



STATEMENT OF COMPLIANCE

INSPECTOR	
CERTIFICATE HOLDER/APPLICANT	

Nig.CARs 10	Requirement of the Regulation	Compliance Method Manual Ref #	Certificate holder/ Applicant Comments (if appropriate)	Status
10.1	GENERAL			
10.1.1.1	APPLICABILITY (a) This part prescribes requirements applicable to the operation of any civil aircraft that is: 1. Used for commercial air transportation operations by any air operator whose AOC is issued; and 2. Controlled by an Authority other than Nigeria. (b) This part does not apply to aircraft when used by military, customs, and police services, which are not used for compensation or hire.			
10.1.1.2	DEFINITIONS Definitions are contained in Part 1 of these regulations.			
10.1.1.3	ABBREVIATIONS The following abbreviations are used in this part: 1. ACAS – airborne collision avoidance system 2. AFM – Aircraft Flight) Manual 3. AMM – Aircraft Maintenance Manual			



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	<ol style="list-style-type: none"> 4. AMO – approved maintenance organization 5. AOC – air operator certificate 6. AOM - 7. ATC – air traffic control 8. C2 – command and control 9. CP – co-pilot 10. CVR – cockpit voice recorder 11. EDTO – extended diversion time operations 12. ELT – emergency locator transmitter 13. FDR – flight data recorder 14. GPWS – ground proximity warning system 15. ICAO – International Civil Aviation Organization 16. IFR – instrument flight rules 17. IMC – instrument meteorological conditions 18. IS – Implementing Standards 19. iSTARS – integrated Safety Trend Analysis and Reporting System 20. MEL – minimum equipment list 21. MMEL – master minimum equipment list 22. NOTAM – Notice to Airmen 23. OPS – operations 24. PIC – pilot-in-command 25. RFM – Rotorcraft Flight Manual 26. RPA – remotely piloted aircraft 27. RPAS – remotely piloted aircraft system(s) 28. RVSM – reduced vertical separation minimum 29. USOAP – Universal Safety Oversight Audit Programme 30. VFR – visual flight rules 31. VLOS – visual line-of-sight 			
<p>10.1.1.4</p>	<p>COMPLIANCE</p> <p>(a) A foreign air operator shall not operate an aircraft in commercial air transportation operations into Nigeria contrary to:</p> <ol style="list-style-type: none"> 1. The requirements of this part; 2. The applicable paragraphs of Parts 7 and 8 of these regulations; 3. The applicable Standards contained in the Annexes to the Chicago Convention, for the operation to be conducted; and 			



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	<p>4. Any other requirements that the Authority may specify.</p>			
<p>10.1.1.5</p>	<p>AUTHORITY TO INSPECT</p> <p>(a) A foreign air operator shall ensure that any person authorised by the Authority shall be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Nigeria:</p> <ol style="list-style-type: none"> 1. To inspect the documents and manuals required by this part; 2. To conduct an inspection of the aircraft; and 3. To take appropriate action when necessary to preserve safety. <p>(b) When the Authority identifies a case of non-compliance or suspected noncompliance by an original operator with laws, regulations, and procedures applicable within Nigeria or identifies a similar serious safety issue with that operator, the Authority will immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification will also be made to the State of Registry if the issue falls within the responsibilities of that State and warrants a notification.</p> <p>(c) In the case of notification to States as specified in paragraph 10.1.1.5(b) of this subsection, if the issue and its resolution warrant it, the State in which the operation is conducted will engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.</p> <p>(d) Inspections will be conducted in accordance with the requirements prescribed by IS 10.1.1.5 and the checklists contained in IS 10.1.1.5(d).</p>			



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	(e) Findings from inspections will be resolved in accordance with Table 1, Levels of Seriousness of Findings and Related Actions, and Table 2, Examples of Findings and Levels of Seriousness, contained in IS 10.1.1.5(e) .			
10.2	APPROVAL FOR FOREIGN AIR OPERATORS TO OPERATE IN THE TERRITORY OF NIGERIA			
10.2.1.1	<p>APPLICATION FOR APPROVAL TO OPERATE IN THE TERRITORY OF NIGERIA</p> <p>a) A foreign air operator from the territory of another State shall not operate an aircraft in Nigeria unless it is so authorised by the Authority and holds associated operations specifications containing the special limitations and specific approvals issued to it by the Authority.</p> <p>b) A foreign air operator intending to operate in Nigeria shall submit an application to the Authority on a form and in a manner as prescribed in IS 10.2.1.1.</p> <p>c) An application for approval to operate in the territory of Nigeria shall be accompanied by:</p> <ol style="list-style-type: none"> 1. A certified true copy of a valid AOC and associated operations specifications issued to the foreign air operator by the Foreign Authority; 2. A copy of the approval page for an MEL for each aircraft type intended to be operated by the foreign air operator in Nigeria; 3. A copy of the current certificate of aircraft registration and certificate of airworthiness issued for each aircraft type proposed to be operated by the foreign air operator in Nigeria; 4. A copy of the insurance certificate; 5. A copy of the operational procedures and practices of the foreign air operator; 6. A copy of a document identifying the maintenance checks that are required to be performed for the aircraft of the foreign air operator while they are operated in the territory of Nigeria; 			



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	<ol style="list-style-type: none"> 7. A copy of the maintenance contract between the foreign air operator and the AMO, where the maintenance under paragraph 10.2.1.1(c)(6) of this subsection is performed by an AMO approved by the Foreign Authority; 8. A copy of the air service agreement, containing a safety clause as shown in the example in IS 10.2.1.1(b), allowing the foreign air operator to operate in the territory of Nigeria; 9. In the case of wet-leased aircraft, a copy of the approval of the Authority of the State of the Operator, with identification of the foreign air operator that exercises operational control of the aircraft; 10. In the case of a foreign air operator that does not hold an AOC issued by the Authority, a copy of the proposed air operator security programme; and 11. Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely. <p>d. An applicant under these regulations shall apply for the initial issue of operations specifications at least 90 days before the date of commencement of intended operation.</p>			
<p>10.2.1.2</p>	<p>ISSUANCE OF DOCUMENT OF AUTHORISATIONS, CONDITIONS AND LIMITATIONS</p> <ol style="list-style-type: none"> (a) No foreign air operator shall commence commercial air transport operations in Nigeria until the Document of Authorisations, Conditions and Limitations have been issued by the Authority. (b) The Authority will issue operations specifications to a foreign air operator to conduct commercial air transport operations in Nigeria: <ol style="list-style-type: none"> (1) Where the Authority is satisfied and has confidence in: <ol style="list-style-type: none"> (i) The validity of the certificates and licences associated with the operator; (ii) The operator's personnel and aircraft; (iii) The operational capabilities of the operator; and (iv) The level of certification and oversight applied to the activities of the operator by the Foreign Authority; 			



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	<p>(2) Following approval of the foreign air operator’s application to operate into the territory of Nigeria;</p> <p>(3) Upon a satisfactory administrative review of the documentation provided by the foreign air operator under 10.2.1.1 (c) and (d); and</p> <p>(i) When it has established bilateral or multilateral agreements with the State of the Operator that includes in the agreement the safety clause referenced under 10.2.1.1 (c) (5); or</p> <p>(ii) When it has not established bilateral or multilateral agreements with the State of the Operator, the Authority receives no significant safety findings or major deficiencies from available safety related information relevant to the foreign air operator.</p> <p>(c) The criteria to be used for evaluating the conditions stipulated under paragraph 10.2.1.2(b) of this subsection are contained in IS 10.2.1.2.</p>			
<p>10.2.1.3</p>	<p>CONTENTS OF DOCUMENT OF AUTHORISATIONS, CONDITIONS AND LIMITATIONS</p> <p>(a) The Authority will issue Document of Authorisations, Conditions and Limitations to foreign air operators for elements not listed in the operator’s AOC and its associated operations specifications but considered necessary for compatible operations within Nigeria.</p> <p>(b) Document of Authorisations, Conditions and Limitations issued under this subsection shall contain:</p> <ol style="list-style-type: none"> 1. The foreign air operator’s full name; 2. The foreign air operator’s principal place of business address and contact details for operational management; 3. The foreign air operator’s business address and contact details in Nigeria; 4. The date of issuance and expiry (if any) of the foreign air operator’s AOC; 5. A statement that reads: “This document authorises [Name of Foreign Air Operator] to operate in the territory of Nigeria”; 			



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	<p>6. A statement that reads: “This document is issued to [Name of Foreign Air Operator] on the basis of it holding a valid AOC. Any changes to the AOC made by the Foreign Authority that issued and oversees the AOC of [Name of Foreign Air Operator] shall be submitted by [Name of Foreign Air Operator] in writing to the Authority within 30 days of such change”;</p> <p>7. A statement that reads: “This document ceases to have effect upon expiry, suspension, revocation, cancellation, or equivalent action with respect to the foreign air operator’s AOC”; and</p> <p>8. Any additional special limitations and specific approvals considered necessary by the Authority</p> <p>(c) Document of Authorisations, Conditions and Limitations issued to a foreign air operator by the Authority shall be supplementary to these Regulations</p> <p>(d) The Document of Authorisations, Conditions and Limitations will be issued by the Authority in the form as contained in IS 10.2.1.3</p>			
<p>10.2.1.4</p>	<p>CONTINUED VALIDITY OF DOCUMENT OF AUTHORISATIONS, CONDITIONS AND LIMITATION</p> <p>(a) A foreign air operator shall, when conducting operations in and to Nigeria, ensure that it complies at all times with the requirements of:</p> <ol style="list-style-type: none"> 1. Its Document of Authorisations, Conditions and Limitations; 2. Its approved air operator security programme; and 3. The security requirements for air operators operating in Nigeria. 			
<p>10.3</p>	<p>FOREIGN AIR OPERATOR MANUALS, DOCUMENTS, AND RECORDS</p>			
<p>10.3.1.1</p>	<p>AIRCRAFT TECHNICAL LOG</p> <p>(a) A foreign air operator shall use an aircraft technical log system containing the following information for each aircraft:</p> <ol style="list-style-type: none"> 1. Information about each flight necessary to ensure continued flight safety; 2. The current aircraft approval for return to service; 			



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	<ol style="list-style-type: none"> 3. The current maintenance statement, showing the aircraft maintenance status of what scheduled and out-of-phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere; 4. All outstanding deferred defects that affect the operation of the aircraft; and 5. Any necessary guidance and instructions on maintenance support. 			
<p>10.3.1.2</p>	<p>MANUALS, DOCUMENTS, AND LICENCES TO BE CARRIED</p> <p>(a) A foreign air operator shall ensure that the following manuals, documents, and licences are carried on flights into Nigeria:</p> <ol style="list-style-type: none"> 1. A certified true copy of the AOC and associated operations specifications, all of which shall be in the English language; 2. The current parts of the Operations Manual that are relevant to the duties of the crew; 3. The current parts of the Operations Manual that are required for the conduct of a flight, such as the MEL and information and instructions relating to the interception of aircraft, and which shall be easily accessible to the crew on board the aircraft on each flight; 4. The current AFM or RFM approved by the State of Registry, or the current Aircraft Operating Manual approved by the State of the Operator; the AFM or RFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design; 5. The current certificate of aircraft registration and the certificate of airworthiness in force with respect to that aircraft; 			



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	<ul style="list-style-type: none"> 6. The appropriate licences of the members of the flight crew and cabin crew, if a cabin crew licence is required by the Foreign Authority; 7. A noise certificate, where applicable, which will be issued in accordance with ICAO Annex 16, Volume I; and 8. Appropriate approvals and/or licences of crew members for aircraft radio operation. 			
<p>10.3.1.3</p>	<p>ADDITIONAL INFORMATION AND FORMS TO BE CARRIED</p> <p>(a) A foreign air operator shall ensure that, in addition to the documents and manuals prescribed in 10.3.1.2 of this part, the following information and forms, relevant to the type and area of operation, are carried on each flight:</p> <ul style="list-style-type: none"> 1. The operational flight plan; 2. The aircraft technical log, containing at least the information required by paragraph 10.3.1.1(a) of this part; 3. The appropriate NOTAM/aeronautical information service briefing documentation; 4. The appropriate meteorological information; 5. The passenger and cargo manifests, as appropriate for the intended flight; 6. The mass and balance documentation for the aircraft, certifying that the load carried is properly distributed and safely secured; 7. The notification of special loads, including any dangerous goods; and 8. The current maps and charts for the area of operation. 			



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	<p>(b) The Authority may authorise the information detailed in paragraph 10.3.1.3(a) of this subsection to be presented in a form other than on printed paper, provided the information is accessible for inspection.</p>			
10.3.1.4	<p>PRODUCTION OF DOCUMENTS, MANUALS, AND RECORDS</p> <p>(a) A foreign air operator shall:</p> <ol style="list-style-type: none"> 1. Give any person authorised by the Authority access to any documents, manuals, and records that are related to flight operations and maintenance; and 2. Produce all such documents, manuals, and records, when requested to do so by the Authority, within a reasonable period of time. <p>(b) The PIC shall, within a reasonable time of being requested to do so by a person authorised by the Authority, produce to that person the documentation, manuals, and records required to be carried on board.</p>			
10.3.1.5	<p>PRESERVATION, PRODUCTION, AND USE OF FLIGHT RECORDER RECORDINGS</p> <p>(a) Following an accident or incident in Nigeria involving an aircraft of a foreign air operator, or when the Authority so directs, the foreign air operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of not less than 60 days, unless otherwise directed by the Authority.</p>			
10.4	<p>OPERATIONS AND PERFORMANCE</p>			
10.4.1.1	<p>COMPUTATION OF PASSENGER AND BAGGAGE WEIGHED MASS</p> <p>(a) A foreign air operator shall compute the mass of passengers and checked baggage using:</p>			



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	<p>The actual weighed mass of each person and the actual weighed mass of baggage; or The standard mass values specified by the Foreign Authority. The Authority may require a foreign air operator conducting operations within Nigeria to produce evidence validating any standard mass values used.</p>			
10.4.1.2	<p>SINGLE-ENGINE AEROPLANES AT NIGHT OR IN INSTRUMENT METEOROLOGICAL CONDITIONS</p> <p>(a) A foreign air operator may not operate a single-engine, non-turbine aeroplane:</p> <ol style="list-style-type: none"> 1. At night; or 2. In IMC except under special VFR. <p>1. A foreign air operator may operate a single-engine turbine aeroplane at night and in IMC provided the State of the Operator has ensured that:</p> <ol style="list-style-type: none"> 2. The turbine engine is reliable; 3. The foreign operator's maintenance procedures, operating practices, flight dispatch procedures, and crew training programmes are adequate; 4. The aeroplane is appropriately equipped for flight at night and in IMC; 5. Aeroplanes issued a certificate of airworthiness before 01 January 2005 have an engine trend monitoring system; and 6. Aeroplanes issued a certificate of airworthiness on or after 01 January 2005 have an automatic trend monitoring system. 			
10.4.1.3	<p>SINGLE-PILOT OPERATIONS UNDER INSTRUMENT FLIGHT RULES OR AT NIGHT</p> <p>(a) A foreign air operator shall not operate an aeroplane under IFR or at night with a single pilot unless approved by the State of the Operator and the aeroplane meets the following conditions:</p>			



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	<ol style="list-style-type: none"> 1. The AFM does not require a flight crew of more than one pilot; 2. The aeroplane is propeller driven; 3. The maximum approved passenger seating configuration is not more than nine; 4. The maximum certificated take-off mass does not exceed 5 700 kg; 5. The aeroplane is equipped with: <ol style="list-style-type: none"> (i) A serviceable autopilot that has at least altitude hold and heading select modes; (ii) A headset with a boom microphone or equivalent; and (iii) A means of displaying charts that enables them to be readable in all ambient light conditions. <p>(b) The PIC has satisfied the requirements of experience, training, checking, and recency prescribed by the State of the Operator.</p>			
10.4.1.4	<p>FLIGHT RULES WITHIN NIGERIA</p> <p>(a) Within the territorial boundaries of Nigeria, foreign air operators shall comply with the flight rules and limitations contained in Part 8 of these regulations.</p> <p>(b) A foreign air operator shall ensure that its flight crew has available, and has become familiar with, the flight rules contained in Part 8 of these regulations.</p>			
10.5	<p>FLIGHT CREW MEMBER qualifications</p>			
10.5.1.1	<p>GENERAL</p> <p>(a) A foreign air operator shall ensure that its flight crew members have the appropriate licences and ratings for the operations to be conducted into Nigeria.</p>			
10.5.1.2	<p>AGE LIMITATIONS</p> <p>(a) Foreign air operators shall ensure that the required PIC engaged in single-pilot operations in aircraft operating into Nigeria shall be less than 60 years of age.</p>			



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	(b) For aircraft engaged in operations into Nigeria requiring more than one pilot as flight crew, foreign air operators shall ensure that if one pilot is between 60 and 65 years of age, the other pilot is less than 60 years of age.			
10.5.1.3	LANGUAGE PROFICIENCY (a) Foreign air operators shall ensure that flight crew operating aircraft into Nigeria meet the language proficiency requirement of at least the ICAO Operational Level (Level 4), as contained in ICAO Annex 1, for the English language and that such proficiency is endorsed on the licence.			
10.6	SECURITY			
10.6.1.1	AIRCRAFT SECURITY (a) A foreign air operator shall: 1. Ensure that all appropriate personnel are familiar with and comply with the relevant requirements of the security programmes of the State of the Operator; 2. Establish, maintain, and conduct approved training programmes that enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimise the consequences of such events should they occur; 3. Following an act of unlawful interference on board an aircraft, ensure that the PIC or, in his absence, the operator, shall submit without delay a report of such an act to the designated local Authority and the Authority of the State of the Operator; 4. Ensure that all aircraft carry a checklist of the procedures to be followed for that type of aircraft in searching for concealed weapons, explosives, or other dangerous devices; and			



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	<p>5. Ensure that, if installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.</p>			
10.6.1.2	<p>UNAUTHORISED CARRIAGE</p> <p>(a) A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.</p>			
10.7	<p>DANGEROUS GOODS</p>			
10.7.1.1	<p>OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR</p> <p>(a) No foreign air operator may accept dangerous goods for transport by air into Nigeria unless the foreign air operator:</p> <ol style="list-style-type: none"> 1. Has been authorised to do so by the Foreign Authority; and 2. Has conducted the required personnel training. <p>(b) The foreign air operator shall properly classify, document, certify, describe, package, mark, label, and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods programme as approved by the Foreign Authority.</p> <p>(c) When the foreign air operator has been granted Authority to accept dangerous goods and has an approved dangerous goods programme authorised by the Foreign Authority, the foreign operator shall file a copy of its dangerous goods programme with the Authority.</p>			
10.7.1.2	<p>CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR</p> <p>(a) A foreign air operator conducting commercial air transportation operations into Nigeria shall:</p> <ol style="list-style-type: none"> 1. Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned; 			



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	<p>2. Ensure that weapons of war and munitions of war are:</p> <p>(i) Stowed in the aircraft in a place that is inaccessible to passengers during flight; and</p> <p>(ii) In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this paragraph; and</p> <p>(b) Ensure that the PIC is notified before the flight begins of the details and location on board the aircraft of any weapons of war and munitions of war that are intended to be carried.</p>			
<p>10.7.1.3</p>	<p>CARRIAGE OF SPORTING WEAPONS AND AMMUNITION</p> <p>(a) A foreign air operator conducting commercial air transport operations into Nigeria shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported.</p> <p>(b) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are:</p> <ol style="list-style-type: none"> 1. Stowed in a place on the aircraft that is inaccessible to passengers during flight, unless the Authority has determined that compliance is impracticable and has approved other procedures; and 2. In the case of firearms or other weapons that can contain ammunition, unloaded. <p>(c) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in that passenger's checked baggage, as approved by the Authority.</p>			
<p>10.8</p>	<p>APPROVAL FOR FOREIGN AIR OPERATORS TO OPERATE REMOTELY PILOTED AIRCRAFT (RPA) IN THE TERRITORY OF NIGERIA</p>			



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<p>10.8.1.1</p>	<p>APPLICATION FOR APPROVAL TO OPERATE REMOTELY PILOTED AIRCRAFT IN THE TERRITORY OF NIGERIA</p> <p>(a) A foreign air operator from the territory of another State shall not operate an RPA in Nigeria unless it is so authorised by the Authority and holds operations specifications issued to it by the Authority.</p> <ol style="list-style-type: none"> 1. When a foreign operator wishes to apply to operate RPA in the territory of Nigeria, it shall: 2. Make such application to the Authority in the form and manner prescribed; and 3. Make such application by completing the application form prescribed in IS 10.8.1.1. <p>(b) An application for approval to operate in the territory of Nigeria shall be accompanied by a copy of the following, in an English translation if the original documents are not in English, for each RPA proposed to be operated in Nigeria:</p> <ol style="list-style-type: none"> 1. A certified true copy of a valid RPAS operator certificate; 2. A certificate of aircraft registration; 3. A certificate of airworthiness; 4. The remote pilot(s) licence and medical certificate(s); 5. An aircraft radio station licence, if applicable; 6. An insurance certificate; 7. A noise certificate issued in accordance with ICAO Annex 16; 8. An air operator security programme; and 9. Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely. <p>(c) An applicant under these regulations shall apply for the initial issue of a foreign RPA approval at least 90 days before the date of commencement of the proposed operation.</p>			
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	<p>(d) Once foreign RPA approval has been issued by the Authority, the operator shall:</p> <ol style="list-style-type: none">1. File a flight plan prior to operation of an RPA;2. Follow the operational rules for RPA in 8.8.1.33 of these regulations;3. Notify the Authority and ATC immediately in the event of a flight cancellation; and4. In the case of changes to the proposed flight, submit such changes to the Authority for consideration.			
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