



## IAOPA - KENYA

ISSUE No. 01/09 - January 2009

AVIATION NEWS BULLETIN OF THE AERO CLUB OF EAST AFRICA

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### AERO CLUB COMMITTEE RE-ELECTED

On 22 November 2008, in an Annual General Meeting of only 25 minutes, the Management Committee of the Aero Club of East Africa was unanimously elected for another term. Harro Trempenau remains Chairman, vowing (again) to retire at the end of the year. Adrian Luckhurst is again the Treasurer and Vice-Chairman. Kim McKenzie was also re-elected a Vice-Chairman. Captain Hirani of Boskovic Air Charters is the only new face on the Committee, replacing Jeni Stowe who is unfortunately leaving Kenya. Other perennial Committee members for 2009 are: Julie Gill, Chris Hardisty, Col. E.K. Waithaka, Cor Roest, Eric Boullay, Greg Love, and Ashif Lalani.

Chairman Trempenau reported that the Club was in good health although the economic effects of the post-election trauma and the credit crunch also hit the Aero Club as income was down and costs were up. He promised that the policies of fiscal discipline, innovation and physical improvements, as well as aviation advocacy, would be continued throughout 2009. In particular, the new "Branch Club House" at Orly Airpark is under construction and will be ready by mid-2009.

Members present at the AGM unanimously approved an increase in club joining fees and subscriptions, in line with inflation. A new audit firm was also approved, after the previous one had increased its fees beyond what was acceptable to the Committee.

### CHRIS KUTO RETIRES FROM KCAA

Director-General of the Kenya Civil Aviation Authority, Chris Kuto, retired at the end of the year from the post that he has held for over a decade. There were rumours that his term might be extended by another year, after the selection of a replacement ran into snags, but this idea was not passed by the Board of Directors of KCAA.

Chris Kuto had an engineering background and ran the KCAA, and the DCA beforehand, with an iron grip, getting immersed in even the minutest detail instead of delegating routine matters. His main aim was to ensure that Kenya strictly adheres to ICAO standards and procedures, often at the expense of General Aviation. Under his regime the KCAA was intensely bureaucratized, primarily through Kuto's hobby horse – the new Kenya Civil Aviation Regulations (KCARS). He managed to push that document of 1400 pages through a storm of objections and warnings of the Kenyan aviators. In the last year of his term, all communication with the stakeholders had broken down. The KCARS were gazetted, some of them surreptitiously whilst negotiations between KCAA and the stakeholders were still going on.

Reportedly, during the recent audit of the KCAA by a team from the International Civil Aviation Organization, the auditors agreed with the concerns of the stakeholders and advised the KCAA that the new regulations are too bureaucratic, way "over the top" and hostile to Kenyan General Aviation and Sport Flying. They are practically unenforceable because they rely on micro-control mechanisms that require an army of enforcers, rather than 'policies' that place much of the onus of compliance on the users. They also are based on a 'one-size-fits-all' approach where rules for large Jetliners are equally applied to the smallest two seat aircraft.

Meanwhile, in a surprise move, the Minister of Transport appointed a temporary Director-General of Civil Aviation, until the KCAA selection committee can review its work. The committee had narrowed down the list of candidates to three, but none of these was appointed. It remains to be seen if the selection process for a new Director-General of KCAA will be completely re-opened or if previous applicants will be interviewed further. One of the technicalities that is hampering the process is, that under the Public Corporations Act (under which KCAA falls) appointees must be under the age of 55. The D-G normally is given a five year term.

The Acting Director – General of Civil Aviation is a Mr. Nicholas Bodo, formerly a senior civil servant dealing with aviation in the Ministry of Transport. The Kenya Association of Air Operators and the Aero Club of East Africa met Mr. Bodo and some of his senior officers during a courtesy call by him on 15 January. Chris Kuto, meanwhile, has applied for membership in the Aero Club of East Africa. His application was approved and it is hoped that he will actively join the aviation fraternity at Wilson Airport on a social basis.

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## **NON-TYPE CERTIFICATED AIRCRAFT HOBBLLED BY KCAA NEW RESTRICTIONS**

Kenyan “non-type-certificated aircraft” such as “home-builts”, microlights, and gyrocopters had their wings clipped in a KCAA Advisory Circular (CAA-AC-AWS004A). In the circular, the former “Permit to Fly” was replaced with a “Restricted Certificate of Airworthiness”. This name change in itself is not of great concern, but the fact that the KCAA inspector granting the certificate can now virtually make up his own rules as he goes along has aviators perplexed and worried. Regulation 3.2.5 states that “The Certificate will only be issued after the Authority is satisfied that the aircraft is appropriately equipped and safe to fly”. This phrase gives the KCAA Airworthiness Inspector unlimited latitude and could easily lead to abuses and endless nitpicking by the inspectors who most certainly will know less about the homebuilt aircraft than the actual builders or the factory.

Another concern lies with the phrase that “The aircraft and its documents shall be subject to an inspection by the Authority”. The home-built aircraft owners find that this is not necessary and (just like in USA and Europe) want KCAA to delegate the ‘inspections’ to qualified aircraft engineers. Finally, the most injurious regulation in the Advisory Circular is 3.2.2 that prohibits microlights and home-builts from making international flights. Nowhere in the world are non-type certificated aircraft restricted to their own country. Many microlights fly across borders, as do home-builts. Banishing such aircraft to their home country is not only unnecessary, but it is also not an ICAO requirement. There are some 50 non-type certificated aircraft in Kenya. Objections have already been raised by the Aero Club of East Africa and the Kenya Association of Air Operators about these new restrictive practices that only hinder cheap flying.

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## **ACTING DIRECTOR-GENERAL BRIEFED**

During a courtesy call to Wilson Airport on 15 December 2009, the newly-appointed Acting Director General of Civil Aviation, Mr. Nicholas Bodo, was briefed by the Kenya Association of Air Operators and the Aero Club of East Africa on various issues of great concern to aviators. Topics raised included the aviators’ worries about various regulations in the new KCARS that are injurious to them, the cost of AOC inspections and particularly the new fees charged to AMO’s for each ‘aircraft type’ on which they work, the convoluted nature and cost of the new “English Proficiency Tests” for pilots, and various flight safety hazards and obstacles around Wilson Airport. Mr. Bodo and his team were also informed about stakeholders’ objections to the new “Restricted C of A” that prevents non-type certificated aircraft to fly outside Kenya, and that mandate all aircraft inspections to be conducted by KCAA staff instead of delegated aircraft engineers from the private sector. Further, he was informed about the views of stakeholders about the new proposed KCAA Air Navigation Charges that would be based on aircraft weight and distance flown. Tests by the air operators have shown that costs for air navigation in Kenya would more than double if the proposals were to be implemented. Finally, the air operators pointed again to the discriminatory practices against Kenyan aircraft by the Tanzania Civil Aviation Authority, particularly with respect to clearances and charging. Mr. Bodo promised to act assertively on these issues and to consult with stakeholders so as to ensure that the industry can thrive without undue bureaucratic interference. The meeting was concluded with a harmonious luncheon at the Aero Club of East Africa.

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## **AVGAS PRICE DROPS**

Although there was no official announcement, the last statement received from Kenya Shell indicates that the current price of Avgas is 128 Shillings per litre, down from 138 Shs. This slight decrease comes after the price per barrel of oil dropped from \$ 150 per barrel down to \$ 50. Meanwhile, the Kenya Revenue Authority continues to micro-control the sale of Avgas, from the ship right to the aircraft tank. In particular, Avgas drums are difficult to obtain from the suppliers (Shell and Total), because a clearance certificate for the sale of a drum must first be obtained from a KRA Inspector at Wilson Airport. Needless to say, this rather tedious and unnecessary process is impossible on week-ends when KRA Inspectors do not work. If you wish to purchase a drum of Avgas on a week-end, an Inspector can be brought in especially, at a fee of Shs. 3000. He will then approve that the operator can purchase a drum of Avgas for his aircraft. It is beyond most pilots’ comprehension why anybody but an aircraft operator would want to buy Avgas, for a motor car for example, because Avgas costs twice as much as motor car petrol. Quips one pilot at the bar: “Imagine where Kenya would be if the KRA process were applied to cars. All car drivers would have to

drive to the KRA office to get a permit, before being allowed to fill their tanks at a petrol station. It does not come as a surprise that foreign investors shun Kenya." Meanwhile, in a meeting of air operators with senior KRA staff from KRA HQ, the latter denied that the clearance certificate for packed Avgas is actually required. It seems that it is something that is only imposed at Wilson by an overzealous KRA staffer. Operators who experience bureaucratic hurdles in purchasing Avgas are requested to inform the Aero Club Chairman forthwith.

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### **PRESENTATION ON AVIATION RISK MANAGEMENT – WEDNESDAY 11TH FEBRUARY AT 7.00PM**

MARTHA AND JOHN KING - owners of King Schools - [www.kingschools.com](http://www.kingschools.com) - the world's largest producer of Aviation Instruction DVDs and video tapes, will give a lecture on Aviation Risk Management at the Aero Club of East Africa on 11 February 2009. The one hour lecture will commence at 7.00pm.

Please stay on afterwards in the company of John and Martha, as well as other prominent US aviators, including multiple US Aerobatic Champion Patty Wagstaff. You can indulge in an Irish Stew accompanied by Assorted Vegetables, followed by a Fresh Fruit Medley; at only Shs. 600/- per person.

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### **PRESENTATION ON 100 YEARS OF AVIATION IN KENYA**

A lecture entitled: 'DREAMS, SCHEMES & FLYING MACHINES will be given by author Steve Mills on SATURDAY 28TH FEBRUARY, FROM 7.00PM. This will be an illustrated Powerpoint presentation about Steve's new book exploring 100 years of aviation in Kenya. The book will be published in September 2009. Judging by the quality of Mills' previous book about the history of Muthaiga Country Club, this new centenary publication will be a delicacy for all Kenyan aviators.

This is a "MUST" evening for all pilots and aviation enthusiasts. The presentation will take place during dinner consisting of Roast Fillet Béarnaise accompanied by Seasonal Vegetables and Baked Bacon Potatoes, followed by a Fresh Fruit Salad. All that is expected of you is to congregate at 7pm for a drink of two, dine thereafter, and listen to what will be an historic presentation. Please sign up for this in the Daddy Probyn Bar at the Club. Tickets, including the Dinner, are Shs. 800 per person.

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### **"THINK" AVIATION TRAINING OFFERS SLOTS**

"Think" Aviation Training, a firm specializing in Crew Resource Management (CRM), has offered a space on their next courses to one Aero Club member, strictly with Private Pilot Licence. Think Aviation gives courses at Wilson Airport and also in Uganda, teaching cockpit management, dangerous goods awareness, quality management systems, and maintenance procedures training. Any Aero Club PPL holder who wishes to take up this complimentary offer to participate in one of the next courses, please contact the Chairman for further information. Check web site: [www.think.co.ke](http://www.think.co.ke).

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### **406 MHZ ELT's MANDATORY AS OF 1 FEBRUARY 2009**

Many of you will have heard that the changeover from 121.5 MHz to 406 MHZ emergency locator transmitters will take place on 1 February 2009. The international search and rescue satellite system, known as Cospas-Sarsat, will stop monitoring 121.5 MHz on that date and a 406 MHz ELT will have to be installed. The new ELT needs TSO authorization and must meet ICAO Annex 10 requirements. Costs vary from about \$ 1000 to 1500. Portable ELT's do meet ICAO requirements but there is only one qualifying portable ELT on the market. Some countries, like Canada, do not recognize the "portable" type.

Aviators have not been advised whether KCAA recognizes portable ELT's, but as of 1 February 2009 their aircraft must be equipped with the 406 ELT. Certainly at the time of the next C of A renewal, the 406 must be fixed. AMO's have already informed their clients of this new requirement.

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### **LATEST KENYA AIRCRAFT REGISTER POSTED**

The Kenyan Aviation Register, dated 30 September 2008, has been posted on the Aero Club website [www.aeroclubea.net](http://www.aeroclubea.net). If you wish to know what types of aircraft fly in Kenya, how many, and who their owners are, check it out. Also check out the Kenya Airfields data base whilst you are on the site. Various interesting "Links" to weather sites, the KCAA and KAA sites and many more good sites are also there.

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## **AERO CLUB "BRANCH CLUB HOUSE" AT ORLY AIRPARK ON TRACK**

The Aero Club's new Club House at Orly Airpark is proceeding well. McCloy Construction Company has been on site since November 2008 and foundations, walls and the roof trusses are in place. So far, 38% of the work is complete. Hand-over is estimated in June. Once complete, all Aero Club members will be able to enjoy this facility that overlooks an acacia valley in the Kitengela Plains, a 40 minute drive from Nairobi. Orly Airpark is envisioned as a recreational aviation and flight training centre away from the crowded skies at Wilson Airport. The main Aero Club House at Wilson will, of course, continue to be the traditional home of the Club.

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Aero-News is published as a service to Members of the Aero Club of East Africa, to keep them informed about aviation in East Africa. Contributions are welcome. If you have some comments or suggestions, do not wish to receive this newsletter, or if you want to be added to the mailing list, please send a message to Harro V. Trempenau, Chairman, Aero Club of East Africa, [harro@trumpetnose.com](mailto:harro@trumpetnose.com)

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