

THE CIVIL AVIATION ACT (CAP. 394) THE STATUTORY INSTRUMENTS ACT (CAP. 2A)

NOTIFICATION OF REGULATORY IMPACT STATEMENT ON THE REGULATIONS UNDER THE CIVIL AVIATION ACT (CAP. 394)

IT IS NOTIFIED for the general information of the public that the Cabinet Secretary Ministry of Roads and Transport, pursuant to the provisions of section 8 of the Statutory Instruments Act, Cap.2A, is preparing Regulatory Impact Assessments on the impacts on the following statutory instruments—

- 1) Civil Aviation (Rules of the Air) Regulations, 2024;
- 2) Civil Aviation (Meteorological Services for Air Navigation) Regulations, 2024;
- 3) Civil Aviation (Aeronautical Charts) Regulations, 2024;
- 4) Civil Aviation (Units of Measurement to be Used in Air and Ground Operations) Regulations, 2024;
- 5) Civil Aviation (Radio Navigation Aids) Regulations, 2024;
- 6) Civil Aviation (Communication Procedures) Regulations, 2024;
- 7) Civil Aviation (Communication Systems) Regulations, 2024;
- 8) Civil Aviation (Surveillance and Collision Avoidance Systems) Regulations, 2024;
- 9) Civil Aviation (Aeronautical Radio Frequency Spectrum Utilization) Regulations, 2024;
- 10) Civil Aviation (Air Traffic Services) Regulations, 2024;
- 11) Civil Aviation (Aeronautical Search and Rescue) Regulations, 2024;
- 12) Civil Aviation (Certification, Licensing and Registration of Aerodromes) Regulations, 2024;
- 13) Civil Aviation (Aerodrome Design and Operations) Regulations, 2024;
- 14) Civil Aviation (Heliports) Regulations, 2024;
- 15) Order on Restriction of Building in Declared Areas, 2024;
- 16) Civil Aviation (Aeronautical Information Services) Regulations, 2024;
- 17) Civil Aviation (Carbon Offsetting and Reduction Scheme for International Aviation) Regulations, 2024;
- 18) Civil Aviation (Construction of Visual and Instrument Flight Procedures) Regulations, 2024;
- 19) Civil Aviation (Certification of Air Navigation Service Providers) Regulations, 2024;
- 20) Civil Aviation (Licensing of Air Services) Regulations 2024;
- 21) Civil Aviation (Security) Regulations 2024;
- 22) Civil Aviation (Safety Management) Regulations 2024;
- 23) Civil Aviation (Air Operator Certification and Administration) Regulations, 2024;
- 24) Civil Aviation (Operations of aircraft – commercial air transport) Regulations, 2024;
- 25) Civil Aviation (Operations of Aircraft – Helicopter) Regulations, 2024;
- 26) Civil Aviation (Operations of Aircraft – General Aviation) Regulations, 2024;
- 27) Civil Aviation (Aerial Work - General) Regulations, 2024;
- 28) Civil Aviation (Aerial Work - Agriculture) Regulations, 2024;
- 29) Civil Aviation (Safe Transportation of Dangerous Goods by Air) Regulations, 2024;
- 30) Civil Aviation (Unmanned Aircraft Systems) Regulation, 2024;
- 31) Civil Aviation (Hot Air Balloon) Regulations, 2024;
- 32) Civil Aviation (Approved Maintenance Organization) Regulations, 2024;
- 33) Civil Aviation (Airworthiness) Regulations, 2024;
- 34) Civil Aviation (Aircraft Nationality and Registration) Regulations, 2024;
- 35) Civil Aviation (Instruments, Equipment and Flight Documents) Regulations, 2024;
- 36) Civil Aviation (Personnel Licensing) Regulations, 2024;
- 37) Civil Aviation (Approved Training Organizations) Regulations, 2024;
- 38) Civil Aviation (Environmental Protection – Aircraft Noise) Regulations, 2024; and
- 39) Civil Aviation (Environmental Protection – Aircraft Engine Emissions) Regulations, 2024.

The proposed sets of Regulations have been made pursuant to the powers conferred under section 82 of the Civil Aviation Act, Cap. 394 of the Laws of Kenya.

In brief, the policy objective of the proposed Regulations is to ensure continued safety, security and efficiency of air travel. The regulations set standard for civil aviation industry in Kenya including the licensing of service providers, licensing and certification of personnel, certification of air operators, aviation training organization, aircraft maintenance organizations, aerodromes and air navigation service providers. The regulations also provide a set of standards and requirements to ensure safety, security and regularity in air navigation in Kenya and for Kenyan registered aircraft wherever they may be.

The Regulations seek to domesticate the global framework for aviation practices including the International Civil Aviation Organization (ICAO), the Standards and Recommended Practices (SARPs), ICAO's Safety Standards, Security Regulations, Environmental Standards, Operational Standards and Procedures, Personnel licensing, Airworthiness Standards, Accident investigation and Protocols, International Cooperation and Passenger rights and Accessibility.

Any person likely to be affected by the Regulatory Impact Statements on the proposed Regulations may submit a written memorandum within fourteen (14) days from the date of this notice.

The written memorandum should be delivered during official working hours from 8:00 am – 5:00 pm on weekdays or sent by email to the following addresses:

**Principal Secretary
State Department for Transport
Ministry of Roads and Transport
Transcom House, Ngong Road
P. O. Box 52692 - 00200
Nairobi, Kenya**

**The Director General
Kenya Civil Aviation Authority
Aviation House,
Jomo Kenyatta International Airport,
P.O. Box 30163 -00100
Nairobi, Kenya**

The Regulatory Impact Statement and Statutory Instruments are available at the Ministry of Roads and Transport website www.transport.go.ke and the Kenya Civil Aviation Authority's website www.kcaa.or.ke.

The proposed Instruments and Regulatory Impact Statement are also available at the offices of the State Department of Transport and Kenya Civil Aviation Authority during normal working hours, or through electronic request via the following email addresses caregulations@transport.go.ke or regulations@kcaa.or.ke