Qatar Civil Aviation Regulations

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Air Operations Cover Regulation
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Regulation on Air Operations

THE QATAR CIVIL AVIATION AUTHORITY,

Pursuant to the General Provisions of Emiri Decree No. 45 of 2014 organising the Qatar Civil Aviation Authority and Law No. 15 of 2002 (hereinafter referred to as ‘the Civil Aviation Law’) on the regulation of civil aviation in the State of Qatar,

Having regard to Article 17 of Emiri Decree 45 of 2014 defining the functions and responsibilities of the Air Safety Department,

Whereas:

(1) The Civil Aviation Authority (herein after referred to as the ‘Authority’) is the competent authority having exclusive jurisdiction over civil aviation and civil aerodromes in the State of Qatar, and being empowered to prescribe and promulgate rules, regulations and orders for the discharge of its functions.

(2) Operators and personnel involved in the operation of certain aircraft have to comply with the relevant provisions of the Civil Aviation Law.

(3) It is necessary to establish technical requirements and administrative procedures to amplify and implement the provisions of the Civil Aviation Law to ensure the safe operation of aircraft.

(4) The Authority, in addition to the oversight of certificates that the Authority has issued, is required to conduct investigations, including ramp inspections, and shall take any measure, including the grounding of aircraft, to prevent the continuation of an infringement or non-compliance with the Civil Aviation Law and its Regulations.

(5) In order to ensure smooth transition and a high level of civil aviation safety, implementing measures should reflect the state of the art, including best practices, and scientific and technical progress in the field of air operations. Accordingly, technical requirements and administrative procedures agreed under the auspices of the International Civil Aviation Organisation (hereinafter ‘ICAO’) and the European Union, as well as existing legislation pertaining to a specific national environment, should be considered.

(6) It is necessary to provide sufficient time for the aviation industry to adapt to the new regulatory changes and to recognise under certain conditions the validity of certificates issued before this Regulation applies.

(7) Compliance with the standards and recommended practices of the Annexes of the Convention on International Civil Aviation of 1944 satisfy the measures provided by this Regulation.

HAS PROMULGATED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation lays down detailed rules for air operations with aeroplanes, helicopters, balloons and sailplanes, including ramp inspections of aircraft of operators under the safety oversight of another State when landed at aerodromes located in the territory of Qatar.

2. This Regulation also lays down detailed rules on the conditions for issuing, maintaining, amending, limiting, suspending or revoking the certificates of operators of aircraft referred to in the Civil Aviation Law engaged in commercial air transport operation, the privileges and responsibilities of the holders of certificates as well as conditions under which operations shall be prohibited, limited or subject to certain conditions in the interest of safety.

3. This Regulation also lays down detailed rules on the conditions and procedures for the
declaration by, and for the oversight of, operators engaged in commercial specialised operations and non-commercial operation of complex motor-powered aircraft, including non-commercial specialised operations of complex motor-powered aircraft.

4. This Regulation also lays down detailed rules on the conditions under which certain high risk commercial specialised operations shall be subject to authorisation in the interest of safety, and on the conditions for issuing, maintaining, amending, limiting, suspending or revoking the authorisations.

5. This Regulation shall not apply to air operations of State Aircraft.

6. This Regulation shall not apply to air operations with tethered balloons and airships as well as tethered balloon flights.

Article 2
Definitions

For the purposes of this Regulation:

(1) ‘commercial air transport (CAT) operation’ means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration;

(2) ‘performance class B aeroplanes’ means aeroplanes powered by propeller engines with a maximum operational passenger seating configuration of nine or less and a maximum take-off mass of 5 700 kg or less;

(3) ‘public interest site (PIS)’ means a site used exclusively for operations in the public interest;

(4) ‘operation in performance class 1’ means an operation that, in the event of failure of the critical engine, the helicopter is able to land within the rejected take-off distance available or safely continue the flight to an appropriate landing area, depending on when the failure occurs;

(5) ‘performance-based navigation (PBN)’ means area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace;

(6) ‘air taxi operation’ means, for the purpose of flight time and duty time limitations, a non-scheduled on demand commercial air transport operation with an aeroplane with a maximum operational passenger seating configuration (‘MOPSC’) of 19 or less;

(7) ‘specialised operation’ means any operation other than commercial air transport where the aircraft is used for specialised activities such as agriculture, construction, photography, surveying, observation and patrol, aerial advertisement;

(8) ‘high risk commercial specialised operation’ means any commercial specialised aircraft operation carried out over an area where the safety of third parties on the ground is likely to be endangered in the event of an emergency, or, as determined by the competent authority of the place where the operation is conducted, any commercial specialised aircraft operation that, due to its specific nature and the local environment in which it is conducted, poses a high risk, in particular to third parties on the ground;

(9) ‘introductory flight’ means any flight against remuneration or other valuable consideration consisting of an air tour of short duration, offered by an approved training organisation or an organisation created with the aim of promoting aerial sport or leisure aviation, for the purpose of attracting new trainees or new members;

(10) ‘competition flight’ means any flying activity where the aircraft is used in air races or contests, as well as where the aircraft is used to practice for air races or contests and to fly to and from
racing or contest events;

(11) ‘flying display’ means any flying activity deliberately performed for the purpose of providing an exhibition or entertainment at an advertised event open to the public, including where the aircraft is used to practice for a flying display and to fly to and from the advertised event.

Additional definitions are laid down in Annex I for the purposes of Annexes II to VIII.

**Article 3**

**Oversight capabilities**

1. Personnel authorised by the competent authority to carry out certification and/or oversight tasks shall be empowered to perform at least the following tasks:

   (a) examine the records, data, procedures and any other material relevant to the execution of the certification and/or oversight task;

   (b) take copies of or extracts from such records, data, procedures and other material; (c) ask for an oral explanation on site;

   (d) enter relevant premises, operating sites or means of transport;

   (e) perform audits, investigations, assessments and inspections, including ramp inspections and unannounced inspections; and

   (f) take or initiate enforcement measures as appropriate

2. The Authority shall ensure that Authority personnel do not perform oversight activities when there is evidence that this could result directly or indirectly in a conflict of interest, in particular when relating to family or financial interest.

**Article 4**

**Safety Assessment of Foreign Aircraft (SAFA)**

Ramp inspections of aircraft of operators under the safety oversight of a foreign country shall be carried out in accordance with Subpart RAMP of Annex II.

**Article 5**

**Air operations**

1. Operators shall only operate an aircraft for the purpose of commercial air transport (hereinafter ‘CAT’) operations as specified in Annexes III and IV.

2. Operators engaged in CAT operations starting and ending at the same aerodrome/operating site with Performance class B aeroplanes or non-complex helicopters shall comply with the relevant provisions of Annexes III and IV.

3. Operators shall comply with the relevant provisions of Annex V when operating:

   (a) aeroplanes and helicopters used for:

      (i) operations using performance-based navigation (PBN);

      (ii) operations in accordance with minimum navigation performance specifications (MNPS);

      (iii) operations in airspace with reduced vertical separation minima (RVSM);

      (iv) low visibility operations (LVO);
(b) aeroplanes, helicopters, balloons and sailplanes used for the transport of dangerous goods (DG);

(c) two-engined aeroplanes used for extended range operations (ETOPS) in commercial air transport;

(d) helicopters used for commercial air transport operations with the aid of night vision imaging systems (NVIS);

(e) helicopters used for commercial air transport hoist operations (HHO); and

(f) helicopters used for commercial air transport emergency medical service operations (HEMS).

4. Operators of complex motor-powered aeroplanes and helicopters involved in non-commercial operations shall declare their capability and means to discharge their responsibilities associated with the operation of aircraft and operate the aircraft in accordance with the provisions specified in Annex III and Annex VI. Such operators when engaged in non-commercial specialised operations shall operate the aircraft in accordance with the provisions specified in Annex III and VIII instead.

5. Operators of other-than complex motor-powered aeroplanes and helicopters, as well as balloons and sailplanes, involved in non-commercial operations, including non-commercial specialised operations, shall operate the aircraft in accordance with the provisions specified in Annex VII.

6. Training organisations having their principal place of business in Qatar and approved in accordance with QCAR 001/2016 Aircrew Licensing when conducting flight training into, within or out of Qatar shall operate:

(a) complex motor-powered aeroplanes and helicopters in accordance with the provisions specified in Annex VI;

(b) other aeroplanes and helicopters as well as balloons and sailplanes in accordance with the provisions specified in Annex VII.

7. Operators shall only operate an aircraft for the purpose of commercial specialised operations as specified in Annexes III and VIII.

8. Flights taking place immediately before, during or immediately after specialised operations and directly connected to those operations shall be operated in accordance with paragraphs 3, 4 and 6, as applicable. Except for crew members, persons other than those indispensable to the mission shall not be carried on board.

**Article 6**

**Derogations**

1. By way of derogation from Article 5(1) and (7), the following operations with other-than complex motor-powered aeroplanes and helicopters, balloons and sailplanes may be conducted in accordance with Annex VII:

(a) cost-shared flights by private individuals, on the condition that the direct cost is shared by all the occupants of the aircraft, pilot included and the number of persons sharing the direct costs is limited to six;

(b) competition flights or flying displays, on the condition that the remuneration or any valuable consideration given for such flights is limited to recovery of direct costs and a proportionate contribution to annual costs, as well as prizes of no more than a value specified by the Authority;

(c) introductory flights, parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in Qatar and approved in accordance with QCAR 001/2016 Aircrew Licensing, or by an organisation created with the aim of
promoting aerial sport or leisure aviation, on the condition that the aircraft is operated by the
organisation on the basis of ownership or dry lease, that the flight does not generate profits
distributed outside of the organisation, and that whenever non-members of the organisation are
involved, such flights represent only a marginal activity of the organisation.

2. Existing helicopter operations to/from a public interest site (PIS) may be conducted in derogation
to CAT.POL.H.225 of Annex IV whenever the size of the PIS, the obstacle environment or the
helicopter does not permit compliance with the requirements for operation in performance class 1.
Such operations shall be conducted under conditions determined by the Authority.

3. By way of derogation from Article 5(4) Operators of complex motor-powered aeroplanes and
helicopters involved in non-commercial operations and Operators of aircraft for the purpose of
commercial specialised operations shall not be required to comply with subpart FTL of Annex III.

Article 7

Air operator certificates

1. Air operator certificates (AOCs) issued by a the Authority to CAT operators of aeroplanes before
this Regulation applies shall be deemed to have been issued in accordance with this Regulation.

However, no later than 1 October 2017:

(a) operators shall adapt their management system, training programmes, procedures and manuals
to be compliant with Annexes III, IV and V, as relevant;

(b) the AOC shall be replaced by certificates issued in accordance with Annex II to this Regulation.

2. Air operator certificates (AOCs) issued by a the Authority to CAT operators of helicopters before
this Regulation applies shall be deemed to have been issued in accordance with this Regulation.

However, no later than 1 October 2017:

(a) operators shall adapt their management system, training programmes, procedures and manuals
to be compliant with Annexes III, IV and V, as relevant;

(b) the AOC shall be replaced by certificates issued in accordance with Annex II to this Regulation.

Article 8

Flight time limitations

1. CAT operations with aeroplanes and helicopters shall be subject to Subpart FTL of Annex III.

2. By way of derogation from paragraph 1, CAT operators having an approved scheme for the
avoidance of fatigue in aircrew at the date of entry into force of this regulation may continue to
operate in accordance with that scheme until 30 September 2018 subject to the following;

   (a) approval for the scheme has not been amended or revoked by the Authority.

   (b) the operator submits, prior to 1 October 2017, a plan to implement a flight time
specification scheme in accordance with Subpart FTL of Annex III and to adapt their
organisation accordingly.

3. Non-commercial operations, including non-commercial specialised operations, with complex
motor-powered aeroplanes and helicopters, as well as commercial specialised operations with
aeroplanes, helicopters, balloons and sailplanes shall establish and implement a fatigue
management programme that ensures that all operator personnel involved in the operation and
maintenance of aircraft do not carry out their duties when fatigued. The programme shall address
flight and duty times and be published in the operations manual.
Article 9

Minimum equipment lists

1. Minimum equipment lists (‘MEL’) approved by the Authority before the application of this Regulation, are deemed to be approved in accordance with this Regulation and may continue to be used by the operator.

2. After the entry into force of this Regulation any change to the MEL referred to in the first subparagraph for which a Master Minimum Equipment List (‘MMEL’) is established as part of the applicable operational suitability data shall be made in compliance with point ORO.MLR.105 of Section 2 of Annex III to this Regulation at the earliest opportunity and not later than 18 December 2017 or two years after the operational suitability data was approved, whichever is the latest.

3. Any change to an MEL referred to in the first subparagraph, for which an MMEL has not been established as part of the operational suitability data, shall continue to be made in accordance with the MMEL accepted by the State of Operator or Registry as applicable.

Article 10

Flight and cabin crew training

Operators shall ensure that flight crew and cabin crew members who are already in operation and have completed training in accordance with Subparts FC and CC of Annex III which did not include the mandatory elements established in the relevant operational suitability data, undertake training covering those mandatory elements not later than 18 December 2017 or two years after the approval of the operational suitability data, whichever is the latest.

Article 11

Entry into force

This Regulation shall enter into force on 1 October 2016

It shall apply from 1 October 2017.