
CURAÇAO CIVIL AVIATION REGULATIONS

**PART 10 – COMMERCIAL AIR TRANSPORT BY FOREIGN AIR
OPERATORS TO/ FROM CURAÇAO**

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INTRODUCTION

Part 10 of the Curaçao Civil Aviation Regulations (CCAR) sets forth the terms and conditions under which Curaçao will carry out its aviation safety responsibility to its own citizens and ensure the safe operation, airworthiness, and air crew qualifications of foreign air operators it allows to operate into, from, or within Curaçao territory, as mandated by the International Civil Aviation Organization (ICAO) Convention on International Civil Aviation (Chicago Convention) and the laws and regulations of Curaçao.

Each Contracting State is empowered under the Chicago Convention to set the terms for entry into and flight operations into, from, or within that Contracting State. Ordinarily, international commercial air transport flights are allowed into a Contracting State under the terms and authority of international agreements that grant the economic permission to operate into, from, or within that Contracting State and require the safe operation of such aircraft. As a result, the Civil Aviation Authorities (CAAs) of the State of Registry and the State of the Operator are responsible under the Chicago Convention for the safe operation of each aircraft that is allowed to conduct commercial air transport into, from, or within Curaçao.¹

The requirements placed upon foreign air operators in this part are directly related to each Contracting State's responsibility to assure that its air operators engaged in international commercial air transport adhere to the Standards and Recommended Practices (SARPs) set forth in the applicable ICAO Annexes, the special conditions existing within Curaçao that Curaçao notes to ICAO as differences from the SARPs, and the special conditions within Curaçao that it reports in aeronautical information manuals and publications.

¹ Most international commercial air operators in a Contracting State have a single Authority that issues air operator certificates and is responsible for the validity of crew member licenses and the airworthiness of aircraft registered in that State. However, it is best to consider the State of Registry and the State of the Operator as separate entities until the actual situation respecting leases or arrangements is fully determined.

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PART 10 – COMMERCIAL AIR TRANSPORT BY FOREIGN AIR OPERATORS TO/FROM CURAÇAO

10.1 GENERAL

10.1.1.1 APPLICABILITY

This regulation 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;
- (2) Used for charter operations or private flights; and
- (3) Controlled by a Civil Aviation Authority (CAA) other than the Curaçao Civil Aviation Authority, CCAA.

This part does not apply to aircraft when used by military, customs, Coast Guard and police services or similar, which are not used for compensation or hire.

Where “the Authority” is used in this Part 10, reference is made to the CCAA.

10.1.1.2 DEFINITIONS

- (a) Definitions are contained in Part 1 of these regulations.

10.1.1.3 ABBREVIATIONS

- (a) The following abbreviations are used in this part:
 - (1) **ACAS** – Airborne Collision Avoidance System
 - (2) **AFM** – Aircraft Flight Manual
 - (3) **AMM** – Aircraft Maintenance Manual
 - (4) **AMO** – Approved Maintenance Organization
 - (5) **AMT** – Aircraft Maintenance Technician
 - (6) **AOC** – Air Operator Certificate
 - (7) **ASA** – Air Services Agreement
 - (8) **ATC** – Air Traffic Control
 - (9) **C2** – Command and Control
 - (10) **C2 Link** – Command and Control Link
 - (11) **CCAA** – Curaçao Civil Aviation Authority
 - (12) **CCAR** – Curaçao Civil Aviation Regulations
 - (13) **CP** – Co-Pilot/First Officer
 - (14) **CVR** – Cockpit Voice Recorder
 - (15) **EDTO** – Extended Diversion Time Operations
 - (16) **ELT** – Emergency Locator Transmitter
 - (17) **FDR** – Flight Data Recorder
 - (18) **GPWS** – Ground Proximity Warning System

- (19) **ICAO** – International Civil Aviation Organization
- (20) **IFR** – Instrument Flight Rules
- (21) **IMC** – Instrument Meteorological Conditions
- (22) **IS** – Implementing Standards
- (23) **iSTARS** – Integrated Safety Trend Analysis and Reporting System
- (24) **MEL** – Minimum Equipment List
- (25) **MMEL** – Master Minimum Equipment List
- (26) **MOU** – Memorandum of understanding
- (27) **NOTAM** – Notice to Airmen
- (28) **NOTOC** – Notice to Captain
- (29) **OPS** – Operations
- (30) **PIC** – Pilot-In-Command
- (31) **RFM** – Rotorcraft Flight Manual
- (32) **RPA** – Remotely Piloted Aircraft
- (33) **RPAS** – Remotely Piloted Aircraft System(s)
- (34) **RVSM** – Reduced Vertical Separation Minimum
- (35) **SNOWTAM** – Snow Notice to Airmen
- (36) **USOAP** – Universal Safety Oversight Audit Programme
- (37) **VFR** – Visual Flight Rules
- (38) **VLOS** – Visual Line-of-Sight
- (39) **VMC** – Visual Meteorological Conditions

10.1.1.4 COMPLIANCE

- (a) A foreign air operator shall not operate an aircraft in commercial air transportation operations into Curaçao contrary to:
 - (1) The requirements of this part 10;
 - (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
 - (4) Any other requirements that the Authority may specify.

10.1.1.5 AUTHORITY TO INSPECT

- (a) A foreign air operator shall ensure that any person authorized by the Authority shall be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Curaçao:
 - (1) To inspect the documents and manuals required by this part 10;
 - (2) To conduct an inspection of the aircraft; and
 - (3) To take appropriate action when necessary to preserve safety.

When the Authority identifies a case of non-compliance or suspected non-compliance by an original operator with laws, regulations, and procedures applicable within the Curaçao territory 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.

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 warrants it, the Authority 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.

Inspections will be conducted in accordance with the requirements and checklist prescribed in the CCAA Ramp Inspection Manual, Appendix 1.

Findings from inspections will be resolved in accordance with the CCAA Ramp Inspection Manual, Appendix 2.

Note: ICAO Doc 8335, Manual of Procedures for Operations Inspection, Certification and Continued Surveillance, provides guidance on the surveillance of operations by foreign air operators. The manual also contains guidance on the consultations and related activities specified in this part, including the ICAO model clause on aviation safety, which, if included in a bilateral or multilateral agreement of air service, provides for consultations among States when safety issues are identified by any of the parties to the agreement.

10.2 APPROVAL FOR FOREIGN AIR OPERATORS TO OPERATE TO/FROM CURAÇAO

10.2.1.1 APPLICATION FOR APPROVAL TO OPERATE TO/FROM CURAÇAO FOR SCHEDULED OR SEASONAL COMMERCIAL AIR TRANSPORT AOC HOLDERS

- (a) A foreign air operator from the territory of another State shall not operate an aircraft to/from Curaçao unless it is so authorized by the Authority and holds an associated Document of Authorization, Conditions, and Limitations issued by the Authority.
- (b) A foreign air operator intending to operate to/from Curaçao shall submit an application to the Authority by using Form CCAA 006 obtainable at the Authority.
- (c) An application for this approval to operate to/from Curaçao shall be accompanied by:
 - (1) A true copy of a valid AOC and associated operations specifications issued to the foreign air operator by the Foreign Authority.
 - (2) A copy of the approval page for a MEL for each aircraft type intended to be operated by the foreign air operator to/from Curaçao.
 - (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 to/from Curaçao or a copy of the complete Operations Specifications of the operator issued by the state of the operator listing the approved aircraft types and models and aircraft registration marks and approved Area of Operations (examples are FAA Operations Specifications A999, B050, D085). A signed official document from the respective Civil Aviation Authority of the AOC Holder with listed routes and aircraft is also acceptable.
 - (4) A copy of the valid insurance certificate.
 - (5) A copy of the operational procedures and practices of the foreign air operator (Aircraft Operations Manual).

- (6) A copy of a document identifying the maintenance checks that are required to be performed on the aircraft of the foreign air operator while they are operated to/from Curaçao.
 - (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 Operator. An alternate means is having a qualified company AMT on board for turnaround flights or a listing of the check items (walk around) to be performed by the flight crew.
 - (8) A copy of the Air Service Agreement, containing a safety clause (available at the CCAA), allowing the foreign air operator to operate to/from Curaçao. If an ASA is not available, a separate safety clause shall be included in the Document of Authorization, Conditions and Limitations.
 - (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 and maintenance control of the aircraft.
 - (10) In the case of a foreign air operator that does not hold an AOC issued by the Authority (CCAA), a copy of the proposed air operator security programme which meets the requirements of the Curaçao Civil Aviation Regulations (CCAR) for acceptance.
 - (11) Any other document or confirmation the Authority considers necessary to ensure that the intended operations will be conducted safely i.e. TCAS II v7.1 or later, ADSB-Out.
 - (12) The foreign operator shall contract a Security Provider approved by the Authority to provide the required security controls.
 - (13) The foreign Operator shall contract a Ground Handler approved by the Authority for the safe ground handling of the aircraft.
- (d) An applicant under these regulations shall apply for the issue of a Document of Authorization, Conditions, and Limitations at least 90 days before the date of commencement of intended operation.

10.2.1.1 (B) APPLICATION FOR APPROVAL TO OPERATE TO/FROM CURAÇAO FOR CHARTER OPERATIONS AND PRIVATE FLIGHTS (FAA PART 91 OR EQUIVALENT)

ISSUANCE OF A DOCUMENT OF AUTHORIZATION, CONDITIONS, AND LIMITATIONS

- (a) No approval authorization is required from the Authority **for Private Flights** except under special circumstances as indicated by NOTAM. Examples of special circumstances, not limited to, are a Pandemic, Natural Disasters, Sanction Requirements, Immigration and Customs requirements, or any special circumstance declared by the Authority or the Government of Curaçao.
- (b) No aircraft operator from the territory of another State shall operate a charter or a private aircraft to/from Curaçao unless it complies with the following:
 - (1) An approved flight plan is filed along published approved ATS routes.
 - (2) All ATS requirements are met as published in the AIP.
 - (3) All aircraft shall have a valid Certificate of Airworthiness, Certificate of Registration, Radio License, Noise Certificate (if applicable) and a valid Insurance Certificate.
 - (4) Crewmembers shall carry valid licenses and passport as required and as detailed in paragraphs 10.3.1.2 and 10.5.

10.2.1.2 ISSUANCE OF A DOCUMENT OF AUTHORIZATION, CONDITIONS, AND LIMITATIONS

- (a) No foreign air operator shall commence commercial air transport operations to/from Curaçao until the Document of Authorization, Conditions, and Limitations has been issued by the CCAA.

The CCAA will issue a Document of Authorization, Conditions, and Limitations to a foreign air operator to conduct commercial air transport operations to/from Curaçao:

- (1) Where the Authority is satisfied and has confidence in:
- (i) The validity of the certificates and licenses 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.

Following approval of the operator's application to operate to/from Curaçao.

Upon a satisfactory administrative review of the documentation provided by the operator under paragraphs 10.2.1.1 (c) and (d) of this part; and when one of the following conditions is met:

- (i) The operator has established a bilateral or multilateral agreement with the State of the Operator that includes in the agreement the safety clause referenced under paragraph 10.2.1.1 (c)(8) of this part; or
- (ii) The operator has not established a bilateral or multilateral agreement with the State of the Operator, but the CCAA receives no significant safety findings or major deficiencies from available safety-related information relevant to the operator.

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.

10.2.1.3 CONTENTS OF A DOCUMENT OF AUTHORIZATION, CONDITIONS, AND LIMITATIONS

- (a) The CCAA will issue a Document of Authorization, 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 to/from Curaçao.
- (b) A Document of Authorization, Conditions, and Limitations issued under this subsection shall contain:
- (1) The operator's full name;
 - (2) The operator's principal place of business address and contact details for operational management.
 - (3) The operator's business address and contact details in Curaçao.
 - (4) The date of issuance and expiry (if any) of the operator's AOC.
 - (5) A statement that reads: "This document authorizes [NAME OF FOREIGN AIR OPERATOR] to operate to/from Curaçao.
 - (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 OF STATE] within 30 days of such change".

- (7) A statement that reads: “This document ceases to have effect upon expiry, suspension, revocation, cancellation, or equivalent action”; and
 - (8) Any additional special limitations and specific approvals considered necessary by the CCAA.
- (c) A Document of Authorization, Conditions, and Limitations issued to a foreign air operator by the CCAA shall be supplementary to these regulations.

10.2.1.4 CONTINUED VALIDITY OF A DOCUMENT OF AUTHORIZATION, CONDITIONS, AND LIMITATIONS

- (a) A foreign air operator, when conducting operations to/from Curaçao, shall ensure that it complies at all times with the requirements of:
- (1) Its Document of Authorization, Conditions, and Limitations.
 - (2) Its approved air operator security programme; and
 - (3) The security requirements for air operators operating to/from Curaçao.

10.3 FOREIGN AIR OPERATOR MANUALS, DOCUMENTS, AND RECORDS

10.3.1.1 AIRCRAFT TECHNICAL LOG

- (a) A foreign air operator shall use an aircraft technical log system containing the following information for each aircraft:
- (1) Information about each flight necessary to ensure continued flight safety;
 - (2) The current aircraft approval for return to service;
 - (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.

10.3.1.2 MANUALS, DOCUMENTS, AND LICENCES TO BE CARRIED

- (a) A foreign air operator shall ensure that the following manuals, documents, and licenses are carried on flights to/from Curaçao:
- (1) A true copy of the AOC and associated operations specifications, all of which shall be in the English language;
 - (2) A copy of the Document of Authorization, Conditions, and Limitations issued by the CCAA required under this Part 10, in hard copy or in electronic format provided the information is accessible for inspection;
 - (3) The current parts of the Operations Manual that are relevant to the duties of the crew;
 - (4) 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;
 - (5) 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;

- (6) The current certificate of aircraft registration and the certificate of airworthiness in force with respect to that aircraft;
- (7) The appropriate licenses and passports of the members of the flight crew and cabin crew, if a cabin crew license is required by the Foreign Authority;
- (8) A noise certificate, where applicable, which will be issued in accordance with ICAO Annex 16, Volume I; and
- (9) Appropriate approvals and/or licenses of crew members for aircraft radio operation.

10.3.1.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED

- (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:
 - (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, SNOWTAM, and/or other 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.
 - (9) A NOTOC if the operator is approved to carry Dangerous Goods and if Dangerous Goods are on board.
- (b) The Authority may authorize 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.

10.3.1.4 PRODUCTION OF DOCUMENTS, MANUALS, AND RECORDS

- (a) A foreign air operator shall:
 - (1) Give any person authorized 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.
- (b) The PIC shall, within a reasonable time of being requested to do so by a person authorized by the Authority, produce to that person the documentation, manuals, and records required to be carried on board.

10.3.1.5 PRESERVATION, PRODUCTION, AND USE OF FLIGHT RECORDER RECORDINGS

- (a) Following an accident or incident in Curaçao 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. This is applicable to both the Cockpit Voice Recorder and the Flight Data Recorder.

10.4 OPERATIONS AND PERFORMANCE

10.4.1.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHED MASS

- (a) A foreign air operator shall compute the mass of passengers and checked baggage using:
 - (1) The actual weighed mass of each person and the actual weighed mass of baggage; or
 - (2) The standard mass values specified by the Foreign Authority.
- (b) The Authority may require a foreign air operator conducting operations to/from Curaçao to produce evidence validating any standard mass values used.

10.4.1.2 SINGLE-ENGINE AEROPLANES AT NIGHT OR IN INSTRUMENT METEOROLOGICAL CONDITIONS

- (a) A foreign air operator may not operate a single-engine, non-turbine aeroplane:
 - (1) At night; or
 - (2) In IMC except under special VFR.
- (b) 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:
 - (1) The turbine engine is reliable;
 - (2) The operator's maintenance procedures, operating practices, flight dispatch procedures, and crew training programmes are adequate;
 - (3) The aeroplane is appropriately equipped for flight at night and in IMC;
 - (4) Aeroplanes issued a certificate of airworthiness before 01 January 2005 have an engine trend monitoring system; and
 - (5) Aeroplanes issued a certificate of airworthiness on or after 01 January 2005 have an automatic trend monitoring system.

10.4.1.3 SINGLE-PILOT OPERATIONS UNDER INSTRUMENT FLIGHT RULES OR AT NIGHT

- (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:
 - (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:
 - (i) A serviceable autopilot that has at least altitude hold, and heading select modes;
 - (ii) A headset with a boom microphone or equivalent; and

- (iii) A means of displaying charts that enables them to be readable in all ambient light conditions.
- (6) The PIC has satisfied the requirements of experience, training, checking, and recency prescribed by the State of the Operator.

10.4.1.4 FLIGHT RULES WITHIN CURAÇAO

- (a) Within the territorial boundaries of Curaçao, foreign air operators shall comply with the flight rules and limitations contained in CCAR Part 8 of these regulations.
- (b) A foreign air operator shall ensure that its flight crew has available, and has become familiar with, the flight rules contained in CCAR Part 8 of these regulations.

10.5 FLIGHT CREW MEMBER QUALIFICATIONS

10.5.1.1 GENERAL

- (a) A foreign air operator shall ensure that its flight crew members have the appropriate licenses and ratings for the operations to be conducted into/from Curaçao.

10.5.1.2 AGE LIMITATIONS

- (a) Foreign air operators shall ensure that the required PIC engaged in single-pilot operations in aircraft operating to/from Curaçao shall be less than 60 years of age.

For aircraft engaged in operations into Curaçao 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 Curaçao meet the language proficiency requirement of at least the ICAO Operational Level 4, as contained in ICAO Annex 1, for the English language and that such proficiency is endorsed on the license.

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 minimize 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
 - (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.

10.6.1.2 UNAUTHORIZED CARRIAGE

- (a) A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

10.7 DANGEROUS GOODS

10.7.1.1 OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR

- (a) No foreign air operator may accept dangerous goods for transport by air into Curaçao unless the foreign air operator:
 - (1) Has been authorized to do so by the Foreign Authority; and
 - (2) Has conducted the required personnel training.
- (b) The foreign air operator shall properly classify, document, certify, describe, package, mark, label, and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods programme as approved by the Foreign Authority.
- (c) When the foreign air operator has been granted authority to accept dangerous goods and has an approved dangerous goods programme authorized by the Foreign Authority, the operator shall file a copy of its dangerous goods programme with the Authority (CCAA).

10.7.1.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR

- (a) A foreign air operator conducting commercial air transportation operations to/from Curaçao shall:
 - (1) Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned;
 - (2) Ensure that weapons of war and munitions of war are:
 - (i) Stowed in the aircraft in a place that is inaccessible to passengers during flight;

and

- (ii) In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this paragraph; and
- (3) 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.

10.7.1.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION

- (a) A foreign air operator conducting commercial air transport operations to/from Curaçao shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported.
- (b) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are:
 - (1) Stowed in a place on the aircraft 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.
- (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.

10.8 REGISTRATION/APPROVAL FOR FOREIGN AIR OPERATORS TO OPERATE REMOTELY PILOTED AIRCRAFT (RPA) IN THE TERRITORY OF CURAÇAO

10.8.1.1 APPLICATION FOR APPROVAL TO OPERATE REMOTELY PILOTED AIRCRAFT IN THE TERRITORY OF CURAÇAO

This section is applicable to a remotely piloted aircraft system (RPAS) engaged in international air navigation shall not be operated without an appropriate authorization from the State from which the take-off of the remotely piloted aircraft (RPA) is made (ICAO Annex 2 Rules of the Air, Appendix 4, paragraph 1).

This section is also applicable to a non-recreational remotely piloted aircraft system (RPAS) operation as determined by a Risk Assessment performed by the CCAA.

- (a) A foreign air operator from the territory of another State shall not operate an RPA in Curaçao unless it is so registered or authorized by the Authority and holds a Document of Authorization, Conditions, and Limitations issued to it by the Authority.
- (b) When a foreign operator wishes to apply to operate RPA in the territory of Curaçao, it shall:
 - (1) Make such application to the Authority in the form and manner prescribed; and
 - (2) Make such application by completing the application form prescribed in IS 10.8.1.1.
- (c) An application for approval to operate in the territory of Curaçao 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 Curaçao:
 - (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) license and medical certificate(s);
 - (5) An aircraft radio station license, 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.
- (d) An applicant under these regulations shall apply for the initial issue of a foreign RPA approval at least 90 days before the date of commencement of the proposed operation.
- (e) Once foreign RPA approval has been issued by the Authority, the operator shall:
- (1) File a flight plan prior to operation of an RPA;
 - (2) Follow the operational rules for RPA in CCAR Part 8, 8.8.1.33 of these regulations;
 - (3) Notify the Authority and ATC immediately in the event of a flight cancellation; and
 - (4) In the case of changes to the proposed flight, submit such changes to the Authority for consideration.

Note: ICAO Doc 10019, Manual on Remotely Piloted Aircraft Systems (RPAS), contains further information about the evolving regulatory framework of unmanned aircraft systems.

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CURAÇAO CIVIL AVIATION REGULATIONS

PART 10 – IMPLEMENTING STANDARDS

For ease of reference the number assigned to each IS corresponds to its associated regulation. For example, IS 10.1.1.5 reflects a standard required by 10.1.1.5 of this part.

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PART 10 – IMPLEMENTING STANDARDS

IS 10.1.1.5 AUTHORITY TO INSPECT

- (a) AUTHORIZED INSPECTORS.
 - (1) Authorized inspectors assigned to conduct inspections of foreign aircraft will be experienced inspectors who understand the difference between ramp inspections conducted on their own (national) operators as part of their AOC management responsibilities and surveillance inspections conducted on aircraft of foreign air operators.
 - (2) These inspectors will be specifically trained and authorized to conduct such inspections and will possess appropriate credentials identifying them as authorized inspectors employed by the Authority.
 - (3) Ramp inspections of foreign air operators will be performed in a similar manner to the ramp inspections of national operators, with some important differences, as the standards applied to foreign air operators will be based primarily on International Standards and national regulations derived from International Standards.
 - (4) Authorized inspectors will demonstrate a language proficiency in English of the ICAO Operational Level 4 or higher.
 - (5) Authorized inspectors will have in their personal training records evidence that they have been trained and are knowledgeable in the following areas:
 - (i) The Chicago Convention and its Annexes 1, 6, 7, and 8;
 - (ii) The differences between ICAO Standards and national regulations, which may be more detailed or restrictive;
 - (iii) Diplomacy, including dealing with potential language difficulties and cultural differences;
 - (iv) The sovereignty of foreign aircraft, which means that inspecting authority is limited to documenting, communicating, and reporting findings, except as provided in paragraph 10.1.1.5 (a)(3) of this part;
 - (v) The observation, recording, and reporting of procedures during inspections of foreign air operators; and
 - (vi) Surveillance activities that are not linked to the certification process of the operator.
- (b) PRE-INSPECTION PLANNING.
 - (1) Authorized inspectors will prepare for inspections of foreign air operators by updating themselves on recent changes to national regulations with respect to operations by operators from other States.
 - (2) A check may be made with the authority for the foreign air operator to operate to/from Curaçao, and to operate the particular aircraft concerned, by consideration of its nationality and registration marks.
 - (3) The record of the foreign air operator's history in Curaçao will be examined, including records of past aircraft inspections and the particular aircraft concerned in the inspection to be conducted, to check for any outstanding actions or recurring trends that might warrant particular attention.
 - (4) Ramp inspections will involve the aircraft and its crew, line station operations, servicing and maintenance, and the ramp and gate area condition and activity. Time constraints may apply only to the inspection of the aircraft and crew. A determination will be made of

- the number of authorized inspectors and the specializations to be involved, the distribution of tasks, and the time to be allocated to each task.
- (5) As the inspection plan includes comprehensive inspections, it will not be possible to cover all the desired elements in the time available for a particular inspection without causing unreasonable delay to the foreign air operator.
 - (6) As inspections on aircraft of any one foreign air operator may be conducted at different aerodromes by different authorized inspectors, the overall inspection plan will take this into account. Some elements will be covered at every inspection; others may be covered over a number of inspections. Thus, comprehensive records of all inspections of aircraft of a particular operator will be maintained in a central database, in either paper or electronic format that is accessible to, and updated by, the authorized inspectors concerned.
 - (7) From these records, it will be necessary to plan the content of inspections so that a complete inspection of the aircraft of any one foreign air operator will be undertaken over a defined period.
 - (8) Selection of a particular aircraft to inspect should be done at random, in a non-discriminatory manner. However, selection will follow the principles of risk management to identify operations perceived to present a higher safety risk and, as a result, conduct additional inspection activities aimed at those operations, which may be linked to a specific:
 - (i) State of the Operator;
 - (ii) Aircraft type;
 - (iii) Type of operation (scheduled, non-scheduled, cargo, etc.);
 - (iv) Foreign air operator; or
 - (v) Individual aircraft.
- (c) INSPECTIONS.
- (1) The scope of a foreign air operator ramp inspection is as follows:
 - (i) It is not possible to cover all items on the checklist at every ramp inspection. Inspections will be planned to cover high-risk items and to cover all other items over a series of inspections.
 - (ii) It is essential that adequate records be kept and that there is complete coordination between all authorized inspectors involved in ramp inspections for any one operator.
 - (2) Areas that will be checked during a ramp inspection are:
 - (i) Flight deck;
 - (ii) Cabin/safety;
 - (iii) Aircraft external condition;
 - (iv) Cargo & Dangerous Goods; and
 - (v) General.
- (d) The Authority will use the checklist prescribed in the CCAA Ramp Inspection Manual Appendix 1, CCAA Form 010.
- (e) The Authority will use the procedures in the Ramp Inspection Manual, Chapter 4 and Appendix 2 to resolve findings from inspections.

IS 10.2.1.1 APPLICATION FOR APPROVAL TO OPERATE IN THE TERRITORY OF CURAÇAO

- (a) CCAA Form 006 available at the Authority shall be used by a foreign air operator that intends to apply for approval to operate in the territory of Curaçao.

IS 10.2.1.1(B) SAFETY CLAUSE EXAMPLE

- (a) An example of the safety clause (extracted from ICAO Doc 8335, *Manual of Procedures for Operations Inspection, Certification and Continued Surveillance*) that shall be inserted into air service agreements that allow operators to provide service to another State and vice versa, is available at the CCAA.
- (1) Each Party may request consultations at any time concerning the safety standards maintained by the other Party in areas relating to aeronautical facilities, flight crew, aircraft and the operation of aircraft. Such consultations shall take place within 30 days of that request.
 - (2) If, following such consultations, one Party finds that the other Party does not effectively maintain and administer safety standards in the areas referred to in paragraph (1) of this subsection that meet the Standards established at that time pursuant to ICAO Doc 7300, *Convention on International Civil Aviation*, hereinafter referred to as the Chicago Convention, the other Party shall be informed of such findings and of the steps considered necessary to conform with the ICAO Standards. The other Party shall then take appropriate corrective action within an agreed time period.
 - (3) Pursuant to Article 16 of the Chicago Convention, it is further agreed that any aircraft operated by, or on behalf of, an airline of one Party, on service to or from the territory of another Party, may, while within the territory of the other Party, be the subject of a search by the authorized representatives of the other Party, provided this does not cause unreasonable delay in the operation of the aircraft. Notwithstanding the obligations mentioned in Article 33 of the Chicago Convention, the purpose of this search is to verify the validity of the relevant aircraft documentation, the licensing of its crew, and that the aircraft equipment and the condition of the aircraft conform to the Standards established at that time pursuant to the Chicago Convention.
 - (4) When urgent action is essential to ensure the safety of an airline operation, each Party reserves the right to immediately suspend or vary the operating authorization of an airline or airlines of the other Party.
 - (5) Any action by one Party in accordance with paragraph (4) above shall be discontinued once the basis for the taking of that action ceases to exist.
 - (6) With reference to paragraph (2) above, if it is determined that one Party remains in non-compliance with ICAO Standards when the agreed time period has lapsed, the Secretary General of ICAO shall be advised thereof. The latter shall also be advised of the subsequent satisfactory resolution of the situation.

IS 10.2.1.2 ISSUANCE OF A DOCUMENT OF AUTHORIZATION, CONDITIONS, AND LIMITATIONS

- (a) The CCAA will, when evaluating an application by a foreign air operator to operate in the territory of Curaçao examine both:
- (1) The safety oversight capabilities and record of the Foreign Authority of the State of the Operator and, if different, the State of Registry; and
 - (2) The operational procedures and practices of the foreign air operator.

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

- (b) The CCAA will obtain information on the safety oversight capabilities and the level of compliance with ICAO Standards of the Foreign Authority of the State of the Operator by accessing information from the ICAO USOAP. This information is available:
 - (1) On the ICAO website (<http://www.icao.int>) through the iSTARS website;
 - (2) On the ICAO Safety Oversight Audit website, which is accessible to the Authority through iSTARS, subject to a password available only to the CCAA from ICAO; and
 - (3) By accessing audit summary reports from the USOAP audits available to the CCAA on the ICAO website (www.icao.int/safety/iStars/pages/into.aspx), subject to a password available only to the CCAA from ICAO.
- (c) The CCAA will obtain and evaluate information on the foreign air operator. This information is available:
 - (1) By applying to the Foreign Authority of the State of the Operator for reports of any inspections that may have been conducted; and
 - (2) By requesting access to reports of audits of a foreign air operator, conducted by independent aviation audit organizations and/or by other air operators, such as code-sharing partners. Such non-regulatory audits shall be used in conjunction with other information, such as a report from the ICAO USOAP, or other inspection results to evaluate the application.
- (d) The Authority will complete Section 2 of the Application for Commercial Air Transport Operations by a Foreign Air Operator.
 - (1) In the case of significant negative findings and/or major deficiencies relevant to its review of the safety oversight capabilities and the level of compliance with ICAO Standards of the Foreign Authority of the State of the Operator, the CCAA will engage in discussions with the Foreign Authority of the State of the Operator seeking resolution of the deficiencies prior to deciding whether to approve or not to approve the Application for Commercial Air Transport Operations by a Foreign Air Operator and whether to approve or not to approve operations specifications.
 - (2) In the case of significant negative findings and/or major deficiencies relevant to its evaluation of the foreign air operator, the CCAA will not approve the foreign air operator's Application for Commercial Air Transport Operations by a Foreign Air Operator and will not issue a Document of Authorization, Conditions, and Limitations to the foreign air operator.

IS 10.8.1.1 APPLICATION FOR REGISTRATION OR APPROVAL TO OPERATE REMOTELY PILOTED AIRCRAFT IN THE TERRITORY OF CURAÇAO

- (a) The application form to be used by a foreign air operator that intends to apply for Approval to operate RPA in the territory of Curaçao is obtainable at the Authority.

This section is applicable to a remotely piloted aircraft system (RPAS) engaged in international air navigation, shall not be operated without an appropriate authorization from the State from which the take-off of the remotely piloted aircraft (RPA) is made (ICAO Annex 2 Rules of the Air, Appendix 4, paragraph 1).

This section is also applicable to a non-recreational remotely piloted aircraft system (RPAS) operation as determined by a Risk Assessment performed by the CCAA.

- (b) The application form to be used by an operator that intends to apply for Registration to operate a personal recreational RPA locally in the territory of Curaçao is obtainable at the Authority. Additional requirements of the Bureau Telecommunications & Post apply.