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**NIGERIA CIVIL AVIATION REGULATIONS****PART 10—COMMERCIAL AIR TRANSPORT BY FOREIGN  
AIR OPERATORS WITHIN NIGERIA**

## INTRODUCTION

Each contracting State is empowered under the Convention on International Civil Aviation (Convention) to set the terms for entry and flight operations into, from or within that State. Ordinarily, flights in international commercial air transport are allowed into a contracting State under the terms and authority of international agreements granting the economic permission to operate into, from or within that contracting State. Such agreements require the safe operation of such aircraft. As a result, the Civil Aviation Authority (CAA) of the contracting State in which the aircraft is registered and the Civil Aviation Authority of the contracting State that issues the Air Operator Certificate to the air operator are responsible under the Convention for the safe operation of each aircraft that is allowed to conduct commercial air transport into, from or within Nigeria.

Part 10 is used to set forth the terms and conditions under which Nigeria will carry out both its aviation safety responsibility to its own citizens and to assure the safe operation, airworthiness and aircrew qualifications of foreign air operators it allows into Nigeria territory as mandated by the Convention and that contracting State's laws and regulations. The requirements placed upon such air operators in this Part are directly related to each contracting State's responsibility to assure that its air operators engaged in international commercial air transport adhere to standards set forth in applicable ICAO *Annexes* and those special conditions existing within Nigeria that Nigeria notes to ICAO as differences from the *Annex* requirements, and special conditions within Nigeria that it reports in publications like the Airman's Information Manuals and Publications. Each air operator engaged in international commercial air transport must be made aware of those requirements that Nigeria places on the air operator as conditions to gain or maintain permission to operate into, from or within Nigeria. Part 10 also recognises the responsibilities of each contracting State whose CAA regulates such air operators by making such CAA's are aware of the terms and conditions that Nigeria will require of those air operators.

Part 10 gives deference to, and emphasizes the responsibilities existing between all contracting States to adhere to international standards under the Convention respecting the safety regulation of its air operators, of the aircraft on its registry, and the licensing of its crew operating those aircraft. The alternative would be for Nigeria to address aviation safety solely with the air operator, which would amount to an attempt to directly regulate the foreign air operator in violation of the Convention.

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**NIGERIA CIVIL AVIATION REGULATION**  
**PART 10—COMMERCIAL AIR TRANSPORT BY FOREIGN**  
**AIR OPERATORS WITHIN NIGERIA**



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S.I. No. 36 of 2015

**NIGERIA CIVIL AVIATION REGULATION**

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

**10.1. GENERAL**

**10.1.1.1.—(a)** This regulation prescribes requirements applicable to the operation of any civil aircraft, including aeroplane or helicopter, for— Applicability.

(1) The purpose of commercial air transportation operations by any air operator whose Air Operator Certificate is issued and ;

(2) Controlled by a civil aviation authority other than Nigeria.

(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.—(a)** For the purpose of Part 10, the following definitions shall apply : Definitions.

(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 authorising 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 Nigeria 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 Nigeria, 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.

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(7) *Operator*—A person, organization or enterprise engaged in or offering to engage in an aircraft operation. NOTE : In the context of remotely piloted aircraft, an aircraft operation includes the remotely piloted aircraft system.

(8) *Operations manual*—A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

(9) *Remote pilot*—A person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time.

(10) *Remotely piloted aircraft (RPA)*—An unmanned aircraft which is piloted from a remote pilot station.

(11) *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.

Abbreviations.

**10.1.1.3.**—(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 ;
- (6) RPA—Remotely Piloted Aircraft.

Compliance.

**10.1.1.4.**—(a) A foreign air operator may not operate an aircraft in commercial air transportation operations in Nigeria contrary to the requirements of—

- (1) Part 10 ;
- (2) Applicable paragraphs 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.

Authority to Inspect.

**10.1.1.5.**—(a) A foreign air operator shall ensure that any person authorised by the Authority, will be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Nigeria —

- (1) To inspect the documents and manuals required by this Part ;
- (2) To conduct an inspection of the aircraft ;
- (3) To take appropriate action when necessary to preserve safety.



(b) When the Authority identifies a case of non-compliance or suspected non-compliance by an original operator with laws, regulations and procedures applicable within Nigeria, or a similar serious safety issue with that operator, the Authority 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.

(c) In the case of notification to States as Specified in subpart (b), if the issue and its resolution warrants, the Authority 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.

(d) Inspections shall be conducted in accordance with the requirements and checklist as prescribed by the Authority.

(e) Findings from inspections shall be resolved in accordance with the table contained in IS : 10.1.1.5 at paragraph (a)

## 10.2. APPROVAL TO OPERATE IN THE TERRITORY OF NIGERIA

**10.2.1.1.**—(a) A foreign air operator from the territory of another state shall not operate an aircraft in Nigeria unless it is so authorised by the Authority and holds an associated Document of Authorisations, Conditions, and Limitations issued to it by the Authority.

(b) When an air operator wishes to apply to operate in Nigeria it shall—

(1) Make such application to the Authority in the form and manner prescribed ;

(c) An application for approval to operate into the territory of Nigeria shall be accompanied by—

(1) A certified true copy of a valid (AOC) and associated operations specifications issued to the foreign air operator by the Foreign Authority ;

(2) A copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the air operator in Nigeria ;

(3) A copy of the current aircraft Certificate of Registration and airworthiness certificate issued for the aircraft types proposed to be operated by the air operator in Nigeria ;

(4) A copy of the insurance certificate ;

(5) A copy of the operational procedures and practices of the operator ;

(6) 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 in Nigeria ;

Require-  
ments for  
Application  
by Foreign  
Air  
Operators  
for Approval  
to Operate  
Into the  
Territory of  
Nigeria.

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(7) A copy of the maintenance contract between the air operator and the Approved Maintenance Organisation, where the maintenance under subparagraph (6), is carried out by an Approved Maintenance Organisation approved by the foreign authority ;

(8) A copy of the air service agreement, with safety clause, allowing the foreign air operator to operate in Nigeria. *See IS : 10. 2. 1.1(b)* for an example of the referenced air service agreement safety clause ;

(9) In the cases of wet leased aircraft: a copy of the approval of the CAA of the State of the operator, with identification of the operator that exercises operational control of the aircraft ;

(10) 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 Nigeria Civil Aviation Regulations, for the acceptance and subsequent approval of the Authority ; and

(11) Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.

(d) An applicant under these Regulations shall apply for the initial issue of a Document of Authorisations, Conditions, and Limitations at least ninety days before the date of commencement of intended operation.

Conditions for the Issuance of a Document of Authorisations, Conditions, and Limitations.

**10.2.1.2.—(a)** The Authority may issue a Document of Authorisations, Conditions and Limitations to a foreign air operator to conduct commercial air operations in Nigeria where the Authority is satisfied and has confidence in —

(1) The validity of the certificates and licences associated with the operator ;

(2) The operator’s personnel and aircraft ;

(3) The operational capabilities of the operator ; and

(4) The level of certification and oversight applied to the activities of the foreign air operator by the Foreign Authority.

(b) *See IS : 10.2.1.2* for the process to be used for evaluating the conditions stipulated under (a) (1) through (4).

(c) No foreign air operator may commence commercial air transport operations in and to Nigeria until the Document of Authorisations, Conditions, and Limitations has been issued.

Issuance of a Document of Authorisation, Conditions, and Limitations.

**10.2.1.3—(a)** The authority may issue a Document of Authorisation, Conditions and Limitations to a foreign air operator applicant—

(1) Following approval of the foreign air operator’s application to operate into the territory of Nigeria ;

(2) Upon a satisfactory administrative review of the documentation provided by the foreign air operator under 10.2.1.1 (c) and (d) ; and

(3) When it has established bilateral or multilateral agreements with the State of the Operator that includes in the agreement the safety clause referenced under 10.2.1.1 (c) (5) ; or

(4) When it has not established bilateral or multilateral agreements with the State of the Operator, the Authority receives no significant safety findings or major deficiencies from available safety related information relevant to the foreign air operator.

**10.2.1.4.**—(a) A Document of Authorisation, Conditions and Limitations is issued to foreign air operators for elements not listed in the operator's AOC and associated operations specifications but considered necessary for compatible operations within Nigeria.

Contents of  
a Document  
of  
Authorisations,  
Conditions,  
and  
Limitations.

(1) A Document of Authorisations, Conditions and Limitations issued under this section shall contain—

(i) The foreign air operator's full name ;

(ii) The foreign air operator's principal business address and contact details for operational management ;

(iii) The foreign air operator's business address and contact details in Nigeria ;

(iv) The date of issuance and expiry (if any) of the foreign air operator's AOC ;

(v) A statement that : This Document authorises [name of foreign air operator] to operate in the territory of Nigeria ;

(vi) A statement that : This Document is issued to [name of foreign air operator] on the basis of it holding a valid AOC. Any changes to the AOC made by the Foreign Authority that issued and oversees the AOC of [name of foreign air operator] shall be submitted by [name of foreign air operator] in writing to the Authority within 30 days of such change ;

(vii) A statement that : This Document ceases to have effect upon expiry, suspension, revocation, cancellation or equivalent action in respect of the foreign air operator's AOC ; and

(viii) Any additional authorisations, conditions or limitations considered necessary by the Authority.

(b) Operations Specification issued to a foreign air operator by the Foreign Authority shall be supplementary to these Regulations.

(c) The Document of Authorisations, Conditions, and Limitations will be issued by the Authority in the form as contained in IS 10.2.1.4

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Continued  
Validity of a  
Document of  
Authorisa-  
tions,  
Conditions,  
and  
Limitations.

10.2.1.5.—(a) A foreign air operator shall, when conducting operations in and to Nigeria, 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 Nigeria.

### 10.3. DOCUMENTS

Foreign Air  
Operators's  
Aircraft  
Technical  
Log.

**10.3.1.1.**—(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.

Air Operator  
Manuals,  
Documents  
and Flight  
Crew  
Licences to  
be Carried.

**10.3.1.2.**—(a) A foreign air operator shall ensure that the following manuals, documents and licences are carried on flights into Nigeria—

- (1) A certified true copy of the air operator certificate and associated operations specifications all of which shall be in the English language ;
- (2) A Copy of the Document of Authorisations, Conditions, and Limitations 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 and are easily accessible to the crew on board the aircraft on each flight, such as the MEL; and information and instructions relating to the interception of aircraft ;
- (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 cabin crew, if a cabin crew licence is required by the Foreign Authority ;

(8) Appropriate approval/licence of crewmembers for aircraft radio operation.

**10.3.1.3.**—(a) A foreign air operator shall ensure that, in addition to the documents and manuals prescribed 10.3.1.2, the following information and forms, relevant to the type and area of operation, are carried on each flight—

Additional Information and Forms to be Carried.

- (1) Operational Flight Plan ;
- (2) Aircraft Technical Log containing at least the information required in 10.3.1.1(a) ;
- (3) Appropriate NOTAM/AIS briefing documentation ;
- (4) Appropriate meteorological information ;
- (5) Passenger and Cargo manifests as appropriate for the intended flight ;
- (6) The 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 authorise 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.**—(a) A foreign air operator shall—

- (1) Give any person authorised 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.

Production of Documentation, Manuals and Records.

(b) The pilot in command shall, within a reasonable time of being requested to do so by a person authorised by the Authority, produce to that person the documentation, manuals and records required to be carried on board.

**10.3.1.5.**—(a) Following an accident, incident, in Nigeria 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.

Preservation, Production and Use of Flight Recorder Recordings.

**10.4. OPERATIONS AND PERFORMANCE**

**10.4.1.1.**—(a) A foreign air operator shall compute the mass of passengers and checked baggage using—

Computation of Passenger and Baggage Weights.

- (1) The actual weighed mass of each person and the actual weighed mass of baggage ; or

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(2) The standard mass values specified by the foreign Authority.

(b) The Authority may require a foreign air operator conducting operations in Nigeria to produce evidence validating any standard mass values used.

Single-Engine Aeroplanes at Night or in IMC.

**10.4.1.2.**—(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 foreign 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.

Single Pilot Operations Under IFR or at Night.

**10.4.1.3.**—(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) A 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 of experience.

10.4.1.4.—(a) Within the territorial boundaries of Nigeria, foreign air operator shall comply with the flight rules and limitations contained in Part 8. Flight Rules Within Nigeria.

(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 regulation.

NOTE : *The flight rules are contained in Part 8.*

**10.5. FLIGHT CREW MEMBER QUALIFICATIONS**

**10.5.1.1.**—(a) Foreign air operators shall ensure that their flight crews have the appropriate licences and ratings for the operations to be conducted in Nigeria. General.

**10.5.1.2.**—(a) Foreign air operators shall ensure that the required PIC engaged in single pilot operations on aircraft operating in Nigeria shall be less than 60 years of age. Age Limitations.

(b) Foreign air operators shall ensure, for aircraft engaged in operations in Nigeria 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.**—(a) As of March 5, 2008, foreign air operators shall ensure that flight crew operating aircraft in Nigeria meet the language proficiency requirement at the operational level 4 as contained in ICAO *Annex 1* for the English language and that such proficiency is endorsed on the licence. Language Proficiency.

**10.6. SECURITY**

**10.6.1.1**—(a) A foreign air operator shall— Aircraft Security.

(1) Ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programmes of the State of the operator ;

(2) Establish, maintain and conduct approved training programmes 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 minimise 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 unauthorised access.

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Unauthorised Carriage.

**10.6.1.2.**—(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**

Offering Dangerous Goods for Transport by Air.

**10.7.1.1.**—(a) No foreign air operator may accept dangerous goods for transport by air in Nigeria unless the foreign air operator—

- (1) Has been authorised 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 programme as approved by the foreign Authority.

(c) When the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme authorised by the foreign Authority, the foreign operator shall file a copy of its dangerous goods programme with the Authority.

Carriage of Weapons of War and Munitions of War.

**10.7.1.2.**—(a) A foreign air operator conducting commercial air transportation operations to Nigeria 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.

Carriage of Sporting Weapons and Ammunition.

**10.7.1.3.**—(a) A foreign air operator conducting commercial air transportation operations to Nigeria 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.

**10.8. APPROVAL TO OPERATE REMOTELY PILOTED AIRCRAFT (RPA) IN THE TERRITORY OF NIGERIA**

**10.8.1.1.**—(a) A foreign operator from the territory of another State shall not operate a RPA in Nigeria unless it is so authorised by the Authority and holds the associated approvals, conditions and limitations issued to it by the Authority.

(b) When a foreign operator wishes to apply to operate RPA in Nigeria it shall —

(1) Make such application to the Authority in the form and manner prescribed by the Authority :

(c) An application for approval to operate into the territory of Nigeria shall be accompanied by a copy of the following, in English translation if the original documents are not in the English language, for each RPA proposed to be operated in Nigeria —

- (1) Certified true copy of a valid RPAS operator certificate ;
- (2) Certificate of aircraft registration ;
- (3) Certificate of airworthiness ;
- (4) Remote pilot(s) licence and medical certificate(s) ;
- (5) Aircraft radio station licence, if applicable ;
- (6) Insurance certificate ;
- (7) Noise certificate issued in accordance with ICAO *Annex 16* ;
- (8) Aircraft operator security programme ; and
- (9) Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.

(d) An applicant under these Regulations shall apply for the initial issue of a foreign RPA approval at least 90 days before the date of commencement of the proposed operation.

(e) Once authorization has been granted by the Authority, the operator—

- (i) Shall file a flight plan prior to operation of a RPA ;
- (ii) Shall follow the operational rules for RPA in Nig.CARs Part 8 : 8.8.1.33 ;

Requirements for application by foreign persons or operators for approval to operate remotely piloted aircraft (RPA) into the territory of Nigeria.

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(iii) Shall notify the Authority and ATC immediately in the event of a flight cancellation, and

(iv) Shall, in the case of changes to the proposed flight, submit such changes to the Authority for consideration.

## NIGERIA CIVIL AVIATION REGULATION

### PART 10 — IMPLEMENTING STANDARDS

**IS 10.1.1.5.**—(a) The Authority shall use the procedures in the following tables to resolve findings from inspections. Authority to Inspect.

TABLE 1. Levels of Seriousness of Findings and Related Actions

(1) <i>Seriousness of findings</i>	<i>Actions</i>		
	(2) <i>Information to pilot-in-command</i>	(3) <i>Information to responsible CAA (State of the Operator and/or State of Registry) and operational management of the operator</i>	(4) <i>Corrective actions required</i>
Minor	Yes	No	No
Significant	Yes	Yes Letter to CAA and copy to operator's management	No
Major	Yes	Yes Letter to CAA and copy to operator's management. In case of aircraft damage affecting airworthiness, a direct communication with the CAA in the State of Registry should be established. Under the provisions of ICAO Annex 8, that CAA decides about conditions regarding return to flight status. Confirmation afterwards with a letter to the CAA and a copy to the operator's management.	Yes Actions constituting operational restrictions, corrective actions before flight or at maintenance base, grounding and/or withdrawal of approval to operate in the territory of STATE.

*ICAO Doc 8335, Fifth Edition (2010), Part VI, Chapter 6, Table 6-1*

TABLE 2. Examples of Findings and Levels of Seriousness

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
<b>A. FLIGHT DECK – GENERAL</b>			
1. General condition	Dirty and untidy.		Large unsecured objects (e.g. cargo or baggage) Unserviceable flight crew seats.
2. Emergency exits	Not all exits are serviceable, but properly deferred in accordance with MEL provisions.	Not all exits are serviceable and MEL provisions not applied.	No emergency exits serviceable/no provisions in MEL for continued operation.
3. Equipment-GPWS	Inoperative and in accordance with MEL provisions.	Inoperative and MEL provisions not applied.	Not installed. Forward looking GPWS required and not installed.
4. Equipment-FMC		Flight management system (FMS) database recently outdated (less than 28 days).	FMS database more than 28 days outdated.
5. Equipment – ACAS/CVR/ FDR/ELT	Inoperative and in accordance with MEL provisions.	In operative and MEL provisions not applied.	Required and not installed.
<b>B. FLIGHT DECK DOCUMENTATION</b>			
1. Aircraft flight manual		No evidence of State of Registry approval. Incomplete, but performance calculations possible.	Not on board and performance calculations not possible.
2. Operations manual		Incomplete ( <i>see</i> Annex 6, Appendix2) or not approved by State of the Operator or not the current version.	Not on board.
3. Checklists	Not within reach.	Not readily available and used or not the current version.	Not on board.
4. Route guide (navigation charts)	Not within reach.	Recently out of date. (28 days or less). Photocopies of current charts.	Significantly out of date (more than 28 days). Not on board.

TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
5. MEL		Not on board or MMEL used, but no deferred defects. MEL content does not reflect aircraft equipment fitted. MEL not approved.	Not on board or MMEL used, with deferred defects.
6. Certificate of registration	Non-certified copy.	Not on board. No English translation.	
7. Certificate of airworthiness		Not an original or certified true copy. No English translation.	Not on board. Out of date.
8. Crew member licences (see also E—General, 3, Language for communications, in this table)	Form or content not in compliance with ICAO Standards.	No English translation.	Not valid for the type of aircraft. Not on board or no proper validation from the State of Registry. Expired or no Class 1 medical assessment.
9. Journey log book or equivalent technical log	Minor defects not documented.	Onboard but not properly completed.	Not on board or no equivalent document. Maintenance release expired or not valid. MEL rectification interval deadline expired for deferred defects.
10. Radio station licence	Non-certified copy	Not on board.	
11. Noise certificate (where applicable)	Not on board. No English translation.		
12. Air operator certificate (AOC) (certified true copy)		Not a certified true copy of AOC.	
13. Operations specifications (copy)		Not accurate (out of date, incorrect operation type/ route, incorrect aircraft or operator, etc.) or no English translation.	
14. Operational flight plan	Copy not retained on ground.	Actual flight calculations but no actual documents. Lack of fuel monitoring data (arrival flight). Fuel calculation unsatisfactory. (departing flight).	No or incomplete flight preparation. Required fuel calculation not available or not updated for actual conditions.

TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
15. Mass and balance sheet and data		Incorrect but within aircraft limits.	Incorrect and outside operational limits or missing. Mass and balance data not available.
16. Aircraft performance limitations using current route, airport obstacles and runway analysis data	Incomplete, but not affecting the operation on that date (e.g. no contaminated or Wet runway data, but these conditions are not present).	Not current data or data validity date not available.	Not available.
17. Cargo manifest and if applicable, passenger manifest		Some limited inaccuracy or missing data not affecting safety.	Not available or grossly inaccurate/incomplete.
18. Preflight inspection	Form on board but incomplete.	Not performed for inbound flight.	Not performed for outbound flight.
19. Weather reports and forecasts	Not the latest available data but valid.	Not printed but handwritten.	Not valid or not available.
20. NOTAMs		Some en-route relevant data missing.	Not available.
<b>C. FLIGHT DECK — SAFETY EQUIPMENT</b>			
1. Portable fire extinguishers	Note easily accessible.	Expired Not properly secured.	Empty or insufficient number or missing. Significantly low pressure Not accessible.
2. Lifejackets/flotation devices, (if required)	Not directly accessible.	Expired, as applicable.	Not available for each cockpit crew member on board.
3. Harness		Seat belt instead of harness.	Not available or serviceable for all flight crew members.
4. Oxygen equipment, (if required)		No direct access.	Not available or serviceable for all flight crew members. Oxygen quantity not sufficient.
5. Electric flashlight (night operations conducted by operator)	Only one available.	Weak battery.	Not in cockpit or unserviceable.

TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
<b>D. CABIN SAFETY</b>			
1. General condition	Dirty, untidy and in bad condition.	Loose carpet. Loose or damaged floor panel. Unserviceable seats (and not identified as such).	Not possible to perform, unrestricted, normal and abnormal duties.
2. Cabin crew seats	Harness/belt is difficult to operate.	Strap or buckle worn out or damage; item is not serviceable.	For any member of the minimum required cabin crew: a seat is not available; or proper harness and seat belt not available or not serviceable.
3. First aid kit/emergency medical kit	Expired. Incomplete. Not at the indicated location.		Not available.
4. Portable fire extinguishers	Not directly accessible.	Expired. Not properly secured.	Empty, significantly low pressure, or missing, or not serviceable.
5. Life jackets/Flotation devices (if required)	Not directly accessible.	Expired, as applicable.	Not available for each person to be carried.
6. Seat belts (passenger seats)	Strap or buckle worn out or damaged. Not available or serviceable for all passenger seats and aircraft dispatched in accordance with MEL.	Not available or serviceable for all passenger seats, and aircraft not dispatched in accordance with MEL.	Not available or not serviceable for any passenger.
7. Emergency exit lighting and marking, emergency flashlights		Some emergency exit signs out of order. Insufficient number of emergency flashlights; emergency flashlights not correctly located; emergency flashlight batteries weak or flat.	Emergency lighting equipment defects not acceptable according to MEL provisions.
8. Slides/life-rafts (as required) (for long-range over water flights)	Not in specified location, as established by the State of the Operator.	Incorrectly installed.	Insufficient number. Not serviceable.
9. Oxygen supply (cabin crew and passengers)	Insufficient quantity of oxygen or insufficient quantity of masks for passengers and crewmembers.	Insufficient quantity of oxygen or insufficient quantity of masks for passengers and crew members, and flight performed above flight level 250.	

TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
10. Emergency briefing cards	Not enough emergency briefing cards for all passengers.	Briefing cards from another aircraft or from obviously different versions. Some information missing or incorrect.	No emergency briefing cards on board.
11. Cabin crew members		Cabin crew members Not in specified location.	Insufficient number of cabin crew members.
12. Access to emergency exits			Impeded by luggage or cargo, etc. Impeded by seats.
13. Safety of cabin baggage			Not securely stowed.
14. Seating capacity			More seats than certified capacity. Insufficient serviceable seats for all passengers onboard.
<b>E. AIRCRAFT EXTERNAL CONDITION</b>			
1. General external condition	Minor defects.	The defects need not necessarily be corrected before flight (visible corrosion, marking not legible, etc.)	Safety-related defect (correction required before departure). Inadequate de-icing.
2. Doors and hatches	Minor defects but serviceable.	Door operating instructions missing or unclear. Seals lightly damaged.	Unserviceable and not compatible with number of passengers onboard. Seal missing or badly damaged.
3. Flight controls	Minor defects.	Poor condition (damage, missing bonding strips or static discharges, play, lack of lubrication, disbanding).	Damage, corrosion, leaks or wear outside limits of MEL, structural repair manual (SRM), etc.
4. Wheels, tires and brakes	Minor defects.	Signs of under inflation. Incorrect tire pressure. Unusual wear and tear.	Tires worn out or damaged beyond limits. Brakes worn out, leaking or damaged beyond limits. Damaged components or missing parts (e.g. tiebolts, heat sensors).



TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
5. Under carriage	Minor defects.	Significant signs of leakage, strut under-pressure, corrosion and obvious lack of lubrication.	Damage, corrosion, missing parts and/or leakage outside limits.
6. Wheel well	Minor defects or dirty.	Signs of leakage, corrosion and obvious lack of lubrication.	Damage, widespread corrosion, leakage outside limits.
7. Intake and exhaust nozzle	Minor defects.	Damage to casing or lining. Dents and cracks in exhaust are all within limits, but not recorded in Technical Log or equivalent document. Minor leaks of oil and fuel.	Damage (nicks, dents, cracks, etc.) outside the MEL, aircraft maintenance manual (AMM), SRM, etc., limits. Leakage outside limits.
8. Fan blades (if applicable)	Minor defects.	Damage to fan blades within limits but not recorded in technical log or equivalent document.	Damage (nicks, dents, cracks, etc.) outside the MEL, AMM, SRM, etc., limits.
9. Propellers (if applicable)	Minor defects.	Damage to propellers within limits but not recorded in technical log or equivalent.	Damage (nicks, dents, cracks, etc.), leakage, looseness of blades outside the MEL, AMM, SRM, etc., limits.
10. Previous structural repairs	Minor defects.	No information about temporary repairs, doubts about old repairs, and repairs acceptable for continuation of flight.	Improperly performed repairs or apparent unsatisfactory design. Damage to old repair.
11. Obvious un-repaired damage	Within limits and recorded.	Within limits but not recorded.	Un-assessed and not recorded damage affecting air-worthiness.
12. Leakage	Within limits.	Long-standing water and lavatory leaks (blue ice).	Leakage (oil, fuel, hydraulic, water) outside limits.
<b>F. CARGO</b>			
1. General condition of cargo compartment and containers	Partly defective lights Minor defects, but safe condition.	Partly damaged paneling. Partly damaged containers. Defective lights. Floor locks (partly) unserviceable. Limited access to cargo Area (for combis). Dividing net or door protection net damaged.	Damaged paneling outside limits. Damaged containers. Structural damage outside limits. Defective or missing fire extinguishing system (where applicable). Cargo

TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
			are not used in accordance with classification. No access to cargo area (for combis). No barrier net (combis and cargo aircraft). No smoke barrier curtain. Floor locks unserviceable and outside MEL limits.
2. Dangerous goods	Unable to recognize dangerous goods presented to operator for shipment.	No dangerous goods regulations or references.	No, or incomplete, information to the pilot-in-command of dangerous goods carried, in contradiction with Doc 9284 provisions. Deficiencies: leakage, wrong packaging, label missing. Dangerous goods not correctly secured. Loading not performed in accordance with Annex 18. Dangerous goods carried without authorization or in contradiction to Annex 18 or Doc 9284 provisions.
3. Safety of cargo on board	Minor damage to: lashing, tiedown equipment, pallet/container and/or locks.	Damaged pallet, container or net.	Cargo not safely secured and/or properly distributed: – lashing – tie-down equipment – pallets and containers – locks Load distribution floor load limit exceeded.
<b>G. GENERAL</b>			
1. Additional remarks	General findings with minor safety impact.	General findings with significant safety impact.	General findings with major safety impact.

TABLE 2. Examples of Findings and Levels of Seriousness—*continued*

(1) <i>Item Descriptions</i>	<i>Seriousness</i>		
	(2) <i>Minor</i>	(3) <i>Significant</i>	(4) <i>Major</i>
2. Refuelling	Cabin crew not aware of refueling with passengers on board.	No procedures in place for refueling with passengers onboard.	Procedures in place but not carried out.
3. Language for communications		Pilot licenses with no language proficiency endorsement, for the English language or the language used in radio telephony (except if implementation plan is made available by the State of issue — until 5 March 2011).	Pilots not fluent in the English language or in the language used in radio telephony.

*ICAO Doc 8335, Fifth Edition (2010), Part VI, Chapter 6, Table 6-2*

**B 1964**

Requirements for the Application by Foreign Air Operators for Approval to Operate into the Territory of State

**IS: 10.2.1.1.—(a) Foreign Operator’s Application Form (Page 1 of 2)**

Application Form for Commercial Air Transport Operations by a Foreign Operator <i>(To be completed by a foreign air operator for an approval to conduct operations in Nigeria)</i>		
SECTION 1A. TO BE COMPLETED BY ALL APPLICANTS		
1. Company registered name and trading name if different. Address of company : mailing address ; telephone ; fax ; and e-mail.		2. Address of the principal place of business including: telephone ; fax ; and e-mail.
3. Proposed start date of operations: (dd/mm/yyyy) :		4. ICAO 3-letter designator for aircraft operating agency :
5. Operational management personnel		
Name	Title	Telephone, fax and e-mail
SECTION 1B. TYPE OF APPROVAL REQUESTED - <i>To be completed by all applicants, checking applicable boxes</i>		
6. 1. <input type="checkbox"/> Air operator intends to conduct commercial flights to and from aerodromes in Nigeria 2. <input type="checkbox"/> Air operator intends to only conduct over flights and technical stops in Nigeria.		
7. Air operator proposed types of operation:		8. Geographic areas of intended operations and proposed route structure :
<input type="checkbox"/> Passengers and cargo <input type="checkbox"/> Cargo only <input type="checkbox"/> Scheduled operations <input type="checkbox"/> Charter flight operations <input type="checkbox"/> Dangerous goods		
SECTION 1C ON PAGE 2 - <i>To be completed by the air operator</i>		
Signature :	Date (dd/mm/yy) :	Name and title :
Evaluated by (name and office) :		CAA decision : <input type="checkbox"/> Approval granted <input type="checkbox"/> Not approved
Remarks :		
Signature of CAA representative :		Date (dd/mm/yy) :

Foreign Operator's Application Form—*continued*

SECTION 1C. <i>To be completed by air operator</i>				
9. Provide location on board or provide separate documentation where individual aircraft nationality and registration marks are listed as part of the aircraft fleet operated under the air operator certificate :  Provide following information :				
Aircraft type <i>(make, model and series, or master series)</i>	RVSM <sup>1</sup> Approval	ETOPS <sup>3</sup>	Noise <sup>2</sup> certification <i>(Annex 16 Ch.)</i>	Remarks
[Aircraft type 1]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 2]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 3]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 4]	<input type="checkbox"/>	<input type="checkbox"/>		
Etc.	<input type="checkbox"/>	<input type="checkbox"/>		
Attach copies of : <ul style="list-style-type: none"> <li>• Proof of Economic Authority ;</li> <li>• Air operator certificate and associated operations specifications ;</li> <li>• Insurance certificate ;</li> <li>• In case of wet-lease of aircraft: approval of CAA of the State of the Operator, with identification of the operator that exercises operational control on the aircraft ; and</li> <li>• Document authorising the specific traffic rights, issued by [Department of Commerce] or resulting from a bilateral air transport agreement (if required by the State to which the operator is flying to).</li> </ul>				

**B 1966**

Safety  
Clause  
Example.

**IS: 10.2.1.1. (b)**—Example of Safety Clause that must be inserted into Air Service Agreements that allows operators to provide service to Nigeria and vice versa.

(a) Each Party may request consultations at any time concerning the safety standards maintained by the other Party in areas relating to aeronautical facilities, flight crew, aircraft and the operation of aircraft. Such consultations shall take place within thirty days of that request.

(b) If, following such consultations, one Party finds that the other Party does not effectively maintain and administer safety standards in the areas referred to in paragraph 1 that meet the Standards established at that time pursuant to the Convention on International Civil Aviation (Doc 7300), hereinafter referred to as: the Convention, the other Party shall be informed of such findings and of the steps considered necessary to conform with the ICAO Standards. The other Party shall then take appropriate corrective action within an agreed time period.

(c) Pursuant to Article 16 of the Convention, it is further agreed that any aircraft operated by, or on behalf of an airline of one Party, on service to or from the territory of another Party, may, while within the territory of the other Party be the subject of a search by the authorised representatives of the other Party, provided this does not cause unreasonable delay in the operation of the aircraft. Notwithstanding the obligations mentioned in Article 33 of the Convention, the purpose of this search is to verify the validity of the relevant aircraft documentation, the licensing of its crew, and that the aircraft equipment and the condition of the aircraft conform to the Standards established at that time pursuant to the Convention.

(d) When urgent action is essential to ensure the safety of an airline operation, each Party reserves the right to immediately suspend or vary the operating authorisation of an airline or airlines of the other Party.

(e) Any action by one Party in accordance with paragraph (d) above shall be discontinued once the basis for the taking of that action ceases to exist.

(f) With reference to paragraph (b) above, if it is determined that one Party remains in non-compliance with ICAO Standards when the agreed time period has lapsed, the Secretary General of ICAO should be advised thereof. The latter should also be advised of the subsequent satisfactory resolution of the situation.

**IS: 10.2.1.2.**—(a) The [Authority of] shall, when evaluating an application by a foreign air operator to operate within the territory of Nigeria—

Conditions  
for the  
Issuance of a  
Document of  
Authorisations,  
Conditions  
and  
Limitations.

(1) Examine both the safety oversight capabilities and record of the Foreign Authority of the State of the Operator, and if different, the State of Registry ; and

(2) The operational procedures and practices of the foreign air operator itself.

NOTE : This is necessary in order to have confidence in the validity of the certificates and licences associated with the foreign air operator, its personnel and aircraft, the operational capabilities of the foreign air operator and in the level of certification and oversight applied to the activities of the foreign air operator by the Foreign Authority of the State of the Operator.

(b) The Authority shall obtain information on the safety oversight capabilities, and the level of compliance with ICAO Standards, of the Foreign Authority of the State of the Operator by accessing information from the ICAO Universal Safety Oversight Audit Programme (USOAP). This information is available—

(1) On the ICAO website <http://www.icao.int> and accessible through the Flight Safety Information Exchange (FSIX) - Safety Oversight Information - Audit Reports (1999-2004) or Audit Reports (Comprehensive Systems Approach) ;

(2) On the ICAO Safety Oversight Audit (SOA) Secure Site which is accessible, subject to a password available only to the Authority from ICAO, through the FSIX home page ; and

(3) Subject to a password available only to the Authority from ICAO, by accessing audit summary reports from the USOAP audits available to the [Authority of] on the ICAO-Net <http://www.icao.int/icaonet/> ;

(c) The Authority shall obtain and evaluate information on the foreign air operator. This information is available —

(1) By applying to the Foreign Authority of the State of the Operator for reports of any inspections that may have been conducted ; and

(2) By requesting access to reports of audits of a foreign air operator, conducted by independent aviation audit organisations and / or by other air operators, such as code-sharing partners. Such non-regulatory audits should be used in conjunction with other information such as a report from the ICAO Universal Safety Oversight Audit Programme (USOAP) or other inspection results to evaluate the application.

**B 1968**

(d) Foreign Air Operator's Application—

(1) In the case of significant negative findings and/or major deficiencies relevant to its review of the safety oversight capabilities and the level of compliance with ICAO Standards of the Foreign Authority of the State of the Operator, the Authority will engage in discussions with the Foreign Authority of the State of the Operator seeking resolution of the deficiencies prior to deciding whether to approve or not to approve the Foreign Air Operator Application and whether to approve or not to approve a Document of Authorisations, Conditions and Limitations.

(2) In the case of significant negative findings and/or major deficiencies relevant to its evaluation of the foreign air operator, the Authority shall not approve the foreign air operator's Foreign Air Operator Application and shall not issue a Document of Authorisations, Conditions and Limitations to the foreign air operator.



**IS: 10.2.1.4. FORMAT OF THE DOCUMENT OF AUTHORISATIONS, CONDITIONS AND LIMITATIONS**

FOREIGN AIR OPERATOR DOCUMENT OF AUTHORISATIONS, CONDITIONS AND LIMITATIONS	
FEDERAL REPUBLIC OF NIGERIA	
NIGERIAN CIVIL AVIATION AUTHORITY	
OPERATOR FULL NAME AND PRINCIPAL BUSINESS ADDRESS: OPERATOR NAME : _____ Dba trading name : _____ Operator address : _____ Telephone : _____ Fax : _____ E-mail : _____	
Accountable Manager Name : _____ Telephone : _____ E-mail : _____	Director of Flight Operations Name : _____ Telephone : _____ E-mail : _____
Quality Manager Name : _____ Telephone : _____ E-mail : _____	Director of Safety Name : _____ Telephone : _____ E-mail : _____
OPERATOR BUSINESS ADDRESS AND CONTACT DETAILS IN NIGERIA Operator Business Address : _____ Country Manager's Name : _____ Telephone : _____ E-mail : _____	
The date of issuance and expiry (if any) of the foreign air operator's AOC Date of Issuance : _____ Expiry Date : _____	
<p>This Document authorises [name of foreign air operator] to operate in the territory of Nigeria.</p> <p>This Document is issued to [name of foreign air operator] on the basis of it holding a valid AOC. Any changes to the AOC made by the Foreign Authority that issued and oversees the AOC of [name of foreign air operator] shall be submitted by [name of foreign air operator] in writing to the Authority within 30 days of such change.</p> <p>This Document ceases to have effect upon expiry, suspension, revocation, cancellation or equivalent action in respect of the foreign air operator's AOC.</p> <p>Additional authorisations, conditions or limitations considered necessary by the Authority (as applicable).</p> <p>Date of issue: _____ Title: _____ Name: _____ Signature: _____</p>	