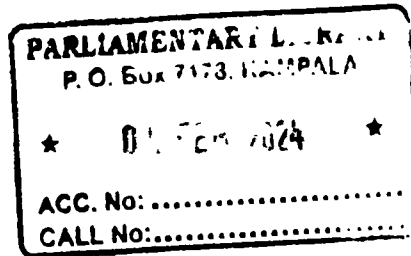




THE REPUBLIC OF UGANDA

**THE CIVIL AVIATION AUTHORITY
(AMENDMENT) ACT, 2024**





THE REPUBLIC OF UGANDA

I SIGNIFY my assent to the bill.

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★	10/12/2024	★
ACC No:	
CALL No:	

Yoweri Museveni

.....
President

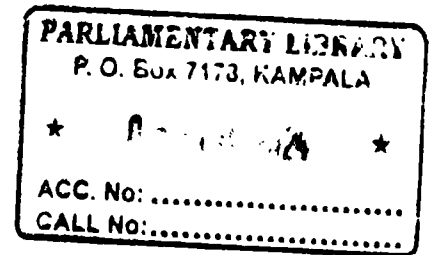
Date of assent: *2/2/2024*

Act *Civil Aviation Authority (Amendment) Act* **2024**

THE CIVIL AVIATION AUTHORITY (AMENDMENT)
ACT, 2024

ARRANGEMENT OF SECTIONS

1. Amendment of section 2 of the Civil Aviation Authority Act
2. Amendment of section 5 of principal Act
3. Amendment of section 6 of principal Act
4. Amendment of section 7 of principal Act
5. Amendment of section 15A of principal Act
6. Amendment of section 15B of principal Act
7. Amendment of section 38 of principal Act
8. Amendment of section 38A of principal Act
9. Amendment of section 38B of principal Act
10. Amendment of section 38C of principal Act
11. Amendment of section 39A of principal Act
12. Amendment of section 40 of principal Act
13. Insertion of sections 64C and 64D in principal Act



THE REPUBLIC OF UGANDA

**THE CIVIL AVIATION AUTHORITY
(AMENDMENT) ACT, 2024**

An Act to amend the Civil Aviation Authority Act, Cap. 354 to bring it into conformity with the Convention on International Civil Aviation (the Chicago Convention); to provide for the delegation of powers to inspectors to have unrestricted access to aircraft, aerodromes and aviation facilities including cargo and records of aviation organisations under the Uganda Civil Aviation Authority; to enable the Uganda Civil Aviation Authority to recognise agreements of third party States who are signatories to Article 83 Bis of the Chicago Convention; and to prescribe additional offences.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows—

- 1. Amendment of section 2 of the Civil Aviation Authority Act**
The Civil Aviation Authority Act, in this Act referred to as the principal Act, is amended in section 2 by substituting for the definition of “acts of unlawful interference” the following—

“acts of unlawful interference” means acts or attempted acts aimed at jeopardising the safety of civil aviation, including—

- (a) unlawful seizure of aircraft;
- (b) damage to or destruction of an aircraft in service;
- (c) hostage-taking on board aircraft or at aerodromes;
- (d) forcible intrusion on board an aircraft, at an aerodrome or on the premises of an aeronautical facility;
- (e) introduction on board an aircraft or at an aerodrome, of a weapon or hazardous device or material intended for criminal purposes;
- (f) use of an aircraft in service for the purpose of causing death, serious bodily injury or serious damage to property or the environment; and
- (g) communication of false information intended to jeopardise the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility;”.

2. Amendment of section 5 of principal Act

The principal Act is amended in section 5—

- (a) by numbering the existing provision as subsection (1); and
- (b) by inserting immediately after subsection (1), the following—

“(2) The primary objective relating to aviation security in Uganda is to ensure the safety of passengers, crew, ground personnel and the general public in all

matters relating to safeguarding against acts of unlawful interference with civil aviation, in order to ensure that aviation security remains the highest of priorities when related decisions are made.”

3. Amendment of section 6 of principal Act

Section 6 of the principal Act is amended in subsection (2) by inserting immediately after paragraph (qf) the following—

- “(qg) safety oversight of air navigation services;
- (qh) safety oversight of aerodromes;
- (qi) establishing a unit responsible for aviation security;”

4. Amendment of section 7 of principal Act

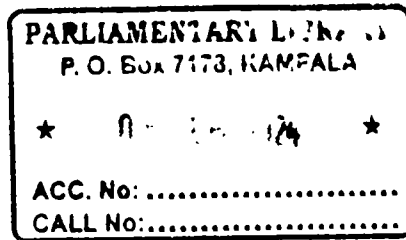
Section 7 of the principal Act is amended in subsection (2)—

- (a) in paragraph (i), by deleting the words “and security”;
- (b) by inserting immediately after paragraph (k), the following—
 - “(l) to conduct aviation security audits, inspections, security tests, investigations and vulnerability assessment; and
 - (m) to develop aviation security policies and requirements.”

5. Amendment of section 15A of principal Act

The principal Act is amended in section 15A by inserting immediately after paragraph (c), the following—

- “(d) shall conduct comprehensive aviation industry surveillance, including assessment of safety and security



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related decisions, at all levels, in order to determine their impact on aviation safety and security; and

- (e) shall conduct regular reviews of the civil aviation safety and security systems to—
 - (i) monitor the safety performance of the aviation industry;
 - (ii) identify safety and security related trends and risk factors; and
 - (iii) promote the development and improvement of the safety and security systems.”

6. Amendment of section 15B of principal Act

The principal Act is amended in section 15B by substituting for the words “the deputy director general or the most immediate senior employee of the authority” the words, “an employee of the authority, as appropriate;”.

7. Amendment of section 38 of principal Act

The principal Act is amended in section 38 by inserting immediately before the word “incident” wherever it appears in the provision, the word “serious”.

8. Amendment of section 38A of principal Act

The principal Act is amended in section 38A—

- (a) by numbering the existing section as subsection (1); and
- (b) by inserting immediately after subsection (1), the following—

“(2) For the avoidance of doubt, the objective of every investigation of an accident or serious incident, shall be to determine the safety factors and, where possible, the

probable cause and the prevention of accidents or serious incidents, but shall not be for the purposes of apportioning blame or liability for the accident or serious incident.

(3) The investigation of an aircraft accident or serious incident shall not form part of any judicial or administrative proceedings.”

9. Amendment of section 38B of principal Act

The principal Act is amended—

- (a) by numbering the current provision as subsection (1);
- (b) by substituting for the word “incident” wherever it appears, the words “serious incident”;
- (c) by inserting immediately after subsection (1), the following—

“(2) The chief investigator shall cause an investigation to be carried out where an aircraft accident or serious incident occurs in any of the following circumstances—

- (a) where the accident or serious incident occurs in Uganda;
- (b) where the accident or serious incident occurs in any non-contracting state which does not intend to carry out an investigation of the accident or serious incident and involves an aircraft registered in Uganda or an aircraft operated by an operator whose principal base of operation is in Uganda;

(c) where the accident or serious incident involves an aircraft registered in Uganda or an aircraft operated by an operator in Uganda and the investigation has been delegated to Uganda by another contracting state by mutual arrangement and consent; or

(d) where the accident or serious incident occurs in a location that cannot be definitely established as being in the territory of any State and involves an aircraft registered in Uganda.

(3) The chief investigator may, where he or she expects to draw air safety lessons from an accident or serious incident, cause an investigation to be carried out into an accident or serious incident which occurs in Uganda or outside Uganda involving an aircraft registered in Uganda or an aircraft operated by an operator in Uganda.

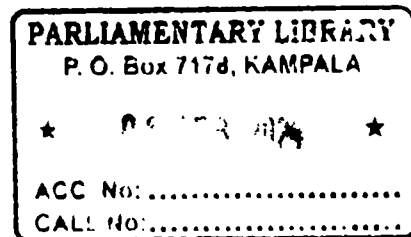
(4) The chief investigator may appoint any person as an adviser to assist in carrying out an investigation.

(5) The chief investigator may, with the approval of the Minister, delegate the task of carrying out an investigation into an accident or a serious incident to another contracting state or an accident investigations authority by mutual arrangement and consent.”

10. Amendment of section 38C of principal Act

The principal Act is amended in section 38C—

(a) in subsection (1) (a), by substituting for the words “incident” and “incidents”, the words “serious incident” and “serious incidents”;



- (b) by substituting for subsection (2), the following—

“(2) The chief investigator, deputy chief investigator or an investigator shall not, in the course of an investigation, disclose the following documents to any person for purposes other than accident or serious incident investigations—

- (a) cockpit records;
- (b) records from interviews with persons by the investigation authorities in the course of the investigation;
- (c) communications between persons having been involved in the operation of the aircraft;
- (d) medical or private information regarding persons involved in the accident or serious incident;
- (e) recordings and transcripts of recordings from air traffic control units;
- (f) analysis of and opinions about information including flight recorder information made by the accident investigation authority and accredited representatives in relation to the accident or serious incident;
- (g) a draft final report of an accident or serious incident investigation; and
- (h) any other investigation records.”;

- (c) by inserting immediately after subsection (2), the following—

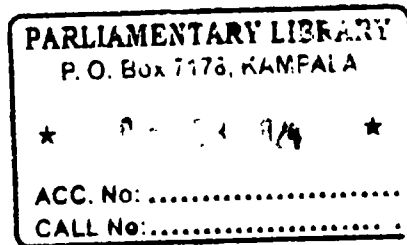
“(2a) The chief investigator, deputy chief investigator or an investigator, shall have timely, uninterrupted access and control over an aircraft accident or serious incident site, including any wreckage thereon, investigation materials, evidence and documents, including air traffic service recordings and recorders.

(2b) The Chief investigator, deputy chief investigator or an investigator shall protect the aircraft wreckage and accident site from access by unauthorized persons, pilfering or deterioration.

(2c) The chief investigator, deputy chief investigator or an investigator may, in the conduct of an investigation under this Act—

- (a) summon any person for purposes of gathering information;
- (b) require the person summoned under paragraph (a) to take oath and give evidence; and
- (c) make copies of, or take extracts from the evidence given, as he or she considers necessary for the purposes of the investigation.

(2d) In the execution of his or her duties, the chief investigator, deputy chief investigator or an investigator shall not be subject to any instruction from the authority or any interested party.”



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11. Amendment of section 39A of principal Act

The principal Act is amended in section 39A—

(a) by substituting for subsection (2), the following—

“(2) An Inspector shall have unrestricted and unlimited access to—

- (a) any part of an aircraft, aerodrome land or area outside the aerodrome used by any business that operates at an aerodrome or that is in a security restricted area, air navigation services facilities, hangars, maintenance organisations, workshop areas, ramp, fuel storage facilities, air operator offices, cargo handling areas, areas of aviation training organisations, facilities of regulated agents or premises of aviation services licensees wherever they may be, and any related facilities and installations;
- (b) any records and information that may be required during the conduct of an inspection;
- (c) interview any person for the purpose of assessing the standard of security or the implementation of security procedures;
- (d) inspect and test the effectiveness of security measures, procedures and performance of security equipment; and
- (e) take or use at an airport, airside area or any designated security risk area, any equipment, radios, cameras, recording devices both audio and video, specially restricted or prohibited items such as replica weapons or simulated explosive devices necessary to carry out his or her duties.”;

- (b) by inserting immediately after subsection (2), the following—

“(2a) An inspector shall have unrestricted and unlimited access to all documents including manuals, certificates, approvals, authorisations and permits, procedures, technical guidance materials, personnel files, personnel licences of regulated agents or premises of aviation services licensees wherever they may be, and to any related facilities and installations and any records and information that may be required during an inspection.”

12. Amendment of section 40 of principal Act

The principal Act is amended in section 40 by inserting immediately after subsection (9), the following—

“(10) The authority shall recognise an agreement of a third-party State that is a signatory to Article 83 Bis of the Chicago Convention, in respect of an aircraft operating in Ugandan airspace.”

13. Insertion of sections 64C and 64D in principal Act

The principal Act is amended by inserting immediately after section 64B, the following—

“64C. Compliance with interception orders

(1) Ugandan registered aircraft shall comply with interception orders when flying in foreign airspace.

(2) A civil aircraft registered or operated in Uganda shall, when engaging in international air transport, comply with interception orders from other States.

64D. Offences and penalties

(1) Any person who unlawfully seizes an aircraft or engages in the unlawful seizure of an aircraft commits an offence and is liable, on conviction, to imprisonment for life.

(2) Any person who commits an act of violence against a person on board an aircraft in flight, and which is likely to endanger the safety of the aircraft commits an offence and is liable, on conviction, to imprisonment for life.

(3) Any person who commits an act of violence using any device, substance or weapon against a person at an airport serving international civil aviation, which causes or is likely to cause serious injury or death or which endangers or is likely to endanger safety at that airport, commits an offence and is liable, on conviction, to imprisonment for life.

(4) Any person who places or causes to be placed on an aircraft in service, by any means, a device or substance which is likely to destroy that aircraft, or to cause damage to the aircraft, or a person who engages in an act of placing or causing to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to the aircraft and which renders the aircraft incapable of flight or which is likely to endanger its safety in flight, commits an offence and is liable, on conviction, to imprisonment for life.

(5) A person who engages in the destruction or damage of an air navigation facility or interferes or engages in interference with its operations or which is likely to endanger the safety of aircraft in flight; commits an offence and is liable, on conviction, to imprisonment for life.

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(6) A person who engages in the destruction of, or serious damage to the facilities of an airport serving international civil aviation or aircraft not in service located at the airport, or disruption of the services of the airport, if such an act endangers or is likely to endanger safety at that airport, commits an offence and is liable, on conviction, to imprisonment for life.

(7) A person who communicates or engages in the communication of information which a person knows to be false, thereby endangering the safety of an aircraft in flight, commits an offence and is liable, on conviction, to imprisonment for life.”



THE REPUBLIC OF UGANDA

This printed impression has been carefully compared by me with the bill which was passed by Parliament and found by me to be a true copy of the bill.

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A handwritten signature in black ink, appearing to be "A. N. N.", written over a dotted line.

Clerk to Parliament

Date of authentication: 02-02-2024