

CIVIL AVIATION ACT
(Act No. 11 of 2011) (Cap. 71:01)

**CIVIL AVIATION (APPROVED MAINTENANCE ORGANISATIONS)
REGULATIONS, 2012**
(Published on 23rd March, 2012)

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SCHEDULES

IN EXERCISE of the powers conferred on the Minister of Transport and Communications by section 89 of the Civil Aviation Act and with the recommendation of the Civil Aviation Authority, the following Regulations are hereby made —

PART I — *Preliminary*

Citation	1. These Regulations may be cited as the Civil Aviation (Approved Maintenance Organisations) Regulations, 2012.
Application of Regulations	2. Unless the context otherwise requires, the provisions of these Regulations — (a) in so far as they apply to aircraft registered in Botswana, shall apply to such aircraft wherever they may be; (b) in so far as they apply to other aircraft, shall apply to such aircraft when they are within Botswana; and (c) in so far as they prohibit, require or regulate, the doing of anything — (i) by any person in or by any of the crew of, any aircraft registered in Botswana, shall apply to such persons and crew, wherever they may be, and (ii) in relation to any aircraft registered in Botswana by other persons shall, where such persons are citizens of Botswana, apply to them wherever they may be.
Interpretation	3. In these Regulations, unless the context otherwise requires — “accountable manager” means the manager who has corporate authority for ensuring that all maintenance activities required by the owner or operator of an aircraft are financed and carried out to the standard required by the Authority; “aeronautical product” means an aircraft, engine, propeller or sub-assembly, appliance, material, part or component to be installed thereon; “aircraft component” means any assembly, item component, part of an aircraft up to and including a complete power plant or any operational or emergency equipment; “aircraft type” means all aircraft of the same basic design; “airframe” means the fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of a power plant) and landing gear of an aircraft and their accessories and controls; “airworthiness data” means any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft or serviceability of operational and emergency equipment, as appropriate, is assured; “appliance” means an instrument, mechanism, equipment, part, apparatus, appurtenance or accessory, including communication equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft and is not part of an airframe, power plant or propeller; “approved continuous maintenance program” means a maintenance program approved by the state of registry; “approved data” means technical information approved by the Authority; “approved maintenance organisation” means an organisation approved by the Authority to perform specific aircraft maintenance activities;

- “approved standard” means a manufacturing, design, maintenance, or quality standard approved by the Authority;
- “article” means an item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product or part;
- “calibration” means a set of operations, performed in accordance with a definite documented procedure, that compares the measurement performed by a measurement device or working standard for the purpose of detecting and reporting or eliminating by adjustment errors in the measurement device, working standard or component tested;
- “certifying staff” means personnel authorised by the approved maintenance organisation in accordance with a procedure acceptable to the Authority to certify aircraft or aircraft components for release to service;
- “composite” means structural materials made of substances, including, but not limited to, wood, metal, ceramic, graphite, boron, epoxy, plastic, fibre-reinforced built-in strengthening agents that may be in the form of filaments, foils, powders or flakes, of a different material;
- “composite structure” means a type of aircraft structure made of plastic resins reinforced with strong light weight filaments;
- “computer system” means any electronic or automated system capable of receiving, storing and processing external data and transmitting and presenting such data in a usable form for the accomplishment of a specific function;
- “facility” means a physical plant, including land, buildings and equipment, which provides the means for the performance of maintenance, preventive maintenance or modifications of any article;
- “housing” means buildings, hangars and other structures to accommodate the necessary equipment and materials of a maintenance organisation that —
- (a) provide working space for the performance of maintenance, preventive maintenance or modifications for which the maintenance organisation is certificated and rated; and
 - (b) provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts and sub-assemblies thereof during disassembly, cleaning, inspection, repair, modification, assembly and testing; and
 - (c) provide for the proper storage, segregation and protection of materials, parts and supplies;
- “inspection” means the examination of an aircraft or aircraft component to establish conformity with a standard approved by the Authority;
- “large aircraft” means aeroplane of a maximum certificated take-off mass of more than 5700 kg;
- “line maintenance” means any unscheduled maintenance resulting from unforeseen elements, or scheduled checks that contain servicing or inspections that do not require specialised training, equipment, or facilities;
- “maintenance” means tasks required to ensure the continued airworthiness of an aircraft or aircraft component including any one or combination of overhaul, repair, inspection, replacement, modification and defect rectification;

- “maintenance procedures manual” means a document signed by the accountable manager which contains the approved maintenance organisation’s structure and management responsibilities, scope of work, safety management system, description of facilities, maintenance facilities, maintenance procedure and quality assurance and inspection systems;
- “maintenance release certificate” means a document containing a certification that inspection and maintenance work has been performed satisfactorily in accordance with the methods prescribed by the Authority;
- “major repair” means a repair of an aeronautical product that might appreciably affect the structural strength, performance, power plant operation flight characteristics or other qualities affecting airworthiness or environmental characteristics or that will be embodied in the product using non-standard practices;
- “modification” means a change to the type design of an aircraft or aeronautical product which is not a repair;
- “overhaul” means the restoration of an aircraft or aircraft component using methods, techniques and practices acceptable to the Authority, including disassembly, cleaning and inspection as permitted, repair as necessary and reassembly and testing in accordance with approved standards and technical data or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the state of design, holder of the type certificate, supplemental type certificate or a material, part, process or appliance approval under parts manufacturing authorisation (PMA) or technical standard order (TSO);
- “powerplant” means an engine that is used or intended to be used for propelling aircraft and it includes turbo, superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers;
- “preventive maintenance” means simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations;
- “quality system” means an organized structure with procedures, processes and resources needed to implement quality management;
- “rating” means an authorisation entered on, or associated with a licence or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence or certificate;
- “specific operating provisions” means a document describing the ratings in detail and containing or referencing material and process specifications used in performing repair work, along with any limitations applied to the maintenance organisation;
- “small aircraft” means an aeroplane of a maximum certificated take-off mass of 5700 kg or less; and
- “technical standard order (TSO)” means a minimum performance standard issued by the Administrator (US FAA) for specified materials, parts, processes and appliances used on civil aircrafts.

PART II – Certification

4. (1) A person shall not operate a maintenance facility without an approved maintenance organisation certificate issued under these Regulations.

Prohibition from operating without certificate

(2) A person who contravenes sub-regulation (1) commits an offence and is liable to a fine not exceeding P50 000, or to imprisonment for a term not exceeding 10 years, or to both.

5. (1) A person shall not advertise as an approved maintenance organisation unless an approval for a maintenance organisation certificate is issued in accordance with these Regulations.

Prohibition from advertising without certificate

(2) A maintenance organisation shall not make any statement, either in writing or orally, about itself that is false or is designed to mislead any person.

(3) Where an advertisement of an approved maintenance organisation indicates that the approved maintenance organisation is certificated, the advertisement shall clearly stipulate the approved maintenance organisation's certificate number.

(4) A person who contravenes this regulation commits an offence and is liable to a fine not exceeding P50 000, or to imprisonment for a term not exceeding 10 years, or to both.

6. (1) A person who wishes to apply to operate an approved maintenance organisation certificate shall do so in the manner specified by the Authority under this Regulation.

Application for an approved maintenance organisation certificate

(2) The certification process shall follow a five phase approach as follows –

- (a) pre-application phase;
- (b) formal application phase;
- (c) document evaluation phase;
- (d) demonstration and inspection phase; and
- (e) certification phase.

(3) The formal application phase shall be made in accordance with Form A set out in Schedule 1.

(4) An applicant for an approved maintenance organisation certificate shall submit the following, together with the application, to the Authority –

- (a) maintenance procedures manual in duplicate;
- (b) a list of the maintenance functions to be performed for it, under contract;
- (c) a list of all approved maintenance organisation certificates and rating pertinent to those certificates issued by any contracting state other than Botswana;
- (d) a non-refundable fee of P5 000; and
- (e) any additional information the Authority may require the applicant to submit.

(5) An application for an initial issue of an approved maintenance organisation certificate shall be made to the Authority at least 90 days before the date of intended operation.

7. (1) The Authority may issue to an applicant, an approved maintenance organisation certificate in Form B set out in Schedule 1 if, after inspection, and upon the payment of a fee of P600, the Authority is satisfied that the applicant –

Issuance of an approved maintenance organisation certificate

- (a) meets the requirements to be issued an approved maintenance organisation certificate; and
- (b) is properly and adequately equipped for the performance of maintenance of aircraft or aircraft component for which the applicant seeks approval.

(2) An approved maintenance organisation certificate shall consist of —

(a) a certificate for public display; and

(b) specific operating provisions.

(3) An approved maintenance organisation certificate shall be signed by the Authority and shall contain —

(a) a certificate number specifically assigned to the approved maintenance organisation;

(b) the name and location of the main place of business of the approved maintenance organisation;

(c) the date of issue and period of validity; and

(d) the ratings issued to the approved maintenance organisation.

(4) The specific operating provisions of the certificate shall be signed by the Authority and shall consist of —

(a) a certificate number specifically assigned to the approved maintenance organisation;

(b) the class or limited ratings issued in detail, including special approvals and limitations issued;

(c) the date issued, amended or renewed; and

(d) the signatures of the accountable manager and the Authority.

(5) The certificate issued to an approved maintenance organisation under this regulation shall be conspicuously displayed in the premises for inspection.

Validity of certificate

8. An approved maintenance certificate issued in accordance with these Regulations shall be valid for 24 months from the date of issue or renewal, unless a shorter period is specified by the Authority or —

(a) the Authority amends, suspends, revokes or otherwise terminates the certificate;

(b) the approved maintenance organisation surrenders it to the Authority; or

(c) the approved maintenance organisation suspends operations for more than 180 continuous days.

Renewal of certificate

9. (1) An application for renewal of an approved maintenance organisation certificate shall be made in Form A set out in Schedule 1, at least 60 days before the certificate expires and shall be accompanied by a fee of P5 000.

(2) Where an application for renewal is made after the period specified under sub-regulation (1), the application shall be deemed to be an initial application and regulation 6 shall apply.

Suspension or revocation of certificate

10. (1) The Authority may suspend or revoke an approved maintenance organisation certificate where the Authority determines that the certificate holder has not met or no longer meets the requirements of these Regulations.

(2) The Authority shall, prior to acting in accordance with Sub-regulation (1), give a 14 days written notice to the certificate holder to rectify the non-compliance.

(3) A person issued with an approved maintenance organisation certificate shall return the certificate to the Authority within 14 days of the suspension or revocation of the certificate.

Changes to the approved maintenance organisation certificate and amendments

11. (1) An approved maintenance organisation shall provide 14 days prior written notice to the Authority of any proposal to carry out any changes to enable the Authority to determine compliance with these Regulations and to amend if necessary, the approved maintenance organisation certificate.

(2) An approved maintenance organisation shall not effect the following changes without prior approval of the Authority—

- (a) the name of the approved maintenance organisation;
- (b) the location of the approved maintenance organisation;
- (c) additional locations of the approved maintenance organisation;
- (d) the accountable manager;
- (e) any of the management personnel specified in the approved maintenance organisation's maintenance procedures manual;
- (f) the facilities, equipment, tools, material, procedures, work scope and certifying staff that could affect the approval;
- (g) ratings held by the approved maintenance organisation; and
- (h) ownership.

(3) The Authority may, upon payment of a fee of P600 amend the approved maintenance organisation certificate where the approved maintenance organisation notifies the Authority of any of the changes listed in subregulation (2).

(4) The Authority may, on amending the approved maintenance organisation certificate, prescribe new conditions under which the approved maintenance organisation may operate.

(5) The Authority may suspend or revoke an approved maintenance organisation's certificate if the approved maintenance organisation changes any of the items listed under subregulation (2) without notifying the Authority.

12. The Authority may issue the following ratings to an approved maintenance organisation certificated under these Regulations —

Ratings

- (a) airframe ratings —
 - (i) class 1: composite construction of small aircraft,
 - (ii) class 2: composite construction of large aircraft,
 - (iii) class 3: all-metal construction of small aircraft, or
 - (iv) class 4: all-metal construction of large aircraft;
- (b) power plant ratings —
 - (i) class 1: reciprocating engines of 400 horsepower or less,
 - (ii) class 2: reciprocating engines of more than 400 horsepower, or
 - (iii) class 3: turbine engines;
- (c) propeller ratings —
 - (i) class 1: all fixed pitch and ground adjustable propellers of wood, metal or composite construction, or
 - (ii) class 2: all other propellers, by make;
- (d) radio ratings —
 - (i) class 1: communication equipment: any radio transmitting equipment or receiving equipment, or both, used in aircraft to send or receive communications in flight, regardless of carrier frequency or type of modulation used; including auxiliary and related aircraft interphone systems, amplifier systems, electrical or electronic inter-crew signaling devices, and similar equipment; but not including equipment used for navigation of the aircraft or as an aid to navigation, equipment for measuring altitude or terrain clearance, other measuring equipment operated on radio or radar principles, or mechanical, electrical, gyroscopic, or electronic instruments that are a part of communications radio equipment,

- (ii) class 2: navigational equipment: any radio system used in aircraft for enroute or approach navigation, except equipment operated on radar or pulsed radio frequency principles, but not including equipment for measuring altitude or terrain clearance or other distance equipment operated on radar or pulsed radio frequency principles, and
 - (iii) class 3: radar equipment: any aircraft electronic system operated on radar or pulsed radio frequency principles;
- (e) instrument ratings —
 - (i) class 1: mechanical: any diaphragm, bourdon tube, aneroid, optical or mechanically driven centrifugal instrument that is used on aircraft or used to operate aircraft, including tachometers, airspeed indicators, pressure gauges, drift sights, magnetic compasses, altimeters, or similar mechanical instruments,
 - (ii) class 2: electrical: any self-synchronous and electrical indicating instruments and systems, including remote indicating instruments cylinder head temperature gauges, or similar electrical instruments,
 - (iii) class 3: gyroscopic: any instrument or system using gyroscopic principles and motivated by air pressure or electrical energy, including automatic pilot control units, turn and bank indicators, directional gyros, and their parts, and flux gate and gyrosyn compasses, and
 - (iv) class 4: electronic: any instruments whose operation depends on electron tubes, transistors, or similar devices including capacitance type quantity gauges, system amplifiers, and engine analyzers;
- (f) computer systems rating —
 - (i) class 1: aircraft computer systems,
 - (ii) class 2: power plant computer systems, or
 - (iii) class 3: avionics computer systems; and
- (g) accessory ratings —
 - (i) class 1: mechanical accessories that depend on friction, hydraulics, mechanical linkage, or pneumatic pressure for operation, including aircraft wheel brakes, mechanically driven pumps, carburetors, aircraft wheel assemblies, shock absorber struts and hydraulic servo units,
 - (ii) class 2: electrical accessories that depend on electrical energy for their operation and, generators, including starters, voltage regulators, electric motors, electrically driven fuel pumps, magnetos, or similar electrical accessories,
 - (iii) class 3: electronic accessories that depend on the use of an electron tube transistor, or similar device, including supercharger, temperature, air conditioning controls, or similar electronic controls, and
 - (iv) class 4: auxilliary power unit (APU) that may be installed on aircraft as self-contained units to supplement the aircraft's engines as a source of hydraulic, pneumatic, or electrical power.

13. (1) The Authority may issue a limited rating to an approved maintenance organisation that maintains or alters only a particular type of airframe, power plant, propeller, radio, instrument, computer or accessory or parts or performs only specialised maintenance requiring equipment and skills not ordinarily found in an approved maintenance organisation with ratings as specified in regulation 11.

Limited rating

(2) A rating issued under Sub-regulation (1) may be limited to —

- (a) a specific model of aircraft, engine, or constituent part or to any number of parts made by a particular manufacturer;
- (b) airframes of a particular make and model;
- (c) engines of a particular make and model;
- (d) propellers of a particular make and model;
- (e) instruments of a particular make and model;
- (f) computers of a particular make and model;
- (g) radio equipment of a particular make and model;
- (h) accessories of a particular make and model;
- (i) landing gear components;
- (j) floats, by make;
- (k) non-destructive inspection, testing, and processing;
- (l) emergency equipment;
- (m) rotor blades, by make and model;
- (n) aircraft fabric work; and
- (o) any other purpose for which the Authority finds the applicant's request to be appropriate.

(3) An approved maintenance organisation may be issued a specialised service rating to perform specific maintenance or processes and the specific operating provisions of the approved maintenance organisation shall identify the specification used in performing specialised services which may be —

- (a) a civil or military specification that is currently used by the industry and approved by the Authority; or
- (b) a specification developed by the approved maintenance organisation and approved by the Authority.

14. (1) An approved maintenance organisation shall establish an independent quality system and designate a quality manager to monitor compliance with, and adequacy of procedures required to ensure safe maintenance practices and airworthiness of the aircraft.

Quality system

(2) Compliance monitoring under this regulation shall include a feedback system to the accountable manager to ensure corrective action as necessary.

(3) Subject to subregulation (1), the quality system, and the quality manager, shall be acceptable to the Authority.

(4) An approved maintenance organisation shall ensure that the quality system includes a quality assurance programme that contains procedures designed to monitor compliance with required aircraft and aircraft component standards and adequacy of the procedures to ensure that such procedures invoke good maintenance practices and airworthy aircraft and aircraft components.

(5) The quality system shall include a procedure to initially qualify and periodically perform audits on persons performing work on behalf of the approved maintenance organisation.

(6) The quality system shall include a feedback system to the designated management person or group of persons directly responsible for the quality system and ultimately to the accountable manager to ensure that proper and timely corrective action is taken in response to reports resulting from the independent audits.

(7) An approved maintenance organisation's quality system shall be sufficient to review all maintenance procedures, as described in the maintenance control manual and the maintenance procedures manual, in accordance with an approved program once a year.

(8) An approved maintenance organisation's quality system shall indicate when audits are due, when audits are completed, and establish a system of audit reports, which can be seen by the visiting Authority staff on request.

(9) The approved maintenance organisation's audit system shall clearly establish a means by which audit reports containing observations about non-compliance or poor standards are communicated to the accountable manager.

(10) Where the approved maintenance organisation is a small organisation, the independent audit part of the quality system may be contracted to another organisation approved under this part or a person with appropriate technical knowledge and proven satisfactory audit experience such as ISO 9000 qualification.

(11) Where the approved maintenance organisation is part of an air operator certificate holder, the air operator certificate holder's quality management system may be combined with the requirements of an approved maintenance organisation and submitted for acceptance to the Authority.

(12) An approved maintenance organisation shall describe the quality system in relevant documentation as outlined by the Authority.

Safety
management
system

15. (1) An approved maintenance organisation shall establish a safety management system that is acceptable to the Authority in order to achieve acceptable level of safety.

(2) The approved maintenance organisation shall implement a safety management system acceptable to the Authority that, as a minimum requirement —

- (a) identifies safety hazards;
- (b) ensures that remedial action necessary to maintain an acceptable level of safety is implemented;
- (c) provides for continuous monitoring and regular assessment of the safety level achieved; and
- (d) aims to make continuous improvement to the overall level of safety.

(3) The approved maintenance organisations shall, in the safety management system, clearly define lines of safety and accountability throughout the maintenance organisation, including a direct accountability for safety on the part of senior management.

(4) The safety management system shall form part of the maintenance procedures manual or may, in the case of an already existing approved maintenance organisation, be made an independent document.

PART III – *Housing, Facilities, Equipment and Materials*

16. An approved maintenance organisation shall have housing, facilities, equipment, materials and data in quantity and quality that meet the standards specified under these Regulations.

General

17. (1) An approved maintenance organisation shall provide —

Housing
and facility
requirements

- (a) appropriate housing for the facilities, equipment, materials and personnel for all planned work to ensure, in particular, protection from weather;
- (b) a comfortable work environment for the task to be carried out to enable the effectiveness of personnel;
- (c) appropriate office accommodation for the management of planned work including, in particular, the management of quality, planning and technical records;
- (d) specialised workshops and bays, segregated, as appropriate, to ensure that environmental and work area contamination is unlikely to occur;
- (e) storage facilities for parts, equipment, tools and materials; and
- (f) storage conditions with security for serviceable parts, segregation of serviceable parts from unserviceable parts and for prevention of deterioration of and damage to stored items.

(2) An approved maintenance organisation with an airframe rating shall provide suitable permanent housing to enclose the largest type and model of aircraft listed on its operations specifications.

(3) An approved maintenance organisation may perform maintenance, preventive maintenance, or alterations on articles outside its housing if it provides suitable facilities that are acceptable to the Authority.

(4) Where the hangar is not owned by the approved maintenance organisation, the approved maintenance organisation shall —

- (a) provide evidence to the Authority that the approved maintenance organisation is authorised to use the hangar;
- (b) demonstrate sufficiency of hangar space to carry out planned base maintenance by preparing a projected aircraft hangar visit plan relative to the maintenance programme;
- (c) update the aircraft hangar visit plan on a regular basis;
- (d) ensure that aircraft component maintenance workshops are large enough to accommodate the components on planned maintenance;
- (e) ensure that aircraft hangar and aircraft component workshop structures can prevent the ingress of rain, hail, ice, snow, wind and dust;
- (f) ensure that workshop floors are sealed to minimise dust generation; and
- (g) demonstrate access to hangar accommodation for usage during adverse weather for minor scheduled work or lengthy defect rectification.

(5) An approved maintenance organisation shall provide aircraft maintenance staff with an area where they may study maintenance instructions and complete maintenance records in a proper manner.

(6) Hangars used to house aircraft together with office accommodation shall be such as to ensure a clean, effective and comfortable working environment by ensuring that —

- (a) temperatures are maintained at a comfortable level;

- (b) dust and any other airborne contamination are kept to a minimum and not permitted to reach a level in the task area where visible aircraft or component surface contamination is evident;
- (c) lighting is such as to ensure that each inspection and maintenance task can be carried out; and
- (d) noise levels are not permitted to rise to the point of distracting personnel from carrying out inspection and where it is impractical to control the noise source, such personnel shall be provided with the necessary personal equipment to stop excessive noise causing distraction during inspection.

(7) Where a particular maintenance task requires the application of specific environmental conditions different from those specified in subregulation (6), such conditions shall be observed.

(8) Where the working environment for line maintenance deteriorates to an unacceptable level with respect to temperature, moisture, hail, ice, snow, wind, light, dust or other airborne contamination, the particular maintenance or inspection tasks shall be suspended until satisfactory conditions are re-established.

(9) All susceptible systems shall be sealed until acceptable conditions are re-established for both base and line maintenance where dust or other airborne contamination results in visible surface contamination.

(10) Storage facilities for serviceable aircraft components shall be clean, well-ventilated and maintained at an even dry temperature to minimise the effects of condensation.

(11) An approved maintenance organisation shall follow the manufacturer's standards recommendations for specific aircraft components.

(12) Storage racks shall have sufficient support for large aircraft components so that the components are not distorted.

(13) All aircraft components, wherever practicable, shall be packaged in protective material to minimise damage and corrosion during storage.

18. (1) An approved maintenance organisation shall have the necessary equipment, tools and material to perform the approved scope of work and the items shall be under its full control.

(2) An approved maintenance organisation shall provide equipment and tools at all times except in the case of any tool or equipment that is so rarely needed that its permanent availability is not necessary.

(3) The Authority may exempt an approved maintenance organisation from possessing specific tools and equipment for maintenance or repair of an aircraft or aircraft component specified in the approved maintenance organisation's certificate, if the tools and equipment can be acquired temporarily, by prior arrangement and be under the full control of the approved maintenance organisation when needed to perform required maintenance or repairs.

(4) An approved maintenance organisation shall control all applicable tools, equipment, and test equipment used for product acceptance or for making a finding of airworthiness.

(5) An approved maintenance organisation shall ensure that all applicable tools, equipment and test equipment used for product acceptance or for making a finding of airworthiness are calibrated to a standard acceptable to the Authority and traceable to national or international standards and shall keep all records of calibrations and the standards used for calibration.

Equipment,
tools and
materials

(6) An approved maintenance organisation shall use, where the manufacturer specifies a particular tool, equipment or test equipment, that tool, equipment or test equipment unless the manufacturer has identified the use of an equivalent.

(7) Except as provided in subregulation (9), tools, equipment or test equipment other than those recommended by the manufacturer, shall be acceptable based on at least the following —

- (a) that the approved maintenance organisation has a procedure in the maintenance procedure manual if it intends to use equivalent tools, equipment, or test equipment other than those recommended by the manufacturer;
- (b) that the approved maintenance organisation has a programme —
 - (i) to include a description of the procedures used to establish the competence of personnel that make the determination of equivalency of tools, equipment or test equipment,
 - (ii) for conducting and documenting the comparison made between the specification of the tool, equipment or test equipment recommended by the manufacturer and the equivalent tool, equipment or test equipment proposed,
 - (iii) for ensuring that the limitations, parameters and reliability of the proposed tool, equipment or test equipment are equivalent to the manufacturer's recommended tools, equipment or test equipment, and
 - (iv) for ensuring that the equivalent tool, equipment or test equipment is capable of performing the appropriate maintenance function, all normal tests or calibrations, and checking all parameters of the aircraft or aircraft component undergoing maintenance or calibration; and
- (c) that the approved maintenance organisation shall have full control of the equivalent tool, equipment or test equipment through an ownership, lease or other legal arrangement.

(8) An approved maintenance organisation approved for base maintenance shall have sufficient aircraft access equipment and inspection platforms or docking such that the aircraft may be properly inspected.

(9) An approved maintenance organisation shall have a procedure to —

- (a) inspect or service and where appropriate, calibrate tools, equipment, and test equipment on a regular basis and indicate to users that an item is within any time limit for inspection, service or calibration; and
- (b) ensure that if it uses a standard (primary, secondary or transfer standards) for performing calibration, that standard cannot be used to perform maintenance.

(10) An approved maintenance organisation shall have a clear system of labelling all tooling, equipment and test equipment to give information on when —

- (a) the next inspection or service or calibration is due, and where the item is unserviceable for a reason that is not obvious; and
- (b) such tooling, equipment and test equipment is not used for product acceptance or for making a finding of airworthiness.

(11) An approved maintenance organisation shall maintain a register for all calibrated tools, equipment and test equipment together with a record of calibrations and standards used.

(12) An approved maintenance organisation shall conduct inspection, service or calibration on a regular basis in accordance with the equipment manufacturers' instructions except where the approved maintenance organisation can show by results that a different time period is appropriate in a particular case and is acceptable to the Authority.

PART IV – Administration

Personnel
requirements
and training

19. (1) An approved maintenance organisation shall appoint a management person or group of persons acceptable to the Authority, whose responsibilities shall include ensuring that the approved maintenance organisation is in compliance with these Regulations.

(2) A person appointed as a manager shall represent the maintenance management structure of the approved maintenance organisation and shall be responsible for all functions specified in these Regulations.

(3) A manager shall be directly responsible to an accountable manager who shall be acceptable to the Authority.

(4) An approved maintenance organisation shall employ sufficient personnel to perform maintenance functions in accordance with the approved maintenance organisation certificate.

(5) An approved maintenance organisation shall establish the competence of personnel involved in maintenance in accordance with a procedure and to a standard acceptable to the Authority.

(6) A person signing a maintenance release certificate shall be qualified as appropriate to the work performed and as acceptable to the Authority.

(7) An approved maintenance organisation shall establish a training programme for personnel which includes training in knowledge and skills related to human performance, including coordination with other maintenance personnel and flight crew.

(8) The maintenance personnel and the certifying staff shall meet the qualification requirements and receive initial, recurrent and continuation training to their assigned tasks and responsibilities in accordance with a programme acceptable to the Authority.

Management
personnel

20. (1) An approved maintenance organisation shall have an accountable manager acceptable to the Authority, with corporate authority for ensuring that all the necessary resources are available to support the approved maintenance organisation's approval.

(2) The approved maintenance organisation shall have qualified personnel with proven competence in civil aviation available and serving in the following positions or their equivalent —

- (a) base maintenance manager;
- (b) line maintenance manager;
- (c) workshop manager;
- (d) quality manager; and
- (e) safety manager.

(3) For the purpose of subregulation (2) “competence in civil aviation” means that an individual has a technical qualification and management experience acceptable to the Authority for the position served.

(4) The safety manager of an approved maintenance organisation shall, depending on the size of an approved maintenance organisation —

- (a) be responsible for promoting safety awareness; and
- (b) ensure that safety management is given the same level of priority in the approved maintenance organisation as other processes of the approved maintenance organisation.

(5) The Authority may approve positions, other than those listed in subregulation (2) if the approved maintenance organisation is able to show that it can perform the approved functions safely under the direction of fewer or different categories of management personnel due to the size and complexity of the approved maintenance organisation.

(6) The approved maintenance organisation shall ensure supervision of its maintenance functions at all times.

(7) A person serving in a management position in an approved maintenance organisation shall not serve in a similar position in any other approved maintenance organisation unless exemption is issued by the Authority.

21. (1) An approved maintenance organisation shall have an employee training program approved by the Authority that consists of indoctrination, initial, recurrent, specialised and remedial training.

Indoctrination,
initial,
recurrent,
specialised and
remedial
training

(2) An approved maintenance organisation shall carry out an assessment of the training needs of its personnel, including certifying personnel, and develop and update its training program based on the tasks associated with its scope of operating authority and capabilities.

(3) The training program shall ensure that each employee assigned to perform maintenance, preventive maintenance, or alterations, and inspection functions is capable of performing the assigned task.

(4) An approved maintenance organisation shall submit revisions of its training program to the Authority for approval.

(5) An approved maintenance organisation shall document, in a form and manner acceptable to the Authority, the individual employee training required under this regulation and shall retain such records for a minimum of two years.

(6) An approved maintenance organisation's training program shall provide indoctrination training for employees that includes at least 40 hours of instruction in at least the following subjects —

- (a) regulations, particularly those associated with approved maintenance organisation's maintenance functions and authority as reflected on the certificate and operations specifications;
- (b) company manuals, policies, procedures and practices, including quality control processes, particularly those associated with ensuring compliance with maintenance (including inspection), preventive maintenance, and established alteration procedures;
- (c) dangerous goods training and other local and international training required for different categories of employees;
- (d) maintenance human factors with the elements focusing on aviation maintenance, and safety related issues;
- (e) computer systems and software as applicable to the repair station's maintenance (including inspection, preventive maintenance and alteration systems and procedures); and
- (f) facility security, which shall include company security objectives, specific security procedures, employee responsibilities, actions to take in the event of a security breach, and the organisational security structure.

(7) An approved maintenance organisation shall provide initial training for employees that includes at least 80 hours of instruction in at least the following subjects consistent with the specific employee position and assigned job activities —

- (a) general review;
- (b) specific job or task training;
- (c) shop safety;
- (d) records and record keeping;
- (e) materials and parts;
- (f) test equipment, including ground support equipment;
- (g) tools;
- (h) maintenance human factors; and
- (i) any other items as required by the Authority.

(8) An approved maintenance organisation shall provide recurrent training for employees that include at least eight hours of instruction in the following subjects —

- (a) refresher of subjects covered in initial training;
- (b) new items introduced in the approved maintenance organisation since completion of initial training; and
- (c) any other items required by the Authority.

(9) An approved maintenance organisation shall provide specialised training, including initial and recurrent, for employees whose duties require a specific skill.

(10) An approved maintenance organisation shall provide remedial training to rectify an employee's demonstrated lack of knowledge or skill by providing information as soon as possible.

(11) An approved maintenance organisation, in developing training for employees, shall take into account the various training, experience, and skill levels of its employees as follows —

- (a) employees that hold an aircraft maintenance engineers licence;
- (b) employees with experience performing similar tasks at another approved maintenance organisation;
- (c) employees with applicable military aviation maintenance experience; and
- (d) employees with no prior skills, experience, or knowledge.

(12) An approved maintenance organisation shall have procedures to determine the frequency of recurrent training and the need for specialised and remedial training.

(13) An approved maintenance organisation shall assess the competency of each employee for performing his or her assigned duties after completion of initial, recurrent, specialised and remedial training, and, the assessment of competency shall be appropriately documented in the employee's training records by any of the following methods, depending upon the size of the approved maintenance organisation, its capabilities and experience of its employees —

- (a) written test;
- (b) completion of a training course;
- (c) skill test;
- (d) group exercise;
- (e) on the job assessment; and
- (f) oral examination in the working environment.

22. (1) An approved maintenance organisation shall have a dangerous goods training programme for its employees, whether full time, part time, or temporary or contracted, who are engaged in the following activities —

Dangerous goods training programme

- (a) loading, unloading or handling of dangerous goods;
- (b) design, manufacture, fabrication, inspection, marking, maintenance, reconditions, repairs or tests of a package, container or packaging component that is represented, marked, certified, or sold as qualified for use in transporting dangerous goods;
- (c) preparation of hazardous materials for transport;
- (d) responsibility for the safety of transportation of dangerous goods;
- (e) operation of a vehicle used to transport dangerous goods; or
- (f) supervision of any of the above listed items.

(2) An approved maintenance organisation employee shall not perform or directly supervise an activity under subregulation (1) unless he or she has received the approved dangerous goods training.

(3) The approved maintenance organisation training programme shall ensure that its dangerous goods training —

- (a) ensures that each employee performing or directly supervising any of the activities specified in subregulation (1) is trained to comply with all applicable procedures; and
- (b) enables the trained person to recognise items that contain, or may contain, dangerous goods regulated under these Regulations.

(4) An approved maintenance organisation shall document, in a form and manner acceptable to the Authority, the individual employee training required and shall retain these records for a minimum of two years.

23. (1) A person shall not —

- (a) assign maintenance functions for aircraft unless the assignee has had a minimum rest period of eight hours; or
- (b) perform maintenance functions for aircraft unless that person has had a minimum rest period of eight hours prior to the beginning of duty.

Rest and duty limitations for persons performing maintenance functions

(2) A person shall not —

- (a) schedule a person performing maintenance functions for aircraft for more than 12 consecutive hours ; or
- (b) perform maintenance functions for aircraft for more than 12 consecutive hours.

(3) A person performing maintenance functions for aircraft may, in situations involving unscheduled aircraft unserviceability, be continued on duty for —

- (a) up to 16 consecutive hours; or
- (b) 20 hours in 24 consecutive hours.

(4) A person performing maintenance functions for aircraft shall, following unscheduled duty periods, have a mandatory rest period of 10 hours.

(5) An approved maintenance organisation shall relieve a person performing maintenance functions from all duties for 24 consecutive hours during any seven consecutive day period.

(6) A person who contravenes this regulation commits an offence and is liable to a fine not exceeding P50 000 or to imprisonment for a term not exceeding 10 years, or to both.

Record of management, supervisory, inspection and certifying staff

24. (1) An approved maintenance organisation shall maintain a record of all management, supervisory, inspection and certifying personnel, which record shall include written details of the scope of their authorisation.

(2) The approved maintenance organisation shall keep the following minimum information on record in respect of each person mentioned in subregulation (1) —

- (a) name;
- (b) date of birth;
- (c) basic training;
- (d) type of training;
- (e) continuation training;
- (f) experience;
- (g) qualifications relevant to the approval;
- (h) scope of the authorisation;
- (i) date of first issue of the authorisation;
- (j) expiration date of the authorisation, where appropriate; and
- (k) identification number of the authorisation.

(3) The approved maintenance organisation shall have a system of controlling records of all management, supervisory, inspection and certifying personnel and the system shall allow reasonable access to the records.

(4) The approved maintenance organisation shall limit the number of persons authorised to access the records system to minimise the possibility of records being altered in an unauthorised manner and to limit confidential records from becoming accessible to unauthorised persons.

(5) The Authority may investigate the records system for initial and continued approval or when the Authority has cause to doubt the competence of a particular certifying person.

(6) An approved maintenance organisation shall keep the record of a certifying person for at least two years following a date on which that person ceased employment with the organisation or upon withdrawal of that person's authorisation.

(7) The personnel shall, upon request be furnished with a copy of their record on leaving the approved maintenance organisation.

(8) The authorisation document issued to the personnel under this regulation shall be in a style that makes its scope clear to the personnel and the Authority and where codes are used to define scope, an interpretation document shall be readily available.

(9) The personnel shall carry the authorisation document at all times and shall produce it on request by the Authority.

(10) A person who contravenes subregulation (9) commits an offence and is liable to a fine not exceeding P50 000 or to a revocation of his or her certificate, or to both.

PART V – Approved Maintenance Organisations Operating Rules

25. (1) An approved maintenance organisation shall provide a maintenance procedures manual in accordance with the format set out in Schedule 2, for use by the approved maintenance organisation's personnel.

Maintenance
procedures
manual

(2) An approved maintenance organisation shall not use its maintenance procedures manual and any subsequent amendments unless they have been approved by the Authority prior to use.

(3) An approved maintenance organisation maintenance procedures manual shall specify the scope of work required of the approved maintenance organisation in order to satisfy the relevant requirements for approval of an aircraft or aircraft component for return to service.

(4) An approved maintenance organisation maintenance procedures manual and any other manual the approved maintenance organisation identifies shall —

- (a) include instructions and information necessary to allow the personnel to perform their duties and responsibilities with a high degree of safety;
- (b) be in a form that is easy to revise and contain a system which allows personnel to determine current revision status;
- (c) have the date of the last revision printed on each page containing the revision;
- (d) not be contrary to any laws of Botswana or the approved maintenance organisation's operations specifications; and
- (e) include a reference to appropriate civil aviation regulations.

(5) Without prejudice to the provisions of this regulation, an approved maintenance organisation maintenance procedures manual shall contain the following information —

- (a) a statement signed by the accountable manager confirming that the approved maintenance organisation maintenance procedures manual and any associated manuals define the approved maintenance organisation's compliance with this regulation and shall be complied with at all times;
- (b) a list of duties and responsibilities of the management personnel and the matters on which they may deal directly with the Authority on behalf of the approved maintenance organisation;
- (c) a procedure to establish and maintain a current list of the titles and names of the approved maintenance organisation's management personnel accepted by the Authority;
- (d) an organisation chart showing associated chains of responsibility of the management personnel;
- (e) a procedure to establish and maintain a current record of certifying staff authorised to sign the maintenance release and the scope of their authorisation;
- (f) a description of the procedures used to establish the competence of maintenance personnel;
- (g) a procedure to establish and maintain an independent quality system that monitors compliance with procedures to ensure good quality maintenance practices and airworthy aircrafts and components;
- (h) a general description of manpower resources;
- (i) description of the method used for the completion and retention of the maintenance records;

- (j) a description of the procedure for preparing the maintenance release certificate and the circumstances under which the maintenance release certificate is to be signed;
- (k) a description, when applicable, of additional procedures for complying with an air operators certificate holder's maintenance procedures and requirements;
- (l) a description of the procedure for complying with the service information reporting requirement;
- (m) a description of the procedure for receiving, amending and distributing within the maintenance organisation all necessary airworthiness data from the type certificate holder or the type design organisation;
- (n) general description of the facilities located at each physical address specified in the approved maintenance organisation's certificate;
- (o) a general description of the approved maintenance organisation's scope of work relevant to the extent of approval;
- (p) the notification procedure for the approved maintenance organisation to use when requesting the approval of changes to the organisation of the approved maintenance organisation from the Authority;
- (q) the amendment procedure for the approved maintenance organisation maintenance procedures manual, including the submission to the Authority;
- (r) the approved maintenance organisation's procedures, acceptable to the Authority, to ensure manual good maintenance practices and compliance with the requirements in these Regulations; and
- (s) the personnel authorised to sign the maintenance release and the scope of their authorisation.

(6) An approved maintenance organisation shall ensure that its personnel is familiar with those parts of the manuals that are relevant to the maintenance work they perform.

(7) An approved maintenance organisation shall specify in the approved maintenance organisation maintenance procedures manual who should amend the manual, particularly in the case where the manual consists of several parts.

(8) The quality manager of an approved maintenance organisation shall be responsible for —

- (a) monitoring the amendment of the approved maintenance organisation maintenance procedures manual, including associated procedures manuals; and
- (b) submitting proposed amendments to the Authority, unless the Authority has agreed, by a procedure stated in the amendment section of the procedures manual, that some defined class of amendments may be incorporated without approval by the Authority.

(9) The approved maintenance organisation maintenance procedures manual shall address the following main areas —

- (a) the management personnel;
- (b) the maintenance procedures;
- (c) the quality system procedures, including the methods of qualifying mechanics, inspection, certifying staff and quality audit personnel;
- (d) contracted air operator certificate holder procedures and paperwork;

- (e) duties and responsibilities of the management personnel and the matters on which they may deal directly with the Authority on behalf of the approved maintenance organisation;
- (f) safety management;
- (g) documentation; and
- (h) examples of standard documents and list of operators to which the approved maintenance organisation provides service.

(10) An approved maintenance organisation maintenance procedures manual shall be in accordance with the format in set out in Schedule 2 to these Regulations.

26. (1) An approved maintenance organisation shall establish maintenance procedures acceptable to the Authority, to ensure good maintenance practices and compliance with all relevant requirements in these Regulations, such that aircraft and aircraft components may be properly released to service.

Maintenance procedures

(2) The maintenance procedure established under subregulation (1) shall —

- (a) cover all aspects of maintenance activity and describe standards to which the approved maintenance organisation intends to work;
- (b) take into account the aircraft and aircraft component design and approved maintenance organisation standards; and
- (c) address the provisions and limitations of these Regulations.

(3) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine not exceeding P50 000 or to a revocation of his or her certificate, or to both.

27. (1) An approved maintenance organisation shall prepare and retain a current capability list approved by the Authority.

Capability list

(2) An approved maintenance organisation shall not perform maintenance, preventive maintenance or modifications on an article until the article has been listed on the capability list in accordance with these Regulations.

(3) A capability list referred to under subregulation (1) shall identify each article by —

- (a) make and model;
- (b) part number; or
- (c) other nomenclature designated by the article's manufacturer.

(4) An article may be listed on the capability list only if the article is within the scope of the ratings and classes of the approved maintenance organisation's certificate and only after the approved maintenance organisation has performed a self-evaluation in accordance with these Regulations.

(5) An approved maintenance organisation shall perform the self-evaluation to determine that the maintenance organisation has all the facilities, equipment, material, technical data, processes, housing and trained personnel in place to perform the work on the article as required.

(6) If an approved maintenance organisation makes a determination under subregulation (5), it may list the article on the capability list.

(7) The document of the evaluation described in subregulation (4) shall be signed by the accountable manager and shall be retained on file by the approved maintenance organisation.

(8) An approved maintenance organisation shall, upon listing an additional article on its capability list, send a copy of the list to the Authority for approval.

(9) An approved maintenance organisation shall make the capability list available in the premises for inspection by the public and the Authority.

(10) An approved maintenance organisation shall make the self-evaluation available in the premises for inspection by the Authority.

(11) An approved maintenance organisation shall retain a capability list and self-evaluation for two years from the date accepted by the accountable manager.

Sub-contracted
maintenance
functions

28. (1) An approved maintenance organisation may sub-contract its maintenance functions to another organisation.

(2) An approved maintenance organisation may sub-contract its maintenance functions to an organisation which is not approved by the Authority provided that the organisation meets the following conditions —

- (a) the approved maintenance organisation shall be approved for work which is to be sub-contracted and have the capability to assess the competence of the sub-contractor;
- (b) the approved maintenance organisation shall retain responsibility for quality control and release of the sub-contracted activities, including the appropriate airworthiness requirements; and
- (c) the approved maintenance organisation shall have necessary procedures for the control of the sub-contracted activities, together with the terms for the personnel responsible for the management.

Approved
maintenance
organisation
privileges

29. (1) An approved maintenance organisation privileges shall only carry out the following tasks as permitted by and in accordance with the approved maintenance organisation maintenance procedures manual —

- (a) maintaining an aircraft or aircraft components for which it is rated at the locations identified in the approval certificate;
- (b) maintaining any aircraft for which it is rated at any location subject to the need for such maintenance arising from unserviceability of the aircraft;
- (c) performing the activities in support of a specific air operator certificate holder where that holder has requested the service of the approved maintenance organisation at locations other than the location identified on the approved maintenance organisation certificate and the approved maintenance organisation has been rated to maintain the aircraft of that specific air operator certificate holder at the requested location in the approved maintenance organisation operation provisions approved by the Authority; and
- (d) issuing a maintenance release certificate in respect of paragraphs (a), (b) or (c) upon completion of maintenance in accordance with limitations applicable to the approved maintenance organisation.

(2) The approved maintenance organisation may maintain or alter any article for which it is rated at a place other than the approved maintenance organisation location if —

- (a) the function would be performed in the same manner as when performed at the approved maintenance organisation and in accordance with this Part;
- (b) all necessary personnel, equipment, material and technical or approved standards are available at the place where the work is to be done; and
- (c) the maintenance procedure manual of the station specified approved procedures governing work to be performed at that place other than the location of the approved maintenance organisation.

Maintenance
release
certificate

30. (1) The certifying staff may issue a maintenance release certificate to an approved maintenance organisation if satisfied that, all required maintenance of the aircraft or aircraft component have been properly carried out in accordance with the maintenance procedures specified in the maintenance procedures manual.

(2) An aircraft component, which has been maintained off the aircraft, requires the issue of a certificate of release to service for such maintenance and another maintenance release certificate for being installed properly on the aircraft.

(3) A maintenance release certificate shall contain —

- (a) basic details of the maintenance carried out;
- (b) the date such maintenance was completed; and
- (c) the identity, including the authorisation reference, of the approved maintenance certificate and certifying staff issuing the certificate.

(4) A maintenance release certificate is required —

- (a) before flight at the completion of any package of maintenance scheduled by the approved aircraft maintenance program on the aircraft, whether such maintenance took place as base or line maintenance;
- (b) before flight at the completion of any defect rectification, while the aircraft operates between scheduled maintenance; and
- (c) at the completion of any maintenance on an aircraft component when off the aircraft.

(5) A maintenance release certificate shall contain the following statement:

“Certifies that the work specified was carried out in accordance with current regulations and in respect of that work the aircraft or aircraft component is considered ready for release to service”.

(6) A maintenance release certificate shall reference the data specified in the manufacturer’s or operator’s instructions or the aircraft maintenance program which itself may cross-reference to a manufacturer’s instruction in a maintenance manual, service bulletin, or other maintenance related document.

(7) Where instructions include a requirement to ensure that a dimension or test figure is within a specific tolerance as opposed to a general tolerance, the dimension or test figure shall be recorded unless the instruction permits the use of GO or NO GO gauges and, it shall not be sufficient to state that the dimension or the test figure is within tolerance.

(8) Where extensive maintenance has been carried out, it is acceptable for the maintenance release certificate to summarise the maintenance as long as there is a cross-reference to the work-pack containing full details of maintenance carried out including dimensional information.

(9) The date such maintenance was carried out shall include when the maintenance took place relative to any life or overhaul limitation in terms of date, flying hours, cycles, landings or some other relevant value as appropriate.

(10) The person issuing the maintenance release certificate shall use a full signature and preferably a certification stamp.

(11) Where a computer maintenance release system is used, the Authority will need to be satisfied that only the particular person referred to in subregulation (10) can electronically issue the maintenance release certificate.

(12) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine of not exceeding P50 000, or to imprisonment to a term not exceeding 10 years, or to both.

31. (1) An approved maintenance organisation shall record, in a form acceptable to the Authority, all details of work carried out.

(2) An approved maintenance organisation shall provide a copy of each maintenance release certificate to the aircraft operator, together with a copy of any specific maintenance data used for repairs or modifications carried out.

(3) An approved maintenance organisation shall retain a copy of all detailed maintenance records and any associated maintenance data for two years from the date the aircraft or aircraft component to which the work relates was released by the approved maintenance organisation.

(4) A person who maintains, performs preventive maintenance, rebuilds, or modifies an aircraft or aircraft component shall —

- (a) make an entry in the maintenance record of that equipment showing —
 - (i) a description and reference to data acceptable to the Authority of work carried out,
 - (ii) the date of completion of the work carried out,
 - (iii) the name of the person performing the work if other than the person specified in this regulation,
 - (iv) the signature, type of certificate and certificate of the person approving the work, if the work on the aircraft or aircraft component has been performed satisfactorily, and
 - (v) the authorised signature, which constitutes the approval for return to service, the approved maintenance organisation certificate number and kind of certificate held by the person approving or disapproving for maintenance release the aircraft, airframe, aircraft engine, propeller, appliance, component part or portions thereof; and

(b) enter on a form major repairs and the form executed by the person performing the work, in the manner prescribed by the Authority.

(5) A person shall not describe in any required maintenance entry or form an aircraft or aeronautical component as being overhauled unless —

- (a) using methods, techniques and practices acceptable to the Authority, it has been disassembled, cleaned, inspected as permitted, repaired as necessary and reassembled; and
- (b) it has been tested in accordance with approved standards and technical data or in accordance with current standards and technical data acceptable to the Authority which have been developed and documented by the holder of the type certificate, supplemental type certificate or a material, part, process or appliance approval under a technical standard order (TSO).

(6) A person shall not describe in any required maintenance entry or form, an aircraft or other aircraft components as being rebuilt unless it has been —

- (a) disassembled, cleaned, inspected as permitted;
- (b) repaired as necessary; and
- (c) reassembled and tested to the same tolerances and limits as a new item, using either new parts or used parts that either conform to new part tolerances and limits or to approved oversized or undersized dimensions.

(7) A person shall not issue maintenance release certificate to any aircraft or aircraft component that has undergone maintenance, preventive maintenance, rebuilding, or modification unless —

- (a) the appropriate maintenance record entry specified in subregulation (4) (a) has been made; and
- (b) the major repair and major modification form specified in subregulation (4) (b) authorised by or furnished by the Authority has been executed in a manner prescribed by the Authority.

(8) If a repair or modification results in any change in the aircraft operating limitations or flight data contained in the approved aircraft flight manual, the operating limitations or flight data shall be appropriately revised and set forth as prescribed by the Authority.

(9) A person approving a maintenance release certificate to an aircraft or aircraft component, after any inspection performed in accordance with this regulation, shall make an entry in the maintenance record of that equipment containing the following information —

- (a) the type of inspection and a brief description of the extent of the inspection;
- (b) the date of the inspection and aircraft total time in service;
- (c) the authorised signature, an approved maintenance organisation certificate number, and kind of certificate held by the person approving or disapproving for return to service the aircraft, airframe, aircraft engine, propeller, appliance, component part or portions thereof;
- (d) if the aircraft is found to be airworthy and approved for maintenance release “I certify that this aircraft has been inspected in accordance with (insert type of inspection) inspection and was determined to be in airworthy condition” or similarly worded statement;
- (e) if the aircraft is not approved for return to service because of needed maintenance, non-compliance with the applicable specifications, airworthiness directives or other approved data, that, “I certify that this aircraft has been inspected in accordance with (insert type of inspection) inspection and a list of discrepancies and unairworthy items dated (insert date) has been provided for the aircraft owner or operator” or similarly worded statement; and
- (f) if an inspection is conducted under an inspection programme provided for by the Authority, the entry shall identify the inspection program accomplished and contain a statement that the inspection was performed in accordance with the inspections and procedures for that particular program.

(10) If the person performing any inspection required by this regulation finds that the aircraft is not airworthy or does not meet the applicable type certificate data sheet, airworthiness directives or other approved data upon which that aircraft airworthiness depends, that person shall give the owner or lessee a signed and dated list of the discrepancies.

(11) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine not exceeding P50 000 or to imprisonment to a term not exceeding 10 years, or to both.

32. (1) An approved maintenance organisation shall have airworthiness data appropriate to support the maintenance work performed on the aircraft or aircraft component from the Authority, the design organisation or any other approved design organisation in the state of manufacture or state of design, as appropriate.

Airworthiness
data

(2) The airworthiness data shall include, but not limited to —

- (a) these Regulations;
- (b) associated advisory material;
- (c) airworthiness directives;
- (d) manufacturers' maintenance manuals;
- (e) repair manuals;
- (f) supplementary structural inspection documents;
- (g) service bulletins;
- (h) service letters;

- (i) service instructions;
- (j) modification leaflets;
- (k) aircraft maintenance programme;
- (l) non destructive test manual; and
- (m) airworthiness notices issued by the Authority.

(3) The Authority may classify data from another authority or organisation as mandatory and may require the approved maintenance organisation to hold such data.

(4) Where the approved maintenance organisation modifies airworthiness data specified in subregulation (1) or (2) to a format or presentation more useful for its maintenance activities, the approved maintenance organisation shall submit to the Authority an amendment to the maintenance procedure manual for any such proposed modifications for acceptance.

(5) The approved maintenance organisation shall keep all airworthiness data current and available to all personnel who require access to that data to perform their duties.

(6) An approved maintenance organisation shall establish a procedure to monitor the revision status of all data and maintain a check that all revisions are being received by being a subscriber to any document revision scheme.

(7) An approved maintenance organisation airworthiness data shall be made available in the work area in close proximity to the aircraft or aircraft components being maintained and for supervisors, mechanics, and certifying staff to refer to.

(8) Where the approved maintenance organisation uses computer systems to maintain airworthiness data, the number of computer terminals shall be sufficient in relation to the size of the work program to enable easy access, unless the computer system can produce paper copies.

(9) Where the approved maintenance organisation uses microfilm or microfiche readers-printers, a similar requirement as specified in subregulation (8) shall be applicable.

(10) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine not exceeding P15 000 or to imprisonment to a term not exceeding three years, or to both.

Reporting of
unairworthy
conditions

33. (1) An approved maintenance organisation shall report to the Authority, the state of registry and the organisation responsible for the design of the aircraft or component identified by the organisation that has resulted or may result in an unsafe condition of the aircraft or pose a serious risk to flight safety.

(2) Reports shall be made on a form prescribed by the Authority and contain all pertinent information about the condition known to the approved maintenance organisation.

(3) Where the approved maintenance organisation is contracted by an air operator certificate holder to carry out maintenance, that approved maintenance organisation shall report to the air operator certificate holder any condition affecting the aircraft or aircraft component.

(4) The approved maintenance organisation shall make the report as soon as practicable, but in any case, within three days of the approved maintenance organisation identifying the condition to which the report relates.

(5) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine not exceeding P50 000 or to imprisonment to a term not exceeding 10 years, or to both.

34. (1) An approved maintenance organisation shall allow the Authority unlimited access to inspect the approved maintenance organisation and any of its contracted organisations at any time to determine compliance with these Regulations.

Inspections

(2) The approved maintenance organisation shall in its arrangements with a contractor for maintenance, preventive maintenance or modifications, include provisions for inspections of the contractor by the Authority.

(3) The Authority shall inspect an approved maintenance organisation at least once annually.

(4) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine not exceeding P50 000 or to imprisonment to a term not exceeding 10 years, or to both.

35. (1) An approved maintenance organisation that performs any maintenance work for an air operator having an approved maintenance programme or an approved continuous maintenance programme shall perform that work in accordance with the air operator's manuals.

Performance standards

(2) Notwithstanding subregulation (1), each approved maintenance organisation shall perform its maintenance and modification operations in accordance with the applicable airworthiness standards.

(3) An approved maintenance organisation shall maintain in current condition, all manufacturer's service manuals, instructions and service bulletins and any other airworthiness instructions that relate to the articles that it maintains or modifies.

(4) An approved maintenance organisation with an avionics rating shall comply with the requirements of these Regulations that apply to electronic systems and shall use materials that conform to approved specifications for equipment appropriate to its rating and test apparatus, shop equipment, performance standards, test methods, modifications and calibrations that conform to the manufacturer's specifications or instructions, approved specification and if not otherwise specified, in accordance with good practices of the aircraft avionics industry.

PART VI – *General*

36. A holder of an approved maintenance organisation certificate issued by the Authority under these Regulations shall have the certificate in his or her physical possession or at the work site when exercising the privileges of that certificate.

Possession of certificate

37. (1) A person who performs any function requiring testing and Authority's approval may be tested for drug or alcohol usage.

Drug and alcohol testing and reporting

(2) Where the Authority or any person authorised by the Authority wishes to test a person referred to in subregulation (1) for the percentage by level of alcohol in the blood or for the presence of drugs and that person —

(a) refuses to submit to the test; or

(b) having submitted to the test, refuses to authorise the release of the test results, the Authority may suspend or revoke the certificate of the approved maintenance organisation that employs that person.

(3) In determining whether to suspend or revoke the certificate of the approved maintenance organisation, the Authority shall consider all relevant factors, including —

- (a) whether the approved maintenance organisation had knowledge of the drug or alcohol use;
- (b) whether the approved maintenance organisation encouraged the person to refuse the drug or alcohol test;
- (c) whether the approved maintenance organisation suspended or dismissed the person who failed or refused the drug tests; or
- (d) the position that person held in the approved maintenance organisation.

(4) The Authority shall require the approved maintenance organisation to show cause why that person should not be dismissed from the employment of the approved maintenance organisation.

(5) A person who is convicted, whether in or outside Botswana, for any offence relating to the processing, manufacture, sale, disposition, possession, transportation or importation of drugs or, shall be dismissed from the employment of the approved maintenance organisation.

(6) The Authority may suspend or revoke the certificate of an approved maintenance organisation that refuses to dismiss from its employment a person referred to under subregulation (5).

Replacement
of documents

38. A person may apply to the Authority in the prescribed form for replacement of documents issued under these Regulations if such documents are lost or destroyed.

Suspension
or revocation
for public
interest

39. (1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, exemption or other document issued, granted or which has effect under these Regulations.

(2) The Authority may, upon the completion of an investigation which has shown sufficient ground to its satisfaction and where it considers it to be in the public interest, vary, suspend or revoke any certificate, approval, permission, exemption or other document issued or granted under these Regulations.

(3) A holder or any person who has possession or custody of any certificate, exemption or other documents which has been revoked, suspended or varied under these Regulations shall surrender the certificate, exemption or such other documents to the Authority within 14 days from the date of variation, suspension or revocation.

(4) The breach of any condition subject to which any certificate, approval, permission, exemption or any 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
certificates
and records

40. (1) A person shall not —

- (a) use any certificate, approval, permission, exemption or other document issued or required by or under these Regulations which has been forged, altered, revoked or suspended or to which he or she is not entitled;
- (b) forge or alter any certificate, approval, permission, exemption or other document issued or required by or under these Regulations;
- (c) lend any certificate, approval, permission, exemption or other document issued or required by or under these Regulations to any other person; or
- (d) make any false representation for the purpose of procuring for himself or herself or any other person the grant, issue, renewal or variation of any such certificate, approval, permission or exemption or other document.

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

(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 certificate of the kind referred to in subregulation (4) unless he or she is satisfied that all statements in the certificate are correct and that the applicant is qualified to hold that certificate.

41. (1) A person who knows of a violation of these Regulations shall report such violation to the Authority.

Reports of violation

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

(3) A person who contravenes the provisions of this regulation commits an offence and is liable to a fine of not exceeding P20 000 or to imprisonment for a term not exceeding three months, or to both.

42. A person who fails to comply with any direction given to him or her by the Authority or by any authorised person under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision and therefore liable to a fine not exceeding P10 000 or to imprisonment for a term not exceeding two months, or to both.

Enforcement of directions

PART VII — Exemptions

43. (1) A person may, in not less than 60 days before the proposed effective date, apply in writing to the Authority for an exemption from these Regulations.

Requirements for application

(2) A request for an exemption shall contain the applicant's —

- (a) name;
- (b) physical address and mailing address;
- (c) telephone number;
- (d) fax number;
- (e) email address; and
- (f) reasons for requesting exemption.

(3) The application shall be accompanied by a non-refundable fee of P5 000.

44. (1) An application for an exemption shall contain the following —

Substance of the request for exemption

- (a) a citation of the specific requirement from which the applicant seeks exemption;
- (b) an explanation of why the exemption is needed;
- (c) a description of the type of operations to be conducted under the proposed exemption;
- (d) the proposed duration of the exemption;
- (e) an explanation of how the exemption would be in the public interest, that is, benefit the public as a whole;
- (f) 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
- (g) a review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware.

(2) Where the applicant seeks emergency processing of the exemption application, the application shall contain supporting facts and reasons for the late filing of the application and reasons necessitating urgent processing of application.

(3) The Authority may deny an application if the Authority is not satisfied that the applicant has justifiable reasons for his or her application for exemption to be processed in the normal time.

Initial review
by the
Authority

45. (1) The Authority shall review the application for accuracy and compliance with the requirements of these Regulations.

(2) Where the requirements under these Regulations have not been met, the Authority shall notify the applicant and take no further action until and unless the applicant corrects the application and re-files it in accordance with these Regulations.

(3) If the request is for emergency relief, the Authority shall publish the application or the Authority's decision as soon as possible in either the *Gazette*, aeronautical information circular or at least one local daily newspaper after processing the application.

Evaluation of
the exemption
request

46. (1) After initial review of the exemption request, if the filing requirements have been satisfied, the Authority shall conduct an evaluation of the request to determine —

- (a) whether an exemption would be in the public interest;
- (b) whether the applicant's proposal would provide a level of safety equivalent to that established by these Regulations, although where the Authority decides that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis;
- (c) whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices; and
- (d) whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.

(2) The Authority shall notify the applicant by letter and publish in either the *Gazette* or at least one local daily newspaper with wide circulation, a detailed summary of its evaluation and decision to grant or deny the exemption request.

(3) The summary referred to in subregulation (2) shall specify the duration of the exemption and any conditions or limitations of the exemption.

(4) If the exemption affects a significant population of the aviation community of Botswana the Authority shall publish the summary in aeronautical information circular.

PART IX — *Miscellaneous*

47. A person who contravenes any provision of these Regulations may have his or her certificate, exemption or other document suspended or revoked.

Contravention
of Regulations

48. (1) If any of the Regulations is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or the pilot in command is not the person who contravened that provision he or she shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed to have contravened that provision unless he or she proves that the contravention occurred without his or her consent or connivance and that he or she exercised all due diligence to prevent the contravention.

Offences and
Penalties

(2) Subregulation (1) shall not apply if the person proves that the contravention occurred without his or her consent or connivance and that he or she exercised all due diligence to prevent the contravention.

(3) Any person who contravenes any provision to these Regulations for which no penalty is provided, commits an offence and is liable to a fine not exceeding P50 000 or to imprisonment for a term not exceeding 10 years, or to both.

49. (1) A valid licence, certificate, permit or authorisation issued or granted by the Director of Civil Aviation or the Authority or any authorised organisation before the commencement of these Regulations shall remain operational until it expires or is revoked, annulled or replaced.

Transition and
savings

(2) Notwithstanding any other provisions of these Regulations, a person who, at the commencement of these Regulations, is carrying out any acts, duties or operations, affected by these Regulations, shall within six months from the date of commencement, or within such longer period as the Minister may, by notice in the *Gazette* prescribe, comply with the requirements of these Regulations or cease to carry out such acts, duties or operations.

SCHEDULE 1

FORM A
(reg. 6 (3) and 9 (1))

<p>REPUBLIC OF BOTSWANA</p> <p>Civil Aviation Authority of Botswana</p>	<p>Application for Approved Maintenance Organisation Certificate and/or Ratings</p>																														
<p>Approved Maintenance Organisation Name, Number, Location and Address</p>																															
<p>a. Official Name of Maintenance Organisation: Number:</p>	<p>Reasons for Submission</p> <p><input type="checkbox"/> Original Application for Certificate and Rating</p> <p><input type="checkbox"/> Change in Rating</p> <p><input type="checkbox"/> Change in Location or Housing and Facilities</p> <p><input type="checkbox"/> Change in Ownership</p> <p><input type="checkbox"/> Other (Specify)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>																														
<p>b. Location where business is conducted:</p>																															
<p>c. Official Mailing Address of Approved Maintenance Organisation (Number, Street, City, State, & Zip (if applicable))</p>																															
<p>d. Doing business As:</p>																															
<p>3. Ratings Applied for:</p>																															
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<input type="checkbox"/> Avionics	<input type="checkbox"/> Emergency Equip.																														
<p>Specialized Service (List Process Specification(s))</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>																															
<p>4. List of Maintenance Functions Contracted to an Outside Organisation.</p>																															

5. Applicants Certification

Name of Owner (Include name(s)) of individual owner, all partners, or corporation name given the State, province, or country and date of incorporation

I hereby certify that I have been authorised by the approved maintenance organisation identified in item 1 above to make this application and that statements attached thereto are true and correct to the best of my knowledge.

Date:	Authorised Signature:	Print Name of Authorised Signature:	Title:
For CAAB Use Only	Record of Action Approved Maintenance Organisation Inspection		For CAAB Use Only

6. Remarks (Identify by item number, the non deficiencies found ratings denied)

7. Findings - Recommendations

8. Date of Inspection

A	Station was found to comply with requirements of Civil Aviation (Approved Maintenance Organisation) Regulations.	
B	Station was found to comply with requirements of Civil Aviation (Approved Maintenance Organisation), except for deficiencies listed in item 6.	
C.	Recommend Certificate with rating applied for on application be issued.	
D.	Recommend Certificate with rating applied for on application (EXCEPT those listed in item) be issued.	

9. CAAB Office

Signatures of Inspector/s

Printed Names of Inspectors

10. Supervising or Assigned Inspector

ACTION TAKEN <input type="checkbox"/> APPROVED As shown on certificate Issued on date shown	CERTIFICATE ISSUED Number	Inspector's Signature	
	Date <input type="text"/>	Inspector's Printed Name	Title
<input type="checkbox"/> DISAPPROVED			

Approved Maintenance Organisation Certificate

REPUBLIC OF BOTSWANA

Approved Maintenance Organisation Certificate

Number

This certificate is issued to

Whose business address is

Upon finding that its organisation complies in all respects with the requirements of the Civil Aviation (Approved Maintenance Organisation) Regulations, relating to the establishment of an Approved Maintenance Organisation and is empowered to operate an Approved Maintenance Organisation.

With the following ratings:

This certificate shall continue in effect until [DATE] unless suspended, or revoked.

Date issued

By Direction of the Authority

.....

.....

CAA Office:

SCHEDULE 2

(reg. 25 (1) and (10))

MAINTENANCE PROCEDURES MANUAL FORMAT

PART 1 — MANAGEMENT

- 1.1 Corporate commitment by the accountable manager
- 1.2 Management personnel
- 1.3 Duties and responsibilities of the management personnel
- 1.4 Management Organisation Chart
- 1.5 List of certifying staff
Note: A separate document may be referenced
- 1.6 Manpower resources
- 1.7 General description of the facilities at each address intended to be approved
- 1.8 Organisation's intended scope of work
- 1.9 Notification procedure to the Authority regarding changes to the organisation's activities, approval or location of personnel
- 1.10 Manual amendment procedures

PART 2 — MAINTENANCE PROCEDURES

- 2.1 Supplier evaluation procedure
- 2.2 Acceptance or inspection of aircraft components and material from outside contractors
- 2.3 Storage, tagging and release of aircraft components and material to aircraft maintenance
- 2.4 Acceptance of tools and equipment
- 2.5 Calibration of tools and equipment
- 2.6 Use of tooling and equipment by staff (including alternate tools)
- 2.7 Cleanliness standards of maintenance facilities
- 2.8 Maintenance instructions and relationship to aircraft/aircraft component manufacturers' instructions including updating and availability to staff
- 2.9 Repair procedure
- 2.10 Aircraft maintenance program compliance
- 2.11 Airworthiness Directives procedure

- 2.12 Optional modification procedure
- 2.13 Maintenance documentation in use and completion of same
- 2.14 Technical record control
- 2.15 Rectification of defects arising during base maintenance
- 2.16 Release to service procedure
- 2.17 Records for the air carrier
- 2.18 Reporting of defects to the Authority, Operator or Manufacturer
- 2.19 Return of defective aircraft components to store
- 2.20 Defective components to outside contractors
- 2.21 Control of computer maintenance record systems
- 2.22 Reference to specific maintenance procedures such as:
 - (i) Engine running procedures,
 - (ii) Aircraft pressure run procedures,
 - (iii) Aircraft towing procedures, and
 - (iv) Aircraft taxiing procedures.

PART L2 — ADDITIONAL LINE MAINTENANCE PROCEDURES

- L2.1 Line maintenance control of aircraft components, tools, equipment, etc.
- L2.2 Line maintenance procedures related to servicing/fuelling/ de-icing, etc.
- L2.3 Line maintenance control of defects and repetitive defects
- L2.4 Line procedure for completion of technical log
- L2.5 Line procedure for pooled parts and loan parts
- L2.6 Line procedure for return of defective parts removed from aircraft

PART 3 — QUALITY SYSTEM PROCEDURES

- 3.1 Quality audit of organisation procedures
- 3.2 Quality audit of aircraft
- 3.3 Quality audit remedial action procedure
- 3.4 Certifying staff qualification and training procedures
- 3.5 Certifying staff records
- 3.6 Quality audit personnel
- 3.7 Qualifying inspectors
- 3.8 Qualifying mechanics

- 3.9 Exemption process control
- 3.10 Concession control for deviation from organisations' procedures
- 3.11 Qualification procedure for specialised activities such as non-destructive testing, welding, etc.
- 3.12 Control of manufacturers' working teams

PART 4 — DOCUMENTATION

- 4.1 Contracted air operators
- 4.2 Air operator procedures and paperwork
- 4.3 Air operator record completion

PART 5 — APPENDICES

- 5.1 Sample of documents
- 5.2 List of subcontractors
- 5.3 List of line maintenance locations

MADE this 21st day of February, 2012.

HON. NONOFO E. MOLEFHI,
*Minister for Transport and
Communications.*