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**CABY**

**11-2015**

**CIVIL  
AVIATION  
BYE-LAW**

# **APPROVED AREAS OF OPERATIONS FOR COMMERCIAL AIR TRANSPORT SERVICES**

Document No.: CABY 11/2015  
05<sup>th</sup> November 2015



**PREAMBLE:** These Bye-Laws are made by the Civil Aviation Authority of Botswana with the approval of the Minister of Transport and Communications under Section 8 (2) of the Civil Aviation Act, 2011.

**CITATION:** These Bye Laws may be cited as the Civil Aviation Authority of Botswana (Approved Areas of Operations for Commercial Air Transport Services) Bye Laws.

## 1. PURPOSE

The purpose of this Civil Aviation Bye-Law (CABY) is to clarify the requirements relating to operations conducted within the confines of the authorization issued and clearly stated in the Air Transport Service License, the Air Operator Certificate (AOC) and the Operations Specifications (OpSpecs).

## 2. APPLICABILITY

This Bye-Law shall apply to all air operators in the Republic of Botswana.

## 3. EFFECTIVITY

This Civil Aviation Bye-Law (11-2015) shall become effective immediately.

## 4. REFERENCES

- Civil Aviation (Licensing of Air Services) Regulations 2012
- Civil Aviation (Air Operator Certification & Administration) Regulations

## 5. REQUIREMENTS

### 5.1 DEFINITIONS AND ACRONYMS

For the purpose of this Bye-Law the following terms shall have the following meanings:

**AOC** means an "Air Operator Certificate" issued under the Civil Aviation (Air Operator Certification & Administration) Regulations;

**ATSL** means an "Air Transport Service License" issued under the Civil Aviation (Licensing of Air Services) Regulations;

**CAAB** means "Civil Aviation Authority of Botswana"

**Domestic flight** means a flight with origin and destination within the borders of Botswana, authorizing the AOC holder to operate aircraft on scheduled or nonscheduled air service for the carriage of passengers, cargo or mail between any points both of which are in the Republic of Botswana; and

**International flight** means a flight operated by a Botswana AOC holder that takes off in Botswana and lands in another State, authorizing the AOC holder to operate aircraft



on scheduled or non-scheduled air service for the carriage of passengers, cargo or mail between any points between the Republic of Botswana and any other State.

5.2 Any person who wishes to operate an air service within, into or out of Botswana requires an air service license or permit issued under the Civil Aviation (Licensing of Air Services) Regulations 2012, unless otherwise exempted by the Regulations. The person shall also hold an AOC issued under the Civil Aviation (Air Operator Certification & Administration) Regulations for the operation being conducted. These requirements shall apply to both scheduled or non-scheduled commercial air transport services.

5.3 When issuing the AOC, CAAB shall specify in the OpSpecs, particulars of aircraft, type and area(s) of operation, and any other authorizations or conditions of operation prescribed in the Air Transport Service License. Air operators shall comply with these provisions at all times.

5.4 Any air operator found to operate outside the approved authorization on the Air Transport Service License without seeking prior approval from CAAB shall be in contravention of the Civil Aviation (Licensing of Air Services) Regulations 2012, and the issued license shall be liable to suspension, cancellation or revocation in accordance with Regulations 23 and 24 of these Regulations.

## 6. GUIDANCE

The provisions of this Bye-Law shall be read together with the provisions of the Civil Aviation (Air Operator Certification & Administration) Regulations and Civil Aviation (Licensing of Air Services) Regulations.

Approved on this 22<sup>nd</sup> Day of MAY 2018

**Onkokame K. Mokaila**  
**Minister**  
**Ministry of Transport and Communications**

Made on this 22<sup>nd</sup> Day of MAY 2018

**Puseletso G. Moshabesha**  
**Chief Executive Officer**  
**Civil Aviation Authority of Botswana**