

STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS

2020 No. 12.

CIVIL AVIATION (AERONAUTICAL SEARCH AND RESCUE)
REGULATIONS, 2020

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STATUTORY INSTRUMENTS

2020 No. 12.

The Civil Aviation (Aeronautical Search and Rescue) Regulations, 2020

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

IN EXERCISE of the powers conferred upon the Minister by sections 34(2) and 61 of the Civil Aviation Authority Act, Cap. 354, and on the recommendation of the Uganda Civil Aviation Authority, these Regulations are made this 17th day of October, 2019.

PART I—PRELIMINARY PROVISIONS

1. Title

These Regulations may be cited as the Civil Aviation (Aeronautical Search and Rescue) Regulations, 2020.

2. Application

(1) These Regulations are applicable to the establishment, maintenance and operation of search and rescue services in Uganda and to the coordination of such services between States.

(2) Subsidiary procedures of regional application shall be found in the Regional Supplementary Procedures Search and Rescue, Doc 7030.

3. Interpretation

In these Regulations unless the context otherwise requires—

“accident” means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time a person boards the aircraft with the intention of flight until such time the person disembarks or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of

flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shutdown, in which—

- (a) a person is fatally or seriously injured as a result of—
 - (i) being in the aircraft;
 - (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
 - (iii) direct exposure to jet blast,

except when the injuries are from natural causes, self-inflicted or inflicted by other persons or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

- (b) the aircraft sustains damage or structural failure which—
 - (i) adversely affects the structural strength, performance or flight characteristics of the aircraft; and
 - (ii) would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear, doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

- (c) the aircraft is missing or is completely inaccessible.

“Act” means the Civil Aviation Authority Act, Cap. 354;

- “aircraft” includes all flying machines, aeroplanes, seaplanes, flying boats, helicopters, gliders and other aircraft designed to be heavier than air, all airships and balloons and other aircraft designed to be lighter than air;
- “alerting post” means any facility intended to serve as an intermediary between a person reporting an emergency and a rescue coordination centre or rescue sub-centre;
- “alert phase” means a situation wherein apprehension exists as to the safety of an aircraft and its occupants;
- “Authority” means the Uganda Civil Aviation Authority established under section 3 of the Act;
- “automated mutual-assistance vessel rescue (Amver)” means a world-wide ship reporting system operated exclusively to support search and rescue and make information available to all rescue coordination centres.
- “Committee” means the Search and Rescue Committee;
- “craft” means an aircraft or a vessel;
- “currency point” has the meaning assigned to it in Schedule 1;
- “Director General” means the Director General of Uganda Civil Aviation Authority;
- “distress phase” means a situation wherein there is a reasonable certainty that an aircraft and its occupants are threatened by grave and imminent danger and require immediate assistance;
- “ditch” means the forced landing of an aircraft on water;
- “emergency phase” is a generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase;
- “facility” means any mobile resource including designated search and rescue units used to conduct search and rescue operations;
- “flight information region” means an airspace of defined dimensions within which flight information service and alerting service are provided;

- “incident” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;
- “joint rescue coordination centre” means a rescue coordination centre responsible for both aeronautical and maritime search and rescue operations;
- “Minister” means the minister responsible for civil aviation;
- “operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;
- “Person” means any institution or organisation equipped to assist in a search and rescue operation, an organ of state, a government and an agency of the government of a foreign country;
- “Pilot-in-Command” means the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;
- “rescue” means an operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
- “Rescue Coordination Centre (RCC)” means a unit responsible for promoting efficient organisation of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region;
- “Rescue sub-centre (RSC)” means a unit subordinate to a rescue coordination centre, established to complement the latter according to particular provisions of the responsible authorities;
- “search” means an operation normally coordinated by a rescue coordination centre or rescue sub-centre using available personnel and facilities to locate persons in distress;
- “search and rescue aircraft” means an aircraft provided with specialized equipment suitable for the efficient conduct of search and rescue missions;
- “search and rescue region (SRR)” means an area of defined dimensions, associated with a rescue coordination centre, within which search and rescue services are provided;

“search and rescue service” means the performance of distress monitoring, communication, coordination and search and rescue functions, initial medical assistance or medical evacuation, through the use of public and private resources, including cooperating aircraft, vessels and other craft and installations;

“search and rescue service provider” means the entity responsible for coordinating and directing provision of search and rescue services in Uganda;

“search and rescue unit” means a mobile resource composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations;

“State of Registry” means the State on whose register the aircraft is entered;

“The Convention” means the Convention on International Civil Aviation adopted at Chicago on 7th December 1944;

“uncertainty phase” means a situation wherein uncertainty exists as to the safety of an aircraft and its occupants;

“vessel” means any water-navigable craft of any type, whether self-propelled or not.

PART II—AERONAUTICAL SEARCH AND RESCUE ORGANISATION

4. Search and rescue services

(1) The authority shall arrange for the establishment and prompt provision of search and rescue services within Uganda on a 24 hour basis.

(2) The basic elements of a Search and Rescue service shall include a legal framework, a responsible authority, organised resources, communication facilities and workforce skilled in coordination and operational functions.

(3) The search and rescue service provider shall—

- (a) coordinate and direct the prompt provision of search and rescue services within Uganda to ensure that assistance is rendered to persons in distress;
- (b) in coordination with the authority—
 - (i) determine the type and degree of search and rescue services to be provided within the search and rescue region and shall coordinate such services in accordance with these Regulations;
 - (ii) establish a system for reporting occurrences and the conduct of Search and Rescue operations to the authority;
 - (iii) ensure the availability of sufficient resources and facilities to coordinate the search and rescue operations at any one time;
 - (iv) ensure availability of resources, communication facilities and a skilled manpower to coordinate and provide the aeronautical search and rescue functions;
 - (v) establish processes to improve service provision, including aspects of planning, domestic and international cooperative arrangements and training;
 - (vi) provide assistance to aircraft in distress and to survivors of aircraft accidents without regard to the nationality or status of such persons or the circumstances in which such persons are found;
 - (vii) search and rescue units and other available facilities shall be used to assist any aircraft or its occupants that are or appear to be in a state of emergency;
 - (viii) where separate aeronautical and maritime rescue coordination centres serve the same area, ensure the closest possible cooperation and coordination

between the relevant aeronautical maritime and military emergency response services centres;

- (ix) facilitate consistency and cooperation between aeronautical and maritime search and rescue; and
- (x) ensure the establishment of joint rescue coordination centres to coordinate aeronautical and maritime search and rescue operations where practical.

5. Search and rescue region

The authority shall delineate the search and rescue region within which search and rescue services are provided coincident to the Entebbe Flight Information Region and shall publish the search and rescue region in the Aeronautical Information Publication.

6. Rescue coordination centre and rescue sub centres

(1) The search and rescue service provider shall—

- (a) establish a Rescue Coordination Centre, equipped with appropriate facilities and personnel;
- (b) facilitate efficient organisation of aeronautical search and rescue services; and
- (c) coordinate the conduct of aeronautical search and rescue operations within the aeronautical search and rescue region.

(2) The search and rescue service provider shall establish and publish in the Aeronautical Information Publication search and rescue sub centres subordinate to the Rescue Coordination Centre where this is considered to improve the efficiency of search and rescue services within Uganda.

(3) The Rescue Coordination Centre and, as appropriate, rescue sub centre, shall be staffed 24 hours a day by trained personnel proficient in the use of English language used for radiotelephony communications.

(4) The Rescue Coordination Centre personnel involved in the conduct of radiotelephony communications shall be proficient in the use of the English language.

(5) The search and rescue service provider shall—

- (a) make formal arrangements for cooperative and appropriate use of public and private search and rescue units that are suitably located, equipped and crewed for search and rescue operations throughout the search and rescue region;
- (b) maintain an accurate and complete database of search and rescue units and other Search and Rescue facilities and resources within the search and rescue region and make arrangements for the timely advice to the Rescue Coordination Centre of any change in their readiness or capability;
- (c) in areas where telecommunications facilities would not permit persons observing an aircraft in emergency to notify the Rescue Coordination Centre concerned directly and promptly, designate suitable units of public or private services and publish such units in the Aeronautical Information Publication as alerting posts.

7. Search and rescue communication

(1) The search and rescue service provider shall ensure that the Rescue Coordination Centre has means of rapid and reliable two way communication with—

- (a) associated air traffic services units;
- (b) associated rescue sub-centres;
- (c) appropriate direction-finding and position-fixing stations;
- (d) where appropriate, coastal radio stations capable of alerting and communicating in the region;
- (e) the headquarters of search and rescue units in the region;

- (f) all maritime rescue coordination centres in the region and aeronautical, maritime or joint rescue coordination centres in adjacent regions;
- (g) a designated meteorological office or meteorological watch office;
- (h) search and rescue units;
- (i) alerting posts; and
- (j) the COSPAS-SARSAT Mission Control Centre servicing the search and rescue region.

(2) The search and rescue service provider shall ensure that each Rescue sub-centre has means of rapid and reliable two-way communication with—

- (a) adjacent rescue sub-centres;
- (b) a meteorological office or meteorological watch office;
- (c) search and rescue units; and
- (d) alerting posts.

8. Search and rescue units

The search and rescue service provider shall—

- (a) designate as search and rescue units, elements of public or private services suitably located and equipped for search and rescue operations; and
- (b) designate as part of search and rescue plan of operation, elements of public and private services that do not qualify as search and rescue units but are able to participate in search and rescue operations.

9. Search and rescue equipment

(1) The search and rescue service provider shall ensure that—

- (a) search and rescue units are provided with equipment for locating promptly and for providing adequate assistance at, the scene of an accident;

- (b) search and rescue units have means of rapid and reliable two-way communication with other search and rescue facilities engaged in the same operation;
- (c) search and rescue aircraft are equipped to be able to communicate on the aeronautical distress and on-scene frequencies and on such other frequencies as may be determined by the Authority;
- (d) search and rescue aircraft are equipped with a device for homing on distress frequencies; and
- (e) search and rescue aircraft when used for search and rescue over maritime areas—
 - (i) are equipped to be able to communicate with vessels; and
 - (ii) carry a copy of the international Code of Signals to enable them overcome language difficulties that may be experienced in communicating with ships.

(2) The Rescue Coordination Centre shall ensure that at least one of the aircraft participating in a search and rescue operation shall carry droppable survival equipment unless it is known that there is no need to provide supplies to survivors by air.

(3) The search and rescue service provider shall coordinate with appropriate agencies and shall ensure that appropriate survival equipment, suitably packed for dropping by aircraft are located at aerodromes.

PART III—COOPERATION AND COORDINATION OF SEARCH AND RESCUE SERVICES

10. Cooperation and coordination with other States and agencies

(1) The Search and rescue service provider shall—

- (a) coordinate their search and rescue organisation with neighbouring States;

- (b) coordinate its search and rescue operations with neighbouring States especially when operations are proximate to adjacent search and rescue regions; and
- (c) develop common search and rescue plans and procedures to facilitate coordination of search and rescue operations with neighbouring States.

(2) The Authority, through the Rescue Coordination Centre—

- (a) may request from other rescue coordination centres such assistance, including aircraft, vessels, persons or equipment, as may be needed;
- (b) shall grant any necessary permission for the entry of such aircraft, vessels, persons or equipment into the territory; and
- (c) shall make the necessary arrangements with the appropriate customs, immigration or other authorities with a view to expediting such entry.

(3) The Rescue Coordination Centre shall when requested, provide assistance to other rescue coordination centres, and shall coordinate any assistance required by those rescue coordination centres in the form of aircraft, vessels, persons or equipment.

(4) The search and rescue service provider shall make arrangements for—

- (a) joint training exercises involving its aeronautical search and rescue units, those of other States and operators, in order to promote search and rescue efficiency; and
- (b) periodic liaison visits by personnel of its rescue coordination centres and sub-centres to the centres of neighbouring States.

11. Search and rescue letters of agreement

(1) The search and rescue service provider in coordination with the Authority and relevant government authorities shall establish

letters of agreement with search and rescue service providers within Uganda and with search and rescue agencies of contiguous States to strengthen search and rescue cooperation and coordination.

(2) Subject to sub-regulation (1), the search and rescue service provider shall provide in the agreements, the conditions for entry of each other's search and rescue units into respective territories and shall ensure that these agreements provide for expediting entry of such units with the least possible formalities.

12. Entry into the territory of Uganda by other States' parties

(1) The Director General shall in coordination with relevant government authorities and subject to such conditions as may be prescribed by such authorities, permit immediate entry into the Ugandan territory, search and rescue units of other States for the purpose of searching for the site of aircraft accidents and rescuing survivors of such accidents.

(2) Other States' parties, who wish their search and rescue units to enter the territory of Uganda for search and rescue purposes shall transmit a request, giving full details of the projected mission and the need for it, to the Director General.

(3) Subject to subregulation (2), the Director General shall—

- (a) acknowledge the receipt of such a request, and
- (b) in coordination with relevant State agencies, as soon as possible, indicate the conditions, if any, under which the projected mission may be undertaken.

13. Cooperation with other services not forming part of the search and rescue organisation.

The search and rescue service provider shall—

- (a) make arrangements with operators of aircraft, vessels and local services and facilities, which do not form part of the search and rescue organisation to cooperate fully with the

search and rescue organisation in the search and rescue and extend any possible assistance to the survivors of aircraft distress;

- (b) maintain close coordination between relevant aeronautical maritime authorities to provide the most effective and efficient search and rescue services;
- (c) ensure that their search and rescue services cooperate with authorities responsible for investigating accidents and with those responsible for the care of those who suffer from the accidents; and
- (d) make arrangements for the rescue units, when practicable, to be accompanied by persons qualified in the conduct of aircraft accident and incident investigations to facilitate accident investigation.

14. Dissemination of information

(1) The search and rescue service provider shall—

- (a) designate and publish in the Aeronautical Information Publication of Uganda, a search and rescue point of contact for the receipt of COSPAS-SARSAT distress data;
- (b) publish in the Aeronautical Information Publication, arrangements and information necessary for the entry into Uganda, of search and rescue units of other States for the purpose of search and rescue of aircraft;
- (c) make available, through the rescue coordination centres or other agencies, information regarding search and rescue plans of operation.

(2) The Minister shall, to the extent desirable and practicable, disseminate information to the general public and emergency response authorities regarding actions to be taken when there is reason to believe that an aircraft's emergency situation may become cause for public concern or require a general emergency response.

15. Preparatory information

(1) The Rescue Coordination Centre shall make readily available, at all times, up to-date information concerning the following in respect of its search and rescue region—

- (a) search and rescue units, rescue sub-centres, alerting posts and air traffic services units;
- (b) means of communication that may be used in search and rescue operations;
- (c) addresses and telephone numbers of all operators or their designated representatives engaged in operations in the region; and
- (d) any other public and private resources including medical and transportation facilities that are likely to be useful in search and rescue.

(2) The Rescue Coordination Centre shall have readily available all other information of interest to search and rescue, including information relating to—

- (a) the location, call signs, hours of watch and frequencies of all radio stations likely to be employed in support of search and rescue operations;
- (b) the locations and hours of watch of services keeping radio watch and the frequencies guarded;
- (c) the location where supplies of droppable emergency and survival equipment are stored; and
- (d) objects which it is known might be mistaken for unallocated or unreported wreckage, particularly if viewed from the air.

(3) The Rescue Coordination Centre shall coordinate with marine search and rescue units to have ready access to information regarding the positions, course and speed of ships within areas that may be able to provide assistance to aircraft in distress and information on how to contact such ships.

(4) The search and rescue service provider shall in cooperation with other States, and in cooperation with the maritime authority arrange communication links with automated mutual-assistance vessel rescue or regional ship reporting systems to facilitate search and rescue operations on lakes.

(5) The search and rescue service provider shall provide relevant information on the availability of search and rescue units within the search and rescue region for publication in the Aeronautical Information Publication;

16. Aeronautical search and rescue plans of operations

(1) The Rescue Coordination Center shall—

- (a) prepare detailed plans of operation for the conduct of search and rescue operations within the search and rescue region;
- (b) develop aeronautical search and rescue plans of operation jointly with representatives of the operators and other public or private services that may assist in providing search and rescue services or benefit from them, taking into account that the number of survivors could be large;
- (c) integrate search and rescue plans of operation with—
 - (i) airport emergency plans to provide for rescue services in the vicinity of aerodromes including, for aerodromes and areas of water; and
 - (ii) emergency response plans developed by the air operators in accordance with the provisions of the Civil Aviation (Operation of Aircraft-General Aviation Aeroplanes) Regulations, 2020, Civil Aviation (Operation of Aircraft-Helicopters) Regulations, 2020 and Civil Aviation (Operation of Aircraft-Commercial Air Transport Aeroplane) Regulations, 2020.
- (d) prepare and keep updated, a search and rescue manual containing the necessary procedures for search and rescue operations and other matters related to search and rescue to facilitate the implementation of the aeronautical search and rescue plan.

(2) The plans of operation developed in subregulation (1), shall specify arrangements for servicing and refuelling, to the extent possible, of aircraft, vessels and vehicles employed in search and rescue operations, including those made available by other States.

(3) The aeronautical plans of operation shall contain details regarding actions to be taken by those persons engaged in search and rescue, including—

- (a) the manner in which search and rescue operations are to be conducted in the search and rescue region;
- (b) the use of available communication systems and facilities;
- (c) the actions to be taken jointly with other rescue coordination centres;
- (d) the methods of alerting en-route aircraft and ships on lakes;
- (e) the duties and prerogatives of persons assigned to search and rescue;
- (f) the possible redeployment of equipment that may be necessitated by meteorological or other conditions;
- (g) the methods for obtaining essential information relevant to search and rescue operations, such as weather reports and forecasts, appropriate NOTAM, etc.;
- (h) the methods for obtaining, from other rescue coordination centres, such assistance, including aircraft, vessels, persons or equipment, as may be needed;
- (i) the methods for assisting distressed aircraft being compelled to ditch to rendezvous with surface craft;
- (j) the methods for assisting search and rescue operation or other aircraft to proceed to aircraft in distress; and
- (k) cooperative actions to be taken in conjunction with air traffic services units and other authorities concerned to assist aircraft known or believed to be subject to unlawful interference.

17. Search and rescue units

The designated aeronautical search and rescue agency shall ensure that each search and rescue unit—

- (a) is cognizant of all parts of the plans of operation described in regulation 16 that are necessary for the effective conduct of its duties;
- (b) keeps the rescue coordination centre informed of its preparedness;
- (c) maintains in readiness the required number of search and rescue facilities; and
- (d) maintains adequate supplies of rations, medical stores, signalling devices and other survival and rescue equipment

18. Training and exercises

The designated aeronautical search and rescue agency shall provide for regular training of its search and rescue personnel and arrange appropriate search and rescue exercises to achieve and maintain maximum efficiency in search and rescue.

19. Wreckage

The Minister shall ensure that wreckage resulting from aircraft accidents within Uganda, within the aeronautical search and rescue regions, is removed, obliterated or charted following completion of the accident investigation, if its presence might constitute a hazard or confuse subsequent search and rescue operations.

PART V—OPERATING PROCEDURES

20. Information concerning emergencies

(1) Any authority or any element of the Uganda search and rescue organisation having reason to believe that an aircraft is in an emergency shall immediately give all available information to the rescue coordination centre.

(2) The Rescue Coordination Centre shall, immediately upon receipt of information concerning aircraft in emergency, evaluate such information and assess the extent of the operation required.

(3) Where information concerning aircraft in emergency is received from sources other than air traffic services units, the rescue coordination centre shall determine to which emergency phase the situation corresponds and shall apply the procedures applicable to that phase.

21. Procedures for Rescue Coordination Centre during emergency phases

(1) The Rescue Coordination Centre shall upon the occurrence of an uncertainty phase cooperate to the utmost with air traffic services units and other appropriate agencies and services in order that incoming reports may be speedily evaluated.

(2) The Rescue Coordination Centre shall upon the occurrence of an alert phase immediately alert search and rescue units and initiate any necessary action.

(3) The Rescue Coordination Centre shall upon the occurrence of a distress phase—

- (a) immediately initiate action by search and rescue units in accordance with the appropriate plan of operation;
- (b) ascertain the position of the aircraft, estimate the degree of uncertainty of this position, and, on the basis of this information and the circumstances, determine the extent of the area to be searched;
- (c) notify the operator, where possible, and keep the operator informed of the developments;
- (d) notify other rescue coordination centres, the help of which seems likely to be required, or which may be concerned in the operation;
- (e) notify the associated air traffic services unit, where the information on the emergency has been received from another source;
- (f) request at an early stage such aircraft, vessels, off shore stations and other services not specifically included in the appropriate plan of operation and able to assist to—

- (i) maintain a listening watch on frequency 121.5 MHz for transmissions from the aircraft in distress and monitor survival radio equipment or ELT 406Mhz;
 - (ii) assist the aircraft in distress as far as practicable; and
 - (iii) inform the rescue coordination centre of any developments;
- (g) from the information available, draw up a detailed plan of action for the conduct of the search or rescue operation required and communicate such plan for the guidance of the authorities immediately directing the conduct of such an operation;
 - (h) amend as necessary, in the light of evolving circumstances, the detailed plan of action;
 - (i) notify the appropriate accident investigation authorities; and
 - (j) notify the State of Registry of the aircraft.
- (b) Subject to subregulation (1), (2) and (3), the order in which these actions are described shall be followed unless circumstances dictate otherwise.

(4) In the event that an emergency phase is declared in respect of an aircraft whose position is unknown and may be in one of two or more aeronautical search and rescue regions, the following shall apply—

- (a) where a Rescue Coordination Centre is notified of the existence of an emergency phase and is unaware of other centres taking appropriate action, Rescue Coordination Centre shall assume responsibility for initiating suitable action in accordance with these Regulations and shall

confer with neighbouring rescue coordination centres with the objective of designating one rescue coordination centre to assume responsibility;

- (b) unless otherwise decided by common agreement of the rescue coordination centres concerned, the Rescue Coordination Centre to coordinate the search and rescue action shall be the centre responsible for—
 - (i) the region in which the aircraft last reported its position;
 - (ii) the region to which the aircraft was proceeding when its last reported position was on the line separating two search and rescue regions;
 - (iii) the region to which the aircraft was destined when it was not equipped with suitable two-way radio communication or not under obligation to maintain radio communication; or
 - (iv) the region in which the distress site is located as identified by the COSPAS-SARSAT system.
- (c) after declaration of the distress phase, the rescue coordination centre with overall coordination responsibility shall inform all rescue coordination centres that may become involved in the operation of all the circumstances of the emergency and subsequent developments;
- (d) all rescue coordination centres that become aware of any information pertaining to the emergency shall inform the rescue coordination centre that has overall responsibility; and

(5) In passing of information to aircraft in respect of which an emergency phase has been declared, the Rescue Coordination Centre responsible for search and rescue action shall forward to the air traffic services unit serving the flight information region in which the aircraft is operating, information of the search and rescue action initiated.

22. Procedures where responsibility for operations extends to two or more Rescue Coordination Centres

Where the conduct of operations over the entire search and rescue region is the responsibility of more than one rescue coordination centre, each involved rescue coordination centre shall take action in accordance with the relevant plan of operation where requested by the rescue coordination centre of the region.

23. Procedures for authorities in the field

The authorities directing the conduct of search and rescue operations in the field or any part shall—

- (a) give instructions to the units under their direction and inform the Rescue Coordination Centre of such instructions; and
- (b) keep the Rescue Coordination Centre informed of any developments.

24. Procedures for rescue coordination centres - termination and suspension of operations

(1) Search and rescue operations shall continue, when practicable, until all survivors are delivered to a place of safety or until all reasonable hope of rescuing survivors has passed.

(2) The responsible rescue coordination centre shall be responsible for determining when to discontinue search and rescue operations.

(3) When a search and rescue operation has been successful or when a rescue coordination centre considers, or is informed, that an emergency no longer exists, the emergency phase shall be cancelled, the search and rescue operation shall be terminated and any authorities, facilities or services that have been activated or notified shall be promptly informed.

(4) If a search and rescue operation becomes impracticable and the rescue coordination centre concludes that there might still be survivors, the centre shall temporarily suspend on-scene activities pending further developments and shall promptly inform any authority, facility or service which has been activated or notified.

(5) Relevant information subsequently received shall be evaluated and search and rescue operations resumed when justified and practicable.

25. Procedures at the scene of an accident

(1) The Rescue Coordination Centre or rescue sub-centre shall designate one or more units on scene to coordinate all actions to help ensure the safety and effectiveness of air and surface operations, taking into account facility capabilities and operational requirements when multiple facilities are engaged in search and rescue operations on scene.

(2) Where a Pilot-in-Command observes that either another aircraft or a surface craft is in distress, the pilot shall, if possible and unless considered unreasonable or unnecessary—

- (a) keep the craft in distress in sight until compelled to leave the scene or advised by the rescue coordination centre that it is no longer necessary;
- (b) determine the position of the craft in distress;
- (c) as appropriate, report to the rescue coordination centre or air traffic services unit as much of the following information as possible—
 - (i) type of craft in distress, its identification and condition;
 - (ii) its position, expressed in geographical or grid coordinates or in distance and true bearing from a distinctive landmark or from a radio navigation aid;
 - (iii) time of observation expressed in hours and minutes Coordinated Universal Time;
 - (iv) number of persons observed;
 - (v) whether persons have been seen to abandon the craft in distress;

- (vi) on-scene weather conditions
 - (vii) apparent physical condition of survivors;
 - (viii) apparent best ground access route to the distress site;
and
- (d) act as instructed by the rescue coordination centre or the air traffic services unit.

(3) If the first aircraft to reach the scene of an accident is not an aeronautical search and rescue aircraft, the aircraft shall take charge of on-scene activities of all other aircraft subsequently arriving until the first aeronautical search and rescue aircraft reaches the scene of the accident.

(4) Subject to subregulation (3), if, such aircraft is unable to establish communication with the appropriate rescue coordination centre or air traffic services unit, the aircraft shall, by mutual agreement hand over to an aircraft capable of establishing and maintaining such communications until the arrival of the first aeronautical search and rescue aircraft.

(5) When it is necessary for an aircraft to convey information to survivors or surface rescue units, and two-way communication is not available, it shall, if practicable, drop communication equipment that would enable direct contact to be established, or convey the information by dropping a hard copy message.

(6) When a ground signal has been displayed, the aircraft shall indicate whether the signal has been understood or not by the means described in sub-regulation (5) or if this is not practicable, by making the appropriate visual signal.

(7) When it is necessary for an aircraft to direct a surface craft to the place where an aircraft or surface craft is in distress, the aircraft shall do so by transmitting precise instructions by any means at its disposal and if no radio communication can be established, the aircraft shall make the appropriate visual signal.

26. Procedures for a pilot-in-command intercepting a distress transmission

Whenever a distress transmission is intercepted by a pilot-in-command of an aircraft, the pilot shall, if feasible—

- (a) acknowledge the distress transmission;
- (b) record the position of the craft in distress if given;
- (c) take a bearing on the transmission;
- (d) inform the appropriate rescue coordination centre or air traffic services unit of the distress transmission, giving all available information; and
- (e) at the discretion of the pilot while awaiting instructions, proceed to the position given in the transmission.

27. Search and rescue signals

(1) The air-to-surface and surface-to-air visual signals described in Schedule 2 to these Regulations shall, when used, have the meaning indicated and shall be used only for the purpose indicated and no other signals likely to be confused with them shall be used.

(2) An aircraft shall take such action as may be required by the interpretation of the signal given in Schedule 2 to these Regulations upon observing any of the signals.

28. Maintenance of records, appraisals and information sharing

(1) The Rescue Coordination Centre shall keep a record of the operational efficiency of the search and rescue organization in its region.

(2) The Rescue Coordination Centre shall prepare appraisals of actual search and rescue operations in its region and the reports shall include any pertinent remarks on the procedures used and on the emergency and survival equipment, and any suggestions for improvement of those procedures and equipment.

(4) Appraisals which are likely to be of interest to other States shall be submitted to ICAO for information and dissemination as appropriate.

29. Requirements for application for exemption.

(1) A person may apply to the Authority for an exemption from any provision of these Regulations.

(2) Except for a case of emergency, a person who requires an exemption from any of these Regulations shall apply to the Authority at least sixty days prior to the proposed effective date, giving the following information—

- (a) name and contact address including telephone number, electronic mail and fax if any;
- (b) a citation of the specific requirement from which the applicant seeks exemption;
- (c) the justification for the exemption;
- (d) a description of the type of operations to be conducted under the proposed exemption;
- (e) the proposed duration of the exemption;
- (f) an explanation of how the exemption would be in the public interest;
- (g) a detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the regulation in question; and
- (h) any other information that the Authority may require.

(3) Where the application is for an emergency, the application shall contain facts and reasons for not filing the application within the time specified in subregulation (2) and satisfactory reason for considering that the application is an emergency.

30. Evaluation of the application

(1) The Authority shall consider an application to determine whether the application if granted —

- (a) would be in the public interest;
- (b) would provide a level of safety equivalent to that established by the regulation from which an exemption is sought or
- (c) would contravene these Regulations.

(2) For purposes of subregulation (1) (b), the Authority shall conduct a technical evaluation of the request, but where the Authority determines that a technical evaluation shall impose a significant burden on the technical resources of the Authority, the Authority may deny the exemption on that basis.

(3) The Authority shall make a recommendation to grant or refuse request for exemption based on subregulations (1) and (2), and the conditions or limitations that are to be part of the exemption.

(4) The Authority shall, in writing, notify an applicant in writing, of the decision to grant or refuse the request and provide a summary of its evaluation and decision.

(5) Where the exemption is granted, the summary referred to in subregulation (4) shall specify the duration of the exemption and the conditions or limitations of the exemption, if any.

(6) The Authority shall publish the summary of the evaluation and decision in the Aeronautical Information Circular, if the exemption affects a significant population of the aviation community.

31. Review and publication

(1) Where an application for exemption from the provisions of these Regulations is made under Regulation 29, and the Authority determines that the application is satisfactory, the Authority shall publish a summary of the application for comments, within a time period as may be prescribed, in the Gazette; aeronautical information circular or a newspaper with wide circulation in Uganda.

(2) Where the request is for emergency relief, the Authority shall publish the decision as soon as possible after processing the application.

(3) Where the requirements specified in regulation 28 are not fully complied with, the Authority shall in writing, request the applicant, to comply with the requirements, prior to publication under this regulation.

PART VII—GENERAL PROVISIONS

32. Requisition of aircraft or vessel

(1) The Minister may for purposes of any aeronautical search and rescue operation—

- (a) requisition any civil aircraft or vessel;
- (b) request the assistance of any military aircraft or vessel; or
- (c) request any holder of a Ugandan aircraft flight crew licence or the master or captain of a vessel to assist in the operation.

(2) Where the Minister contemplates requisitioning a civilian aircraft or vessel or requesting a civilian holder of a Ugandan aircraft flight crew licence or the master of a vessel, the Minister may do so only if—

- (a) human life is in immediate and grave danger; or
- (b) there are no other means available to conduct the operation.

33. Recovery of certain expenses

(1) If any aeronautical search and rescue operation is undertaken in connection with any occurrence caused by the unlawful act or omission of any person, the Minister may recover from that person the whole or any portion of the expenses incurred in connection with that operation.

(2) The Minister may, after having recovered the expenses contemplated in sub-regulation (1), compensate any person who has incurred any loss or damage as a result of the operation.

(3) Subject to sub-regulations (1) and (2), the Minister shall determine and notify in writing the expenses to be recovered depending on the nature of the unlawful act or omission.

34. Record keeping by the search and rescue service provider

The search and rescue service provider shall retain all data relating to every search and rescue action undertaken by the rescue coordination centre in an orderly and easily accessed manner for a period of at least twelve calendar months.

35. Personnel Requirements

The Search and Rescue Service provider shall ensure that—

- (a) personnel are trained in accordance with the training program to acquire the skills, knowledge and competencies required to perform its functions;
- (b) procedures are established to maintain the required proficiency of the personnel; and
- (c) appropriate records are maintained so that qualifications of personnel can be confirmed.

36. Failure to comply with direction or instructions

(1) A person who fails to comply with any direction or instructions given to him under these Regulations shall be deemed for the purpose of these regulations to have contravened that provision.

(2) A person who becomes aware of a violation of the provisions of any of these Regulations, rules or orders issued there under, shall without delay report it to the authority.

(3) The authority shall upon being notified of a violation, determine the nature and type of investigation or enforcement action that need to be taken.

37. Contravention of Regulations

A certificate or an exemption of a person who contravenes any provision of these Regulations may be cancelled or suspended.

38. Penalties

(1) A person who contravenes any provision of these Regulations is on conviction, liable to a fine not exceeding twelve currency points or to a term of imprisonment not exceeding six months or both and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

(2) If 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 be deemed not to be a contravention by that person of that provision.

39. Revocation of L.N 47/ 2008

The Civil Aviation Authority (Air Navigation Services) Regulations, 2008 are repealed.

SCHEDULE 1

Regulation 3

One currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

regulation 27

SEARCH AND RESCUE SIGNALS

1. Signals with surface craft

(1) The following manoeuvres performed in sequence by an aircraft mean that the aircraft wishes to direct a surface craft towards an aircraft or a surface craft in distress:

- (a) circling the surface craft at least once;
- (b) crossing the projected course of the surface craft close ahead at low altitude, but not lower than 500 ft above ground level, and
 - (i) rocking the wings;
 - (ii) opening and closing the throttle; or
 - (iii) Changing the propeller pitch

Due to high noise level on board surface craft, the sound signals in (ii) and (iii) may be less effective than the visual signal in (i) and are regarded as alternative means of attracting attention.

- (c) heading in the direction in which the surface craft is to be directed.

(2) Repetition of such manoeuvres has the same meaning.



(3) The following manoeuvres by an aircraft means that the assistance of the surface craft to which the signal is directed is no longer required—

- (a) crossing the wake of the surface craft close astern at a low altitude and rocking the wings;
- (b) opening and closing the throttle;
- (c) changing the propeller pitch; or
- (d) the changing of heading to follow the aircraft.

2. Ground-air visual signal code for use by survivors

| No. | Message | Code symbol |
|-----|------------------------------|-------------|
| 1 | Require assistance | V |
| 2 | Require medical assistance | X |
| 3 | No or Negative | N |
| 4 | Yes or Affirmative | Y |
| 5 | Proceeding in this direction | ↑ |

3. Ground-air visual signal code for use by rescue units.

| No. | Message | Code symbol |
|-----|--|---|
| 1 | Operation completed | LLL |
| 2 | We have found all personnel | <u>LL</u> |
| 3 | We have found only some personnel | ++ |
| 4 | We are not able to continue. Returning to base | XX |
| 5 | Have divided into two groups. Each proceeding in direction indicated |  |
| 6 | Information received that aircraft is in this direction |  |
| 7 | Nothing found. Will continue to search | NN |

4. Symbols shall be at least 2.5 metres (8 feet) long and shall be made as conspicuous as possible.

Note 1. — Symbols may be formed by any means such as: strips of fabric, parachute material, pieces of wood, stones or such like material; marking the surface by tramping, or staining with oil.

Note 2. — Attention to the above signals may be attracted by other means such as radio, flares, smoke and reflected light.

5. Air-to-ground signals

(1) The following signals by aircraft mean that the ground signals have been understood:

- (a) during the hours of daylight by rocking the aircraft's wings;
- (b) during the hours of darkness—
 - (i) flashing on and off twice the aircraft's landing lights; or
 - (ii) if not so equipped, by switching on and off twice its navigation lights.

(2) Lack of the above signal indicates that the ground signal is not understood.

ENG. MONICA NTEGE AZUBA
Minister of Works and Transport