



IAOPA - KENYA

ISSUE No. 05/09 - 21 November 2009

AVIATION NEWS BULLETIN OF THE AERO CLUB OF EAST AFRICA

[Print Newsletter](#)

[Download PDF](#)

PROPOSED KCAA FEE HIKE DETAILS EMERGE

As mentioned in the last Aero-News, KCAA is contemplating a hike in fees for its "Regulatory Services". Details have now emerged as a Draft Document is making its way through the community at Wilson Airport. In its report, KCAA points out that current fees and charges for "Regulatory Services" were last reviewed in 1998 and that present revenue earnings are KShs. 125 Million per year compared to a self-cost of KShs. 360 Million per year. The document further points out that "the deficit is funded using revenue earned in the provision of "Air Navigation Services".

This begs several questions. Why have costs of "Regulatory Services" almost tripled in the past ten years? Aside from normal inflation, the answer probably lies in the fact that with the introduction of the KCARS (Kenya Civil Aviation Regulations), the KCAA has created a monster mechanism that "over-regulates" aviation and requires an army of new staff (inspectors, bureaucrats, secretaries, clerks) to implement the new regulatory system. It was entirely self-inflicted and the innocent stakeholders are now expected to pay for the 600+ staff that vainly try to enforce compliance of the micro-control systems that they have created. Second, if the Regulatory Services are in a deficit and must be subsidized with income from Air Navigation Services, then it is not too far-fetched to assume that Air Navigation Services are in a "surplus" situation. It would be nice to know how large this surplus is. "Stakeholders' Comments" will, apparently, soon be invited at a Workshop yet to be scheduled, and it is already clear that the air operators will expect to see the audited accounts of the KCAA for the last few years. KCAA operates on a 'cost recovery' basis and this implies that "costs" must be justified. How did costs increase by so much?

Just a glimpse of the Proposed New Regulatory Fees" indicates not only substantial fee hikes for types of services provided in the past, but KCAA has also invented new fees (not charged before) to increase its income. For example, KCAA proposes to introduce a new "Flight Safety Charge" of \$ 2 per passenger on international flights and Shs. 50 on domestic flights. With such collection of new types of "Taxes", KCAA again falls into the same trap that so many other Kenyan Government Departments have fallen: Collection of little fees that require lots of paperwork (receipts) and an army of collectors to bring the money into the coffers. Stakeholders have warned repeatedly that it is better to collect "one 'commuted' annual fee per aircraft" rather than a little fee for each service.

Some samples: Annual Fees for "licences" are all being virtually doubled. For example, a Student Pilots Licence will go up from Shs. 500 to Shs. 1000; a CPL from 2700 to 4500; a Type Rating from 900 to 2000. You get the picture, but here is more: Costs of sitting examinations are being tripled: In the PPL, Air Law went up from 500/- to 1500/- Navigation from 500/- shs to 1500/-, etc. All CPL Subjects are proposed to go up from 1100/- to 3000/-

Ethnic discrimination still remains a feature in conversions of CPL's. "Foreigners" pay Shs. 16000 for writing a conversion paper of their foreign CPL, whilst "Kenyans" pay only Shs. 10000. For an ATPL conversion the ethnic discrimination is even more blatant: "Foreigners" pay KShs. 32,000 whilst "Kenyans" pay Shs. 16,000. Similar imbalances between "Foreigners" and "Kenyans" are to be put in place for Flight Dispatchers, Operations Managers, Ground Instructors, etc., for reasons not known. Are exams written by 'Foreigners' more time-consuming for KCAA to mark? In Europe, Canada or USA, Government officials would be prosecuted for such blatant racism. Perhaps KCAA needs to be reminded that ICAO says that all aviation fees and charges must be the same for everybody, foreign or indigenous. This issue is "hot" and is sure to feature prominently at the KCAA-Stakeholder Workshop, because also in Kenya such ethnic discrimination is

illegal and must be stopped. Kenyans don't like it when they are discriminated against overseas, but neither do foreigners when the same happens to them in Kenya.

An astronomical increase is being proposed for Examiner Fees for Flight Tests: A PPL candidate used to pay Shs. 2000 and may soon be expected to pay Shs. 15000. A CPL or ATPL candidate will be particularly hard-hit as their fees for a flight test will go up from Shs. 3000 to 30,000 (!). This tenfold increase is sure to result in an increase in the number of Flight Test Examiners in Kenya who, on a good day, will make more than airline pilots.

A most puzzling proposal is the increase in the cost of Certificates of Registration for Gliders. A C of R for a glider will now cost Shs. 6000, up from 2700/-. There are about five gliders flying in Kenya. Of course, C of R's for helicopters and fixed wing aircraft will also experience hefty (100%) increases. Newly invented fees include a C of R "cancellation", at a cost of Shs. 10000. A copy of the Civil Aircraft Register will now cost KShs. 3000. Certificates of Airworthiness will all be increased by 60-70% as will C of A Renewals.

There are dozens and dozens of "new categories" of proposed fees, as some KCAA accountants were highly ingenious in charging for every conceivable service. Literally, every time KCAA will write a letter, there will be a fee attached to it. So, brace yourselves. As warned many times over the past ten years, aviation in Kenya is under threat more than ever, simply by high costs and hassle caused by the authorities. The Stakeholders Workshop on these Proposed Fees and Charges will be a "must" for all those who still try to operate aircraft in Kenya. Fortunately, the KCAA (Amendment) Act of 2002 states that any changes in user fees require not only the consent of the Minister, but also need 'consultation' with the customers. Also, both IATA and ICAO discourage unilateral imposition of aviation fees. So, not all is lost yet. We'll keep you advised and tell you when your presence is required at the planned Stakeholder/KCAA Workshop.

LIGHT SPORT AIRCRAFT ENTHUSIASTS PRESENT PROPOSALS FOR SELF-REGULATION TO KCAA

There are over 50 light sport aircraft, non-type certified aircraft, microlights, home-builts and gyrocopters flying in Kenya, and these recreational aircraft are not clearly understood by the KCAA. On the whole, they are regarded the same as "normal" fixed wing aircraft and subject to intense scrutiny by KCAA inspectors. In most other countries, these recreational aircraft are either 'self-regulating' or subject to a different (more relaxed) set of rules. Over the past eleven months, as part of the KCAA/Stakeholder Committee on the Domestication of the KCARS, the recreational aircraft pilots have been working on proposals to KCAA, to adopt 'best practices' for regulating these aircraft sensibly. Recreational Aircraft Regulations from many other countries were studied by members of the group (Gai Cullen, William Carr-Hartley, Alexis Peltier and others). The gliding community and balloonists also participated in this exercise, under the umbrella of the Aero Club of East Africa. Last week, at a joint KCAA/Stakeholder Meeting, the recreational flyers showed a Powerpoint presentation that highlighted the issues, the complexity of the recreational aircraft types, and some suggested solutions. On the whole, their suggestion is to adopt the "South African Model" where the CAA and the Light Aircraft Groups are now 'self-regulating', under the auspices of the Aero Club of South Africa. The Aero Club of East Africa has expressed an interest in playing an active role and assisting KCAA in the issue of licences and permits for this category of aerial vehicles.

The Committee on the Domestication of the KCARS also viewed a presentation by Captain Anthony Scott, who showed that the KCARS in their present form are effectively too complex, grammatically flawed and should be re-formatted in an "outline system" that is in conformity with the Regulations in other countries (e.g. Part 61, Part 95, Part 135, etc.). He showed a Powerpoint Presentation that contained:

- An Overview of the current KCARS regulations, status of impediments during implementation and missing regulations.
- Example of format used by the New Zealand CAA.
- Possible solutions of above impediments taking the NZ experience.
- Benefits of carrying out a "reformatting" exercise of the KCARS.
- Proposed Timelines.

It is hoped by the Committee that through a re-formatting, the KCARS can be streamlined and made

workable and user-friendly.

ORLY CLUB HOUSE INAUGURATED ON 17 OCTOBER

Orly Airpark is now the most secure airport in the country, entirely surrounded by a 5600 metre electric fence and guarded by the company's own security force. A borehole has been drilled and seven houses and a dozen 300 sq.m. hangars have already been erected. Many challenges were overcome during the implementation, including construction of a 2 kilometre all-weather access road, a bridge across a river, an internal distributor road, a water distribution network and staff housing. Most recently, the Aero Club of East Africa, a Shareholder of Orly Airpark, opened its "branch" Club House there with great fanfare, as Minister for Security, the Hon. Dr. George Saitoti, cut the ribbon. All members of the Club can now use this facility and spend time in an aviation-friendly environment, flying microlights, homebuilts, gyrocopters, and model aircraft, or pursue skydiving, and simply get away from the hustle and bustle of the City. Members must bring their Aero Club Membership Cards along. They can sign in a maximum of four visitors at any one visit. It is recommended that members punch the following phone numbers into your handsets, and that they pre-announce their arrival at Orly to "Enoch" or "Daniel". (ENOCH: 0723774712, DANIEL: 0735604199).

Please note that the Aero Club's Club House at Orly is only "open" to members, initially only on a self-catering basis. Please bring your own drinks and food if you wish to hold a picnic there, inside or on the verandah. Soon we'll introduce Bar-B-Q facilities, charcoal, and drinks. Much remains to be done. Several projects and improvements are on-going at Orly and plans for the future include additional houses, "Bamburiblocking" of Runway 10/28, hangars, an Airport Lounge, a second runway, a "mains" electricity connection, aircraft maintenance facilities, and much more..... A major Flying School is also in the works as Orly will absorb a significant amount of flight training traffic from Wilson Airport, where the students now find significant challenges in their learning curve.

UGANDA CAA SCUTTLES STUDENT TRAINING

ATO's (Flight Training Schools) in Uganda have just been told that for any student to log flight time they first must be in possession of a student pilots licence. The issuance of this SPL certificate can take weeks and months with the loss of applications, the need for a separate "security" check and the obvious miscommunication and loss of document possibilities between CAA and the security body. The new Uganda Civil Aviation Regulations apparently require this and the CAA is now enforcing it and disallowing any flight time done by students during their interminable wait for the SPL. This means that before an ATO can start flying with a student, if he wants to log that time, then there will be a delay of unknown duration while the application is processed. This basically kills off flight training in Uganda for all but the very patient. It certainly takes away any attraction of a trial lesson in that the student can no longer log this 30 mins. And when all fired up and excited from the trial lesson they will now have to wait weeks and months to begin training. This will effectively reduce the number of people wanting to start training. Flight training schools are now struggling for survival in Uganda, despite the fact that there is demand, and the airlines are crying out for new Ugandan pilots. Willing students (who can afford it) will now have to go elsewhere in the world, get their licences and then come back home for a validation. Of course, with no students the flight school back in Uganda will be shut so they will have no planes to fly when they get back. It is not clear where the Ugandan CAA thinks Ugandan pilots will come from?

DIAMONDS ARE FOREVER

Austrian-based Diamond Aircraft Industries (DAI) has decided to present its modern aircraft DA42NG to interested individuals and companies in Nairobi. The company is planning the demonstration tour with its aircraft DA42NG through East Africa and will be stationed at Wilson Airport from 23 November to 28 November 2009. The company will introduce the aircraft in a presentation at the Aero Club of East Africa on Monday, 23 November at 1000 hours.

Data on the aircraft **DA42NG** can be downloaded on the company's web site www.diamond-air.at. This will enable interested parties to view the operation procedures, check the characteristics and performance, and also the technical details and systems.

The opportunity for test flights of the aircraft will be available between 24 and 28 November 2009 at Wilson

Airport. The company's representatives will also be able to outline to interested aviators

a cost-saving mid-term business plan and to explain operation with singles and twins equipped with the modern Austro Engine (AE300) running on Jet A1 (Turbine) Fuel. This engine is the result of high tech research and development over many years together with Mercedes Benz Technology & Bosch Aviation Technologies. It makes use of modern common rail technology and the experience of 10 years with Diesel/Jet A1 engines in General Aviation Aircraft. The aircraft is fully EASA certified (Part 23) and meets all regulations of the respective aviation authorities.

GLIDING COURSE IN PROGRESS

Gliding in Kenya is alive and well. For those of you who have thought about giving gliding a go, or for those power pilots who have wanted to try silent flight without that big fan in front (remember Capt. Sullenburger who landed his commercial jet glider on the Hudson river without mishap - his gliding experience helped him save a plane full of passengers), well here is your chance.

The Rift Valley Gliding group are bringing a top instructor from the UK for two weeks to run a course for ab initio glider pilots, for power conversions or for those who just want to try it, between the 19th November and the 6th December 2009. The location will be Congrieve airstrip on Soysambu Conservancy at Lake Elmenteita. There is a two-seater training glider and launch is by aerotow by our experienced crew. There is accommodation on site at the Mbweha Camp and nearby at Jersey Hall on Soysambu Estate, and at Sunbird Lodge and at The Sleeping Warrior.

The Congrieve airstrip is 16/34, 1300m long, 5900' asl and located at: 00:28.715S, 036:07.240E. Anyone interested, please contact Alan Binks at: alanbinks@swiftkenya.com, Tel: 0722 524793, or Christian Strebel at: christian.strebel@yellowwings.com Tel: 0733 610476.

TREMPENAU RETIRES

Capt. Harro Trempenau, Chairman of the Aero Club of East Africa for the last decade, and also President of IAOPA-Kenya, retires at the AGM on on 28 November 2008. Trempenau has been on the Committee of the Aero Club since 1994 and has been particularly active in 'aviation advocacy', sitting on dozens of Government/Stakeholder Committees and being vocal about aviation issues such as Over-Regulation, User Fees, Harrassment, Corruption, Monopolistic Aviation Insurance Practices, etc. He admits that not all that he set out to do has been achieved. "The things we can control, such as the modernization of the Aero Club, was easy. The things beyond our control, such as Government Oversight and Restrictive Regulation, was more energy-sapping and our objectives were not achieved. The system is not easily changeable, as it is not in the Kenyan culture to have authority questioned, but I think that the aviation regulators are now beginning to listen. However, I have no doubt the Regulators will be pleased to see my tailfeathers."

Trempenau has written the Aero-News Bulletins since 1999 and will hand-over that task to others as well. He wants to concentrate on the development of Orly Airpark and enjoy the last few years of his flying and skydiving career. His position at the helm of the Aero Club and IAOPA-Kenya will be filled by Capt. Chris Hardisty, a member of the Club's Committee for the past five years. Hardisty promised to continue the policies of 'advocacy' and 'continuous development'.

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 manager@aeroclubea.net.
