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THE CIVIL AVIATION ACT,
(CAP. 80)

REGULATIONS

(Made under section 4)

THE CIVIL AVIATION (FATIGUE RISK MANAGEMENT) REGULATIONS, 2024

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THE CIVIL AVIATION ACT,
(CAP. 80)

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(Made under section 4)

THE CIVIL AVIATION (FATIGUE RISK MANAGEMENT) REGULATIONS, 2024

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Civil Aviation (Fatigue Risk Management) Regulations, 2024.
- Application 2. These Regulations shall apply to operators of general aviation, aerial work and commercial air transport operations of United Republic registered aircraft, flight crew, cabin crew members and air traffic controllers except as otherwise expressly provided.
- Interpretation
n
Cap. 80 3. In these Regulations, unless the context otherwise requires-
“Act” means the Civil Aviation Act;
“aerial work” has the meaning ascribed to it under the Act;
“Authority” means the Tanzania Civil Aviation Authority established under the Act;
“augmented flight crew” means a flight crew that comprises more than the minimum number required to operate the aeroplane and in which each flight crew member can leave his assigned post and be replaced by another appropriately qualified flight crew member for the purpose of in-flight rest;
“cabin crew member” means a crew member who performs, in the interest of the safety of passengers, duties assigned by the operator or the

- pilot-in-command of the aircraft, but who shall not act as a flight crew member;
- “commercial air transport” means an aircraft operation involving the transport of passengers, cargo, or mail for remuneration or hire;
- “crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;
- “cumulative fatigue” means fatigue that occurs after incomplete recovery from transient fatigue over a period of time;
- “deadheading” means a pilot or cabin crew member travelling to a destination to be repositioned as part of an on-duty assignment;
- “duty” means any task that flight or cabin crew members are required by the operator to perform, including, for example, flight duty, administrative work, training, positioning and standby when it is likely to induce fatigue;
- “duty period” means a period which starts when a flight or cabin crew member is required by an operator to report for or to commence a duty and ends when that person is free from all duties;
- “duty aloft” means the assignment of the crew member on the basis of the flight time established in the operations schedule, rather than the actual flight time;
- “fatigue” means a physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness, circadian phase, or workload mental or physical activity that can impair a crew member’s alertness and ability to safely operate an aircraft or perform safety related duties;
- fatigue risk management system (FRMS)” means a data driven process of continuously monitoring and managing fatigue - related safety risks, based on scientific principles, knowledge and operational experience that aims at ensuring relevant personnel are performing at adequate levels of alertness;

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

“flight duty period” means a period which commences when a crew member is required to report for duty that includes a flight or a series of flights and which finishes when the aeroplane finally comes to rest at the end of the last flight on which he is a crew member;

“flight time” means-

- (a) for aeroplanes and gliders, the total time from the moment an aeroplane or a glider moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight and it is synonymous with the term “block to block” or “chock to chock” time in general usage which is measured from the time an aeroplane first moves for the purpose of taking off until it finally stops at the end of the flight;
- (b) for helicopter, the total time from the moment a helicopter rotor blades start turning until the moment a helicopter comes to rest at the end of the flight and the rotor blades are stopped;
or
- (c) for airships or free balloon, the total time from the moment an airship or free balloon first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

“general aviation operation” means an aircraft operation other than a commercial air transport operation or an aerial work operation;

“home base” means the location nominated by the operator to the crew member from where the crew member normally starts and ends a duty period or a series of duty periods;

“operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

- “operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;
- “positioning” means the transferring of a non-operating crew member from place to place as a passenger at the behest of the operator;
- “reporting time” means the time at which flight and cabin crew members are required by an operator to report for duty;
- “rest period” means a continuous and defined period of time, subsequent to or prior to duty, during which flight or cabin crew members are free of all duties;
- “roster” means a list provided by an operator of the times when a crew member is required to undertake duties; and may synonymous mean schedule, line of time, pattern or rotation;
- “standby” means a defined period of time during which a flight or cabin crew member is required by the operator to be available to receive an assignment for a specific duty without an intervening rest period;
- “suitable accommodation” means a furnished bedroom which provides for the opportunity of adequate rest;
- “transient fatigue” means fatigue that is dispelled by a single sufficient period of rest or sleep; and
- “unforeseen operational circumstance” means an unplanned event, including un forecast weather, equipment malfunction, or air traffic delay that is beyond the control of the operator.

Knowledge or suspicion of crew fatigue

4.-(1) A person shall not act as a crew member of an aircraft where he knows or suspects that he is suffering from such fatigue as may endanger the safety of the flight.

(2) A person shall not cause or permit a crew member to fly an aircraft where he knows or suspects that

the crew member is suffering from such fatigue which may endanger the safety of the flight.

Fitness for duty

5.-(1) A crew member shall report for flight duty period when rested and prepared to perform his assigned duties.

(2) An operator shall not assign, and a flight crew member shall not accept assignment to a flight duty period where the flight crew member has reported fatigue for a flight duty period to safely perform his assigned duties.

(3) An operator shall not permit a flight crew member to continue a flight duty period where the flight crew member has reported fatigue for a flight duty period to safely perform his assigned duties.

(4) A flight crew member shall affirmatively state that, he is fit for duty prior to commencing flight as part of the dispatch or flight release.

Prescriptive fatigue risk management regulations

6.-(1) An operator may adopt prescriptive fatigue risk management regulations as prescribed under these Regulations.

(2) Where the operator adopts prescriptive fatigue risk management regulations for part or all of its operations, the Authority may approve, in exceptional circumstances, variations to these Regulations on the basis of a risk assessment provided by the operator.

(3) For the purpose of being eligible for that approval, the proposed variations shall provide a level of safety equivalent to or better than that achieved through the prescriptive fatigue management regulations.

Mirroring of flight and cabin crew schedules

7. An operator may elect to apply the flight crew member flight duty and rest requirements to the cabin crew members without seeking separate approval from the Authority.

Record keeping responsibilities

8.-(1) An operator shall maintain the required records for tracking flight times, duty times and rest periods.

(2) The records maintained under subregulation (1) shall be kept up to date and made available before a person begins their duty or their first flight of the day.

PART II
PRESCRIPTIVE FLIGHT TIME LIMITATIONS

Maximum
number of flight
time hours and
duty aloft

9.-(1) An operator shall not schedule any flight crew member and a flight crew member shall not accept an assignment for flight time in commercial air transport, if that flight crew member's total flight time for any consecutive 24-hour period exceeding-

- (a) 8 hours if the operation is conducted with a two pilot flight crew;
- (b) 13 hours if the operation is conducted with a three pilot flight crew; or
- (c) 17 hours if the operation is conducted with a four pilot flight crew.

(2) An operator shall not schedule any flight crew member and a flight crew member shall not accept an assignment in commercial air transport as a required crew member for more than-

- (a) 8 sectors during a 24 hours consecutive duty period; or
- (b) 7 sectors during an 18 hours consecutive duty period.

(3) An operator operating aircraft of maximum mass below 5,700 kgs shall not schedule any flight crew member and a flight crew member shall not accept an assignment in commercial air transport as a required crew member for more than 10 sectors during a 24 hours consecutive duty period.

(4) An operator shall not schedule any flight crew member and a flight crew member shall not accept an assignment for flight time if that flight crew member's total flight time exceeding-

- (a) 34 hours in any consecutive seven days period;
- (b) 100 hours in any consecutive twenty-eight days period; or

(c) 1000 hours in any consecutive twelve calendar months period.

(5) An operator shall not schedule any flight crew member and a flight crew member shall not accept an assignment for flight time in commercial air transport, if that crew member's total flight time, total flights or duty aloft in commercial flying exceed the limitations prescribed by the Authority.

(6) The Authority shall consider all time spent on an aircraft as an assigned flight crew member or relief flight crew member, whether resting or performing tasks, to be duty aloft.

(7) The Authority shall consider a flight crew member to be on continuous duty aloft unless the flight crew member receives a rest period of 8 consecutive hours on the ground.

(8) An operator shall provide adequate sleeping quarters, including a berth on the aircraft whenever a flight crew member is scheduled to be aloft for more than 12 hours during any 24 consecutive hours.

Exceeding flight time in unforeseen circumstances

10.-(1) Where unforeseen operational circumstances arise after take-off that are beyond the operator's control, a flight crew member may exceed the maximum and cumulative flight time specified in regulation 9 to the extent necessary to safely land the aircraft at the next destination airport or alternate airport.

(2) An operator shall report to the Authority within 10 days, any flight time that exceeded the maximum flight time limits permitted by regulation 9 and Part III.

(3) The report referred to in subregulation (2) shall contain a description of the extended flight time limitation and the circumstances surrounding the need for the extension.

PART III
PRESCRIPTIVE DUTY PERIODS

Duty periods

11.-(1) A crew member is considered to be on duty if he is performing any tasks on behalf of the operator, whether scheduled, requested or self-initiated.

(2) The Authority in computing duty period for crew member shall take into consideration excessive time accumulated during an emergency or adverse situation beyond the control of the operator.

Cumulative duty hours

12.-(1) With respect to duty periods, an operator shall not schedule any crew member and crew member shall not accept an assignment for duty which exceed-

(a) 1800 hours in any twelve consecutive months;

(b) 190 hours in any twenty-eight consecutive days; and

(c) 55 hours in any seven consecutive days.

(2) With regard to the cumulative duty hours, a break during a split-duty assignment shall be calculated in the following manner:

(a) where the break is less than 8 hours, the full period of the break is accountable; and

(b) where the break is 8 hours or more, fifty *per centum* of the period of the break is accountable.

Flight duty period

13.-(1) An operator shall not schedule any crew member and a crew member shall not accept an assignment for flight duty periods that will exceed the limitations specified in Parts I and II of the First Schedule.

(2) All time spent on an aircraft as an assigned or relief flight crew member, whether resting or performing tasks shall be included in the determination of the flight duty period.

(3) Where an operator requires a flight crew member to engage in deadhead transportation for more than 4 hours, one half of that time shall be included in the

calculation of the flight duty period, unless a flight crew member is given 10 hours of rest on the ground before being assigned to flight duty-

- (a) all time spent in deadhead transportation is duty time and is not rest period;
- (b) for purposes of determining the maximum flight duty period, deadhead transportation is not considered a flight segment.

(4) An operator shall not schedule any crew member and a crew member shall not accept an assignment involving the extension of the flight duty period for cabin crew up to a maximum of 18 hours, unless-

- (a) not more than two landings are carried out within a flight duty period;
- (b) rest facilities are available on board for resting cabin crew members; and
- (c) each cabin crew member is relieved of all tasks during a part of the flight.

Split-duty assignments

14.-(1) An operator may increase the allowable planned flight duty period through the application of the split-duty policies specified in Part IV of the First Schedule and subject to the following conditions:

- (a) the flight duty period shall not consist of more than two periods of duty;
- (b) there shall be a single break of sufficient length;
- (c) the crew member is notified in advance;
- (d) adequate facilities shall be provided; and
- (e) suitable accommodations shall be provided, where the break-
 - (i) is 6 hours or more; or
 - (ii) covers 3 hours or more of the period 2200 - 0600 local time at the place where it occurs.

(2) Subject to the conditions of subregulation (1), an operator shall not schedule any crew member and a crew member shall not accept an assignment involving a split-duty assignment, unless-

- (a) parts of the flight duty period before and after the break do not exceed 10 hours; and
- (b) the total flight duty period does not exceed 18 hours.

(3) Where the total travelling time in both directions between the place of duty and the adequate facilities or suitable accommodation exceeds one hour, any travelling time in excess of one hour total is deducted from the break for the purpose of calculating the increased flight duty period.

(4) Split duty shall not be combined with the provisions for an augmented flight crew or, for cabin crew, extension of the allowable flight duty period.

Augmented
flight crew
assignments

15.-(1) An operator shall not schedule any crew member and a crew member shall not accept an assignment involving the use of an augmented flight crew to increase the length of a flight duty period for more than-

- (a) 18 hours, where every flight crew member can leave his post for at least fifty *per centum* of the total flight time of all flights within the flight duty period; or
- (b) 16 hours, where every flight crew member can leave his post for at least twenty-five *per centum* of the total flight time of all flights within the flight duty period.

(2) An operator shall not schedule any crew member and a crew member shall not accept an assignment involving the use of an augmented flight crew to increase the length of a flight duty period unless that crew scheduled to carry out no more than-

- (a) two landings within a flight duty period; or
- (b) three landings, if the following conditions are met-
 - (i) the flight time for one sector is 3 hours or less; and
 - (ii) the rest period immediately following the flight duty period is increased by 6 hours.

(3) An operator shall not schedule any crew member and a crew member shall not accept an assignment involving the use of an augmented flight crew to increase the length of a flight duty period unless there are adequate rest facilities approved by the Authority available on board the aircraft for all resting flight crew members.

Mixed flying
types of
operation

16.-(1) An operator shall not schedule any flight crew member and a crew member shall not accept an assignment for mixed flying types of operation, such as flight simulator and conversion or recurrent training flights prior to commercial air transport flights, except as prescribed by this regulation.

(2) Where a flight crew member carries out either flight simulator or training flights prior to a commercial air transport flight, the duration of flight simulator or training flights shall be doubled for the purpose of calculating the limits of that flight duty period.

(3) The number of landings during flight simulator and training flights need not be taken into account.

On-call duty

17. When using the scheduled on-call duty crew members, operators shall-

- (a) apply the on-call duty period limitation for flight crew members in Part V of the First Schedule;
- (b) provide suitable rest facilities where-
 - (i) a member of the flight crew request for call duty at a distance base;
 - (ii) on-call duty is to be carried out at the aerodrome;
- (c) make sure the following items are included in the total duty time prescribed in this regulation-
 - (i) fifty *per centum* of the on-call duty time excluding the first 4 hours of on-call duty done at home;

- (ii) if being notified for the duty, fifty *per centum* of the notification time is calculated if the notice period is less than 10 hours;
- (d) ensure that a flight crew member has completed on-duty call time without doing the duty, this crew member will have rest period of at least 10 hours before commencing duty or the next on-call duty.

Time zone
difference

18. The operator shall ensure that, where there is a time zone difference between the start and end of a duty time period of 4 hours or more, the following conditions are applied:

- (a) the time difference between the place at which the flight duty period begins and ends is 6 hours or less, the next rest period shall be at least equal to the period of the previous duty or 14 hours, whichever is greater; or
- (b) the time difference between the place at which the flight duty period begins and ends is more than six hours, the next rest period shall be at least equal to the previous duty period or 16 hours, whichever is greater.

PART IV REST PERIODS

Rest period

19.-(1) With respect to rest periods, a crew member shall not-

- (a) perform duties unless that crew member has had at least the minimum rest period applicable to those duties as prescribed by these Regulations; or
 - (b) accept an assignment during any required rest period.
- (2) The operator may exercise the option to reduce a crew member's rest period within the limitations prescribed in Part VI and VII of the First Schedule.

Local and
deadhead
transportation

20.-(1) Time spent in local transportation in excess of 30 minutes shall not be considered a part of a crew member's rest period.

(2) Time spent in transportation, not local in character that is required by the operator to position crew members to or from flights is not considered part of a rest period.

(3) Time spent in transportation on aircraft at the insistence of the operator to or from a crew member's home station is not considered part of a rest period.

Minimum rest
period

21.-(1) Rest period shall not be less than-

(a) 9 hours for pilots; or

(b) 8 hours for cabin crew members.

(2) Notwithstanding subregulation (1), the operator shall ensure that, before the start of a flight duty period, a crew member has completed a rest period-

(a) at least as long as the preceding duty period;

(b) 11 hours, whichever is greater; and

(c) the minimum rest period following a flight duty period in which split-duty credit has been used-

(i) shall be at least as long as the total flight duty period, including the break;

(ii) except that, if suitable accommodations were provided, the duration of the break shall not be included in the rest period calculation;

(d) the operator may reduce the rest period calculated in accordance with subregulation (1) by not more than 3 hours, but not less than 11 hours, subject to the following conditions:

(i) the previous rest period should have been completed in accordance with subregulation (1); and

(ii) the amount by which the rest period is reduced shall be added to the next rest period, which cannot be reduced.

(3) The amount of time by which the rest period is reduced shall be deducted from the subsequent allowable flight duty period.

Minimum rest period each seven or ten consecutive day period

22. The operator shall relieve the flight crew member and flight operations officer from all duties for-

(a) 36 consecutive hours during any seven consecutive day period; and

(b) 60 consecutive hours during any ten consecutive day period.

PART V
AIR TRAFFIC CONTROLLERS' PRESCRIPTIVE DUTY
TIME LIMITATIONS

Fatigue management in air traffic control service

23.-(1) An air traffic services provider shall establish procedures for the purpose of managing fatigue in the provision of air traffic services.

(2) The air traffic service provider shall subject to subregulation (1), base the procedures upon scientific principles, knowledge and operational experience, with the aim of ensuring that air traffic controllers perform at an adequate level of alertness.

(3) For purposes of managing fatigue-related safety risks, the air traffic service provider shall establish air traffic controller schedules commensurate with the services provided in compliance with prescriptive limitations established by the Authority.

(4) The air traffic service provider who complies with prescriptive provisions of these Regulations shall-

(a) provide evidence that the limitations are not exceeded and that non-duty period requirements are met;

(b) familiarise its personnel with the principles of fatigue management and its policies with regard to fatigue management;

- (c) apply for variations from the prescriptive limitation regulations to address any additional risks associated with sudden, unforeseen operational circumstances;
 - (d) subject to subregulation 4(c), demonstrate that any associated risk is being managed to a level of safety equivalent to, or better than that achieved through the prescriptive fatigue management regulations.
- (5) The air navigation service provider shall ensure that the following conditions are met in the provision of air traffic control service:
- (a) establishment of a rostering system that addresses duty period time and adopted rest period;
 - (b) implement the rostering system, monitor and specify the following:
 - (i) maximum consecutive working days on duty;
 - (ii) maximum hours per duty period;
 - (iii) maximum time providing air traffic control service without breaks;
 - (iv) the ratio of duty periods to breaks when providing air traffic control service;
 - (v) minimum rest periods;
 - (vi) maximum consecutive duty periods encroaching the night time where applicable, depending upon the operating hours of the air traffic control unit concerned;
 - (vii) minimum rest period after a duty period encroaching the night time;
 - (viii) minimum number of rest periods within a roster cycle.
- (6) An air traffic controller shall not perform any safety relevant tasks when he or she knows that he or she is fatigued or feels unfit to the extent that safety may be adversely affected.

(7) Subject to subregulation (6), a person holding an air traffic controller's licence or authorisation shall not act as an air traffic controller nor shall an employer allow a licensed controller, if the controller or the employer knows or suspects that the controller is suffering from or, having regard to the circumstances of the period of duty to be undertaken is likely to suffer from such fatigue in a way that may endanger the safety of any aircraft to which an air traffic control service may be provided.

Maximum working hours for air traffic controllers

24. Except in an emergency, an air traffic controller shall not serve or be required to serve-

- (a) for more than 10 consecutive hours in any duty period;
- (b) for more than 10 hours during a period of 24 consecutive hours, unless the air traffic controller has had a rest period of at least 8 hours at or before the end of the ten hours of duty;
- (c) for more than 3 consecutive workdays;
- (d) for more than 50 hours worked within seven days; and
- (e) time-in-position 4 hours depending on traffic level.

Minimum rest periods for air traffic controllers

25.-(1) The air traffic service provider shall ensure that-

- (a) duration of non-duty periods for air traffic controller is not less than 54 hours between the end of one consecutive period of duty days and the next;
- (b) the number of non-duty days for air traffic controllers within a period of twenty-eight days is not less than eight days; and
- (c) in determining minimum rest period, consideration should be made of the travelling and handover time.

(2) Operational duty shall not exceed a period of 4 continuous hours without taking a break during or at the end of prescribed time or breaks totalling not less than 30

minutes during which period a controller does not exercise the privileges of their licence.

Unscheduled duties for air traffic controllers

26. The air traffic service provider shall establish a process to avoid extended periods of being awake for air traffic controllers when assigning unscheduled duties.

Variations to air traffic controllers scheduling limits

27.-(1) Subject to regulation 28(4)(c), for approval of variations to scheduling limits, the air traffic services provider shall provide the following:

- (a) the reason for the need to deviate;
- (b) the extent of the deviation;
- (c) the date and time of enactment of the deviation; and a safety case, outlining mitigations to support the deviation.

(2) Variation to the scheduling limitations established by the Authority shall be approved at the discretion of Authority.

(3) Subject to subregulation (1), the air traffic service provider shall comply with the process for variation as specified in the applicable technical guidance material issued by the Authority.

PART VI

FATIGUE RISK MANAGEMENT SYSTEM

Approval of fatigue risk management system

28.-(1) The Authority may approve an operator's FRMS to take the place of any or all of the prescriptive fatigue management requirements prescribed under these Regulations.

(2) The Authority shall, before the grant of the approval in subregulation (1) satisfy itself that, the operator's proposed FRMS provides a level of safety equivalent to, or better than, the prescriptive fatigue management requirements prescribed under these Regulations.

(3) The operator's FRMS shall establish a process to ensure a level of safety equivalent to, or better than, the prescriptive fatigue management requirements.

(4) As part of this process, the Authority shall-

- (a) require the operator establish maximum values for flight times or flight duty periods, duty periods and minimum values for rest periods based upon scientific principles and knowledge, subject to safety assurance processes;
- (b) mandate a decrease in maximum values and an increase in minimum values in the event that the operator's data indicates these values are too high or too low, respectively; and
- (c) approve any increase in maximum values or decrease in minimum values only after evaluating the operator's justification for such changes, based on accumulated FRMS experience and fatigue-related data.

(5) To be eligible for approval by the Authority, the operator's FRMS to manage fatigue-related safety risks shall, as a minimum, meet the following general process requirements and the implementing requirements outlined in the Second Schedule:

- (a) incorporate scientific principles and knowledge within the FRMS;
- (b) identify fatigue-related safety hazards and the resulting risks on an ongoing basis;
- (c) ensure that remedial actions, necessary to effectively mitigate the risks associated with the hazards, are implemented promptly;
- (d) provide a system for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions; and
- (e) provide for performance evaluation and continuous improvement to the overall performance of the FRMS.

(6) Where the air traffic services provider implements an FRMS to manage fatigue-related safety risks in accordance with provision of part or all of its air traffic control services in accordance with Part V of these regulations the ANSP shall establish processes to integrate FRMS functions with its other safety management functions.

(7) The FRMS established by the air traffic service provider shall provide a level of safety acceptable to the Authority.

(8) The FRMS established by the air traffic service provider shall be approved by the Authority in accordance with a documented process specified in the applicable technical guidance material issued by the Authority.

PART VII GENERAL PROVISIONS

Possession of licence, certificate, approval or authorisation

29. A holder of a licence, certificate, approval or authorisation issued by the Authority shall have in his physical possession or at the workstation when exercising the privileges of that licence, certificate, approval or authorisation.

Inspection of licences, certificates, approval or authorisation

30. A person who holds a licence, certificate, approval or authorisation required by these Regulations shall present it for inspection upon a request from the Authority or any other person authorised by the Authority.

Change of address

31.-(1) A holder of a licence, certificate, approval or authorisation, or any other such document issued under these Regulations shall notify the Authority of any change in the physical and mailing address and shall do so in the case of-

- (a) physical address, at least fourteen days before the change; and
- (b) mailing address, upon the change.

(2) A person who does not notify the Authority of the change in the physical address within the time frame specified in subregulation (1) shall not exercise the privileges of the certificate or authorisation.

Replacement of licence, certificate, approval or authorisation

32. A person may apply to the Authority in a form and manner determined by the Authority in the applicable technical guidance material for replacement

of documents issued under these Regulations when such documents are lost or destroyed.

Suspension
and
revocation
of licence,
certificate,
approval or
authorisation

33.-(1) The Authority may, where it considers it to be in public interest, suspend provisionally, pending further investigation, any licence, certificate, approval, authorisation or any such other document issued under the relevant regulations.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to the Authority's satisfaction and where it considers it to be in public interest, suspend, revoke or vary any licence, certificate, approval, authorisation or any other document issued or granted under the relevant regulations.

(3) The Authority may, where it considers it to be in public interest, prevent any person or aircraft from flying.

(4) An operator or a person having the possession or custody of any licence, certificate, approval, authorisation or any such other documents which have been revoked, suspended or varied under these Regulations shall surrender the licence, certificate, approval, authorisation or such other documents to the Authority within fourteen days from the date of revocation, suspension or variation.

(5) The breach of any condition subject to which any licence, certificate, authorisation or any such other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

Use and
retention of
licence,
certificate,
authorisation
and
records

34.-(1) A person shall not-

(a) use any licence, certificate, approval, authorisation, or such other document issued or required under these Regulations which has been forged, altered, revoked, or suspended, or to which that person is not entitled;

- (b) forge or alter any licence, certificate, approval, authorisation or any such other document issued or required by, or under these Regulations;
- (c) lend any licence, certificate, approval, authorisation or any such other document issued or required under these Regulations to any other person;
- (d) make any false representation for the purpose of procuring for himself or any other person the issue, renewal or variation of the licence, certificate, approval, authorisation or any such other document.

(2) During the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or wilfully omit to make a material entry in such record.

(3) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.

(4) A person shall not issue any licence, certificate, approval, authorisation or any such other document for the purpose of these Regulations unless he is authorised to do so under these Regulations.

(5) A person shall not issue any licence, certificate, approval, authorisation or any such other document of any kind referred to in these Regulations unless all statements in the licence, certificate, approval, authorisation or any such other document are correct, and that the applicant is qualified to hold that licence, certificate, approval, authorisation or any such other document.

Reports of
violation
Cap. 80

35.-(1) A person who knows of a violation of the Act, any rule, regulation or order made there under, shall report it to the Authority.

(2) The Authority shall determine the nature and type of any additional investigation or enforcement action that shall be taken.

Enforcement of directions

36.-(1) A person who fails to comply with any directives given to him by the Authority or by any authorised person under any provisions of these Regulations shall be deemed for purposes of these Regulations to have contravened that provision.

(2) The Authority shall take enforcement action on any regulated entity that fails to comply with any provisions of these Regulations.

(3) The inspectors of the Authority holding valid delegations shall take necessary actions to preserve safety where an undesirable condition has been detected.

(4) The actions referred to in subregulation (2) may include.

- (a) in the case of a regulated entity, imposition of operating restrictions until such a time the existing undesirable condition has been resolved;
- (b) in case of a licensed personnel, require that the individual does not exercise the privileges of the licence until such a time that the undesirable condition has been resolved; or
- (c) licensed personnel, require that the individual does not exercise the privileges of the licence until such a time that the undesirable condition has been resolved,

in carrying out enforcement actions pursuant to the provisions of subregulation (3), the inspectors of the Authority shall invoke the powers with due diligence and act in good faith in the interest of preserving safety.

Aeronautica
1 user fees

37.-(1) The Authority shall notify applicants of the fees to be charged in connection with the issue, validation, renewal, extension or variation of any licence, certificate, approval, authorisation or such other document, including the issue of a copy thereof, or the undergoing of any examination, test, inspection or

investigation or the grant of any permission or approval, required by, or for the purpose of these Regulations, any orders, notices or proclamations made thereunder.

(2) Upon an application being made in connection with which any fee is chargeable in accordance with subregulation (1), the applicant shall be required, before the application is entertained, to pay the fee so chargeable.

(3) Where the payment of fees has been made and the application is withdrawn by the applicant or otherwise ceases to have effect or is rejected, the Authority shall not refund such payment.

PART VIII OFFENCES AND PENALTIES

Contravention of Regulations

38. The Authority may revoke or suspend a certificate, licence, approval, authorisation or such other document where the holder thereof contravenes any provisions of these Regulations.

Offences and penalties

39.-(1) A person who contravenes any provision of these Regulations, commits an offence and on conviction shall be liable to a fine of not less than the equivalent in Tanzanian shillings of United States dollars one thousand or imprisonment for a term not less than twelve months, or to both.

(2) In the case of a continuing contravention, each day of the contravention shall constitute a separate offence and be liable to an additional fine of not less than the equivalent in Tanzanian shillings of United States dollars five hundred for each day the offence continues.

(3) Where it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall not be deemed as a contravention by that person of that provision.

FIRST SCHEDULE

(Made under regulations 13, 14, 17 and 19)

PART I
MAXIMUM UNINTERRUPTED FLIGHT TIME

(a) The maximum uninterrupted flight time for a crew of 1 or 2 shall be-
Local Time of Start Maximum Uninterrupted Flight Time

0000- 0459	8 hours
0500- 1959	9 hours
2000-2359	8 hours

PART II
ALLOWABLE FLIGHT DUTY PERIODS – MULTI-PILOT

The maximum allowable flight duty period may be extended during multi-pilot operations as provided in the following table:

Scheduled time of start (acclimated time)	Maximum Flight Duty Period (Hours) based on number of flight segments (Sector)						
	1	2	3	4	5	6	7+
0000-0359	9	9	9	9	9	9	9
0400-0459	10	10	10	10	9	9	9
0500-0559	12	12	12	12	11.5	11	10.5
0600-0659	13	13	12	12	11.5	11	10.5
0700-1159	14	14	13	13	12.5	12	11.5
1200-1259	13	13	13	13	12.5	12	11.5
1300-1659	12	12	12	12	11.5	11	10.5
1700-2159	12	12	11	11	10	9	9

2200-2259	11	11	10	10	9	9	9
2300-2359	12	10	10	9	9	9	9

**PART III
ALLOWABLE FLIGHT DUTY PERIOD - SINGLE PILOT**

(a) The maximum allowable flight duty period may be extended for single-pilot operations as provided in the following table:

Reporting time	Number of landings as operating crew member		
	1-4	5	>= 6
0700-1759	0930	0830	0800
1800-2159	0830	0800	0800
2200-0459	0800	0830	0800
0500-0659	0830	0800	0800

- (b) For flights operated by a single pilot and conducted wholly under VFR, allowable flight duty periods shall be derived from first column (column addressing 1-4 landings) in this case however there is no limit to the number of landings;
- (c) Where the number of landings exceeds an average of 4 per hour a break of at least 30 minutes shall be taken within any period of 3 consecutive hours.

**PART IV
ACCEPTABLE SPLIT-DUTY EXTENSION**

Consecutive hours break	Increase in Flight duty period
0- 2 hours 59 minutes	NIL
3 - 6 hours 59 minutes	1/2 length of break
7 - 10 hours 59 minutes	2/3 length of break or 1 1/2 length of break if at least 8 hours of the break fall between 2000-0800 local time where the break occurs

**PART V
ON-CALL DUTY LIMITATION**

Notification Time	Maximum On-Call Duty Period
0 - 5 hours 59 minutes	12 Hours
From 6 hours and more	18 Hours

**PART VI
THE ACCEPTABLE METHODS FOR REDUCING FLIGHT CREW REST PERIODS**

Conditions required for flight crew member rest reduction.			
Flight Deck Duty Period (Hours)	Normal Rest Period (Hours)	Authorised Reduced Rest Period (Hours)	Next Rest Period if Reduction Taken
Less than 8	9	8	10
8 – 9	10	8	11
9 or more	11	9	12

PART VII

THE ACCEPTABLE METHODS FOR REDUCING CABIN CREW REST PERIODS

Conditions required for cabin crew member rest reduction				
Scheduled Duty Period (Hours)	Extra Cabin Crew Members Required	Normal Rest Period (Hours)	Authorised Reduced Rest Period (Hours)	Next Rest Period if Reduction Taken
14 or Less	0	9	8	10
14-16	1	12	10	14
16-18	2	12	10	14
18-20	3	12	10	14

PART VIII

THE MAXIMUM FLIGHT DUTY PERIOD (HOURS) BASED ON REST FACILITY AND NUMBER OF PILOTS

Scheduled time of start (acclimated time)	Maximum Flight Duty Period (Hours) based on rest facility and number of Pilots					
	Class 1 rest facility		Class 2 rest facility		Class 3 rest facility	
	3 Pilots	4 Pilots	3 Pilots	4 Pilots	3 Pilots	4 Pilots
0000-0559	15	17	14	15.5	13	13.5
0600-0659	16	18.5	15	16.5	14	14.5
0700-1259	17	19	16.5	18	15	15.5
1300-1659	16	18.5	15	16.5	14	14.5
1700-2359	15	17	14	15.5	13	13.5

SECOND SCHEDULE

(Made under regulation 28(5))

PART I
FRMS POLICY

- (1) A fatigue risk management system (FRMS) established in accordance with this Part shall contain, at a minimum-
- (a) FRMS policy, with all elements of the FRMS clearly identified;
 - (b) The policy shall require that the scope of FRMS operations be clearly defined in the operations manual.
- (2) The policy shall-
- (a) reflect the shared responsibility of management, flight and cabin crews, and other involved personnel;
 - (b) clearly state the safety objectives of the FRMS;
 - (c) be signed by the Accountable Manager of the organisation;
 - (d) be communicated, with visible endorsement, to all the relevant areas and levels of the organisation;
 - (e) declare management commitment to effective safety reporting;
 - (f) declare management commitment to the provision of adequate resources for the FRMS;
 - (g) declare management commitment to continuous improvement of the FRMS;
 - (h) require that clear lines of accountability for management, flight and cabin crews and all other involved personnel are identified; and
 - (i) require periodic reviews to ensure it remains relevant and appropriate.

PART II
FRMS DOCUMENTATION

An operator shall develop and keep current FRMS documentation that describes and records-

- (a) FRMS policy and objectives;
- (b) FRMS processes and procedures;
- (c) accountabilities, responsibilities and authorities for the processes and procedures;
- (d) mechanisms for ongoing involvement of management, flight and cabin crew members and all other involved personnel;
- (e) FRMS training programmes, training requirements and attendance records;
- (f) scheduled and actual flight times, duty periods and rest periods with significant deviations and reasons for deviations noted; and
- (g) FRMS outputs including findings from collected data, recommendations, and actions taken.

PART III
FATIGUE RISK MANAGEMENT PROCESSES

A. Identification of Hazards

An operator shall develop and maintain three fundamental and documented processes for fatigue hazard identification.

(1) Predictive

The predictive process shall identify fatigue hazards by examining crew scheduling and taking into account factors known to affect sleep and fatigue and their effects on performance and the methods of examination may include -

- (a) operator or industry operational experience and data collected on similar types of operations;
- (b) evidence-based scheduling practices; and
- (c) bio-mathematical models.

(2) Proactive

The proactive process shall identify fatigue hazards within current flight operations and the methods of examination may include-

- (a) self-reporting of fatigue risks;
- (b) crew fatigue surveys;
- (c) relevant flight and cabin crew performance data;
- (d) available safety databases and scientific studies; and
- (e) analysis of planned versus actual time worked.

(3) Reactive

The reactive process shall identify the contribution of fatigue hazards to reports and events associated with potential negative safety consequences in order to determine how the impact of fatigue could have been minimised and at a minimum, the process may be triggered by any of the following:

- (a) fatigue reports;
- (b) confidential reports;
- (c) audit reports;
- (d) incidents; and
- (e) flight data analysis events.

B. Risk Assessment

(1) An operator shall develop and implement risk assessment procedures that determine the probability and potential severity of fatigue-related events and identify when the associated risks require mitigation.

(2) The risk assessment procedures shall review identified hazards and link them to-

- (a) operational processes;
- (b) their probability;
- (c) possible consequences; and
- (d) the effectiveness of existing safety barriers and controls.

C. Risk Mitigation

An operator shall develop and implement risk mitigation procedures that-

- (a) select the appropriate mitigation strategies;

- (b) implement the mitigation strategies; and
- (c) monitor the strategies' implementation and effectiveness.

PART IV
FRMS SAFETY ASSURANCE PROCESSES

The operator shall develop and maintain FRMS safety assurance processes to-

- (a) provide for continuous FRMS performance monitoring, analysis of trends, and measurement to validate the effectiveness of the fatigue safety risk controls. The sources of data may include, but are not limited to-
 - (i) hazard reporting and investigations;
 - (ii) audits and surveys; and
 - (iii) reviews and fatigue studies;
- (b) provide a formal process for the management of change which shall include-
 - (i) identification of changes in the operational environment that may affect FRMS;
 - (ii) identification of changes within the organisation that may affect FRMS; and
 - (iii) consideration of available tools which could be used to maintain or improve FRMS performance prior to implementing changes; and
- (c) provide for the continuous improvement of the FRMS including-
 - (i) the elimination or modification of risk controls that have had unintended consequences or that are no longer needed due to changes in the operational or organisational environment;
 - (ii) routine evaluations of facilities, equipment, documentation and procedures; and
 - (iii) the determination of the need to introduce new processes and procedures to mitigate emerging fatigue-related risks.

PART V
FRMS PROMOTION PROCESSES

FRMS promotion processes support the ongoing development of the FRMS, the continuous improvement of its overall performance, and attainment of optimum safety levels.

The following shall be established and implemented by the operator as part of its FRMS:

- (a) training programs to ensure competency commensurate with the roles and responsibilities of management, flight and cabin crew, and all other involved personnel under the planned FRMS; and
- (b) an effective FRMS communication plan that-
 - (i) explains FRMS policies, procedures and responsibilities to all relevant stakeholders; and
 - (ii) describes communication channels used to gather and disseminate FRMS-related information.

Dodoma,
15th December, 2023

MAKAME M. MBARAWA,
Minister for Transport