforcement action to be taken.

25. Enforcement of direction.

A person who does not comply with any direction given by the Authority or any authorised person under any provision of these Regulations, shall for the purposes of these Regulations have contravened that provision.

26. Aeronautical user fees.

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

- (2) Upon an application being made 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 considered, to pay the fee.
- (3) The Authority shall not refund the payment if, after the payment is made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused.

27. Application of regulations to Government and visiting forces, etc.

- (1) These Regulations shall apply to all aircraft, except military aircraft, belonging to or exclusively employed in the service of the Government.
- (2) For the purposes of the sub-regulation (1), the department or authority responsible for management of the aircraft shall be considered 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.
- (3) Except as otherwise expressly provided, the naval, military, air force authorities and member of any visiting force and property held or used for the purpose of that force shall be exempt from the provisions of these Regulations to the same extent as if the visiting force formed part of the military force of Uganda.
- (4) Meteorological pilot balloons used exclusively for meteorological purposes or unmanned free balloons without a payload, shall be exempt from the provision of this regulation except as otherwise expressly provided.

PART V— EXTRA-TERRITORIAL APPLICATION OF REGULATIONS.

28. Extra-territorial application of Regulations.

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 Uganda, 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 Uganda;
- (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 Uganda, 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 Uganda by other persons shall, where such persons are citizens of Uganda, apply to them wherever they may be.

PART VI—OFFENCES AND PENALTIES.

29. Contravention of Regulations.

A person who contravenes any provision of these Regulations shall have his or her certificate revoked or suspended.

30. Penalties.

- (1) A person who contravenes any provision of these Regulations, or an order, notice or proclamation made under these Regulations is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or the pilot in command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be considered to have contravened that provision unless he or she proves that the contravention occurred without his or her consent or connivance and that he or she exercised all due dili-gence to prevent the contravention.
- (2) A person who contravenes any provision specified as "A" in the Third Schedule, commits an offence and shall on conviction be liable to a fine not exceeding fifty currency points for each offence or to imprisonment for a term not exceeding one year or both.

- (3) A person who contravenes any provision specified as "B" in the Third Schedule, commits an offence and shall on conviction be liable to a fine not exceeding one hundred currency points for each offence or to imprisonment for a term not exceeding three years or both.
- (4) A person who contravenes any provision of these Regulations not being a provision specified in the Third Schedule commits an offence and is liable on conviction to a fine not exceeding one hundred currency points and in the case of a second or subsequent conviction for the same offence to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding six years or both.

31. Revocation and savings.

- (1) The Civil Aviation (Aircraft Registration and Marking) Regulations 2012, SI No. 29 of 2012 are revoked.
- (2) A certificate issued by the Authority before the commencement of these Regulations shall remain operational until it expires, is revoked, annulled or replaced.

SCHEDULES

FIRST SCHEDULE

Regulation 30

One currency point is equivalent to twenty thousand Uganda shillings.

CLASSIFICATION OF AIRCRAFT

- 1. An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.
- 2. Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft."

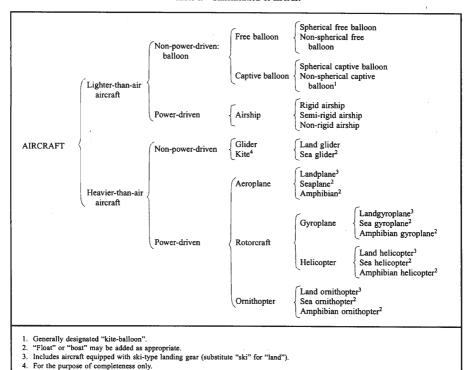


Table I. Classification of aircraft

THIRD SCHEDULE

Regulation 30

PENALTIES

Provision

REG. NO.	TITLE	PART
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9	Change of aircraft ownership.	A
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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.	В
24	Report of violations	В
25	Enforcement of directions	A

ABRAHAM BYANDALA, Minister of Works and Transport.

Cross references

The Civil Aviation Act, Cap 354

The Civil Aviation (Airworthiness) Regulations, 2014. S.I. No. 62 of 2014