

**Republic of South Sudan**

**Laws of South Sudan**

**CIVIL AVIATION AUTHORITY  
CERTIFICATION OF AIR NAVIGATION SERVICES  
PROVIDERS REGULATIONS, 2026**

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PROVIDERS REGULATIONS, 2026**

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**CIVIL AVIATION AUTHORITY CERTIFICATION OF AIR NAVIGATION SERVICE  
PROVIDERS REGULATIONS, 2026**

**In exercise of powers conferred upon me under Section 99 of the Civil Aviation Act, 2012 as amended, I hereby issue the following Regulations:**

**CHAPTER I  
PRELIMINARY PROVISIONS**

**1. Title and Commencement**

These Regulations may be cited as the **“Certification of Air Navigation Service Providers Regulations, 2026”** and shall come to force on the date of its signature by the Minister.

**2. Purpose**

The purpose of this regulation is to provide for a legal framework to govern the certifications of air navigation service in South Sudan

**3. Authority and Application**

- (1) This Regulation is drafted in accordance with the provisions of section 99 subsection (2) paragraph (t) of the South Sudan Civil Aviation Authority Act, 2012 as amended.
- (2) These Regulations shall apply to a person providing air navigation services within designated air spaces and at aerodromes.

**4. Interpretations**

In these Regulations unless the context otherwise requires:

- “Accident”** means an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked:
- (a) A person is fatally or seriously injured as a result of:
    - (i) Being in the aircraft, or
    - (ii) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
    - (iii) Direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

- (b) The aircraft sustains damage or structural failure that:
  - (i) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
  - (ii) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or
- (c) The aircraft is missing or is completely inaccessible;

**“Accuracy”** means a degree of conformance between the estimated or measured value and the true value;

**“Act”** means South Sudan Civil Aviation Authority Act 2012 as amended.

**“Aerodrome”** means a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

**“Aeronautical Information”** means information resulting from the assembly, analysis and formatting of aeronautical data;

**“Aeronautical Information Circular (AIC)”** means a notice containing information that does not qualify for the origination of a NOTAM or for inclusion in the AIP, but which relates to flight safety, air navigation, technical, administrative or legislative matters;

**“Aeronautical Information Publication (AIP)”** means a publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation;

**“AIP Amendment”** means permanent change to information contained in the AIP;

**“AIP Supplement”** means temporary changes to the information contained in the AIP which are published by means of special pages;

**“Aeronautical Information Service (AIS)”** means a service established within the defined area of coverage responsible for the provision of aeronautical information or data necessary for the safety, regularity and efficiency of air navigation;

**“AIRAC (Aeronautical Information Regulation and Control)”** means a system aimed at advance notification based on common effective

dates, of circumstances that necessitate significant changes in operating practices;

- “Aircraft”** means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface;
- “Air Navigation Services”** means air traffic management (ATM), communications, navigation and surveillance systems (CNS), meteorological services (MET) for air navigation, search and rescue (SAR) and aeronautical information services (AIS).
- “Air Navigation Services Facility”** means any facility used, available for use, or designed for use in aid of navigation of aircraft, including airports, landing fields, any structures, mechanisms, lights, beacons, marks, communicating systems, or other instruments or devices used or useful as an aid to the safe taking off, navigation, and landing of aircraft and any combination of such facilities;
- “Air Navigation Services Provider”** means an independent entity established for the purpose of operating and managing air navigation services;
- “Air Traffic”** means all aircraft in flight or operating on the manoeuvring area of an aerodrome;
- “Air Traffic Control Service”** means a service provided for the purpose of:
- (a) Preventing collisions:
    - (i) Between aircraft, and
    - (ii) On the manoeuvring area between aircraft and obstructions; and
  - (b) Expediting and maintaining an orderly flow of air traffic;
- “Air Traffic Service”** means a generic term meaning variously, flight information service, alerting service, air traffic control service (area control service, approach control service or aerodrome control service);
- “ATS Route”** means a specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services.
- “Authority”** means South Sudan Civil Aviation Authority;
- “Authorised Person”** means any person authorized by the Authority either generally or in relation to a particular case or class of cases and any reference to an authorized person includes reference to the holder for the time being of an office designated by the Authority;

<b>“Certificate”</b>	means the certificate for the provision of Air Navigation Services issued by the Authority under Part II of these Regulations;
<b>“Control Area”</b>	means a controlled airspace extending upwards from a specified limit above the earth;
<b>“Control Zone”</b>	means a controlled airspace extending upwards from the surface of the earth to a specified upper limit;
<b>“Controlled Aerodrome”</b>	means an aerodrome at which air traffic control service is provided to aerodrome traffic;
<b>“Controlled Airspace”</b>	means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification;
<b>“Controlled Flight”</b>	means any flight which is subject to an air traffic control clearance;
<b>“Cyclic Redundancy Checks (CRC)”</b>	means a mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data;
<b>“Danger Area”</b>	means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times;
<b>“Data Link Communications”</b>	means a form of communication intended for the exchange of messages via a data link;
<b>“Data Quality”</b>	means a degree or level of confidence that the data provided meets the requirements of the data user in terms of accuracy, resolution and integrity;
<b>“Data Set”</b>	means identifiable collection of data;
<b>“Designated Service Provider”</b>	means a person or organization designated by the Authority to provide services in accordance with these regulations;
<b>“Flight Information Centre”</b>	means a unit established to provide flight information service and alerting service;
<b>“Flight Information Region”</b>	means airspace of defined dimensions within which flight information service and alerting service are provided;
<b>“Flight Information Service”</b>	means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;
<b>“Flight Level”</b>	means a surface of constant atmospheric pressure which is related to a specific pressure datum, 1013.2 hectopascals

(HPA), and is separated from other such surfaces by specific pressure intervals;

- “NOTAM”** means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations;
- “Quality Management”** means coordinated activities to direct and control an organization with regard to quality.
- “Rescue”** means an operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
- “Safety Management System (SMS)”** means a systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.
- “Search”** means an operation normally co-coordinated by a rescue co-ordination centre or rescue sub-centre using available personnel and facilities to locate persons in distress;
- “State Aircraft”** means aircraft used in military, customs and police services of (State) or any other state or any other civil registered aircraft at the time performing a state function and fully converted to offer services to heads of state, military service, customs or police or to any other state.

## **CHAPTER II**

### **CERTIFICATION OF AIR NAVIGATION SERVICE PROVIDER**

#### **5. Requirements for the Provision of Air Navigation Services**

A person shall not provide air navigation services unless:

- (1) the person holds a certificate issued under these Regulations; and
- (2) the services are provided in accordance with
  - (a) the requirements specified by the Authority in the applicable Air Navigations Regulations or any other publications issued by the Authority; and
  - (b) The procedures specified in the Manual of Air Navigation Service Operations (MANSOPs).

## **6. Application for Certificate**

A person applying for a certificate shall:

- (1) Make an application in a form specified by the Authority and such application shall be accompanied by:
- (2) Two copies of the applicant's Manual of Air Navigation Service Operations (MANSOPs) provided in accordance with the provisions of these Regulations, for approval.
- (3) A written statement setting out the services and locations at which they shall be provided;
- (4) Two copies of safety management system manual.
- (5) Two copies of the quality management system manual.
- (6) The procedures to meet other applicable requirements and standards.
- (7) Particulars of any non-compliance or deviations from the applicable air navigation services regulations.
- (8) Details of competence of the key ANSP personnel including resumes, training records and any other information that may be required by the Authority in the applicable technical guidance material.
- (9) A statement of financial capability.
- (10) Current insurance policy in relation to the services to be provided; and.
- (11) Fees as specified by the Authority.

## **7. Issuance of Certificate**

- (1) The Authority shall, before issuing a certificate, be satisfied that:
  - (a) the personnel of the applicant are adequate in number and have the necessary competency to provide the service;
  - (b) the MANSOPs prepared and submitted with the application contains all the relevant information;
  - (c) the facilities, services and equipment are established in accordance with the applicable Air Navigation Services Regulations;
  - (d) the operating procedures make satisfactory provision for the safety of aircraft;
  - (e) an approved safety management system is in place;
  - (f) an approved quality management system is in place;
  - (g) The applicant has approved procedures to meet the requirements of the applicable Civil Aviation (Security) Regulations.
  - (h) the applicant has financial capability to provide the service; and
  - (i) The applicant has insurance policy in force in relation to the services to be provided.

- (2) Notwithstanding the provisions of sub-regulation (1) of this regulation, the Authority may set any other conditions as may be deemed necessary.
- (3) The Authority may decline to grant a certificate to an applicant and shall notify the applicant in writing, of the reasons for the decision, not later than fourteen (14) days after making that decision.

#### **8. Contents of the Certificate**

A certificate shall include the following information:

- (1) the holder's name, mailing address and principal place of business;
- (2) the type of services to be provided;
- (3) the location of services to be provided;
- (4) for air traffic service, the service to be provided within a particular airspace or controlled aerodrome designated to the provider by the Authority;
- (5) conditions of approval; and
- (6) Effective and expiry dates of the certificate.

#### **9. Validity of a Certificate**

A certificate shall be valid for a period of two years from the date of issuance, unless, surrendered, suspended or cancelled in accordance with this Regulation.

#### **10. Renewal of Certificate**

An application for the renewal of a certificate shall:

- (1) be made in a form specified by the Authority in the applicable technical guidance material and shall be accompanied by:
  - (a) the Manual of Air Navigation Service Operations (MANSOPs) if significant changes have been made following the initial certification; and
  - (b) the fee as prescribed by the Authority.
- (2) The application shall be submitted to the Authority not less than ninety days before the expiry of the certificate.
- (3) The renewal of a certificate shall be subject to compliance with these Regulations and any other conditions as may be specified or notified by the Authority.

#### **11. Amendment of Certificate**

The Authority may amend a certificate upon:

- (1) application made by a holder of a certificate in a form specified by the Authority;  
or
- (2) The Authority's initiative, where the Authority deems necessary.
- (3) A holder of a certificate applying to the Authority for amendment of a certificate under sub regulation (1) shall be required to:

- (a) attach to the application form, two copies of the proposed amendments in the MANSOPs; and
  - (b) Such a fee as may be specified by the Authority.
- (4) Where the Authority initiates amendments under sub-regulation (1) of this regulation, the holder of a certificate shall be required to make amendments in the MANSOPs within the time specified by the Authority.

## **12. Display of Certificate**

- (1) The holder of a certificate shall display the certificate, or a copy of it, in a conspicuous place, generally accessible to the public at the holder's principal place of business.
- (2) Where a copy of the certificate is displayed under sub regulation (1), the holder of the certificate shall produce the original certificate to the Authority for inspection when requested to do so.

## **13. Transfer of Certificate**

A certificate issued in accordance with the provisions of these Regulations shall not be transferable

## **14. Suspension, Variation and Cancellation of Certificates**

- (1) The Authority may, suspend provisionally, pending further investigation, any certificate issued in accordance with the provisions of these Regulations, when it considers that:
  - (a) a relevant provision of the Act or these Regulations, or a condition in the certificate, has not been or is not being complied with;
  - (b) false or materially incorrect information was given to the Authority in the application for the certificate; or
  - (c) it is in the public interest to do so.
- (2) The Authority may, upon the completion of an investigation which has shown sufficient ground to the Authority's satisfaction suspend, vary or cancel any certificate issued in accordance with the provisions of these Regulations.
- (3) A holder or any person having the possession or custody of any certificate which has been suspended, varied or cancelled in accordance with the provisions of these Regulations shall surrender the certificate to the Authority within fourteen days from the date of suspension, variation or cancellation.
- (4) A holder of a certificate who is aggrieved by the suspension or cancellation of a certificate may appeal against the suspension or cancellation to the Minister of transport, responsible for civil aviation within thirty days of the suspension or cancellation.

- (5) Where an appeal is made in accordance with the provisions of sub-regulation (4) of this regulation, the holder of a certificate shall state in writing the reasons why in his or her opinion, the suspension shall be varied or set aside.
- (6) The Minister of transport may vary or set aside the suspension made in accordance with the provision of sub-regulation (2) of this regulation on the basis of the reasons given in the appeal.
- (7) Where a holder of a certificate does not appeal against the cancellation in accordance with the provision of sub-regulation (4) of this regulation, the holder of the certificate shall immediately surrender the certificate to the Authority.

## **15. Surrender of Certificate**

- (1) A holder of a certificate may surrender the certificate to the Authority at any time.
- (2) Notwithstanding the provision of sub- regulation (1) of this regulation a holder of a certificate who wishes to surrender the certificate shall give the Authority not less than one hundred eighty days' notice in writing, before the date on which the certificate is to be surrendered.
- (3) Upon expiry of the period specified in sub- regulation (2) of this regulation, the air navigation service provider shall not provide the services unless authorised to do so by the Authority.
- (4) The Authority shall cancel the certificate upon the expiry of the period of notice provided in sub-regulation (2) of this regulation.
- (5) Where, after the expiry of the period specified in sub- regulation (2) of this regulation, the air navigation service provider shall cease to provide air navigation services.

## **16. Register of Certificate Holders**

- (1) The Authority shall keep and maintain a register showing:
  - (a) full name of the holder of the certificate;
  - (b) date of issue or renewal of the certificate;
  - (c) type of service offered by the holder of the certificate;
  - (d) expiry date of the certificate;
  - (e) date of variation, suspension or cancellation of the certificate, if any;
  - (f) physical and postal address of the holder of the certificate; and
  - (g) Any other particulars as may be specified by the Authority.
- (2) Any changes in the particulars recorded in accordance with the provision of sub-regulation (1) of this regulation shall be entered in the register by the Authority.
- (3) The register shall be a public document and any particular entered may be obtained upon payment of such a fee as may be specified by the Authority.

**CHAPTER III**  
**MANUAL OF AIR NAVIGATION SERVICES OPERATIONS**

**17. Requirements for the Manual of ANS Operations**

- (1) The Manual of Air Navigation Services Operations submitted to the Authority in accordance with the provision of these Regulations shall be:
  - (a) type written or printed;
  - (b) signed by the service provider;
  - (c) in a format that is easy to revise and includes a list of effective pages and a page for logging revisions; and;
  - (d) organized in a manner that facilitates evaluation and approval processes.
- (2) A holder of a certificate shall keep at least one approved copy of the manual at the principal place of business.

**18. Contents of the Manual of ANS Operations**

A Manual of Air Navigation Services Operations (MANSOPS) shall contain all information and instructions necessary to enable the personnel of the Air Navigation Services Provider perform their duties and in particular shall include:

- (1) Services to be provided.
- (2) Personnel requirements and their responsibilities.
- (3) Training and performance assessment of staff and how that information is tracked.
- (4) Safety Management System and Quality Management System.
- (5) Contingency plans developed for part or total system failure.
- (6) Compliance with the Civil Aviation (Security) Regulations as required.
- (7) Facilities and equipment and how they are installed and maintained.
- (8) Fault and defect reporting.
- (9) Maintenance of documents and records.
- (10) Search and rescue responsibilities and co-ordination, operations, plan and procedures.
- (11) The proposed hours of service.
- (12) Systems and procedures in the provision of air navigation services; and
- (13) Any other information requested by the Authority.

**19. Amendment of the Manual of ANS Operations**

- (1) The holder of a certificate shall maintain the accuracy of the information in the MANSOPs, by amending the manual whenever necessary.
- (2) The Authority may issue a written directive requiring the holder of a certificate to amend the manual.

- (3) Notwithstanding the provision of sub-regulation (1) of this regulation, the holder of a certificate shall submit the proposed amendment to the Authority for approval, before the manual is amended.

**20. Continued Compliance**

The holder of a certificate shall:

- (1) Hold at least one complete and current copy of the manual of ANS operations at each office listed in their certificate.
- (2) Comply with all procedures and processes detailed in their manual.
- (3) Make each applicable part of their manual available to personnel who require those parts to carry out their duties.
- (4) Continue to meet the requirements prescribed by the Authority; and
- (5) Notify the Authority of any change of address for service, telephone number, email or facsimile number within 28 days of the change.

**CHAPTER IV  
OBLIGATIONS OF AN AIR NAVIGATION SERVICES PROVIDER**

**21. Provision of Air Navigation Services**

The Authority shall designate service provider(s) to provide:

- (1) Air traffic services.
- (2) Communication, navigation and surveillance systems.
- (3) Meteorological service for air navigation.
- (4) Aeronautical search and rescue coordination.
- (5) Aeronautical information services, aeronautical charts; and
- (6) For the construction of visual and instrument flight procedures.

**22. Competence of ANSP Personnel**

- (1) An ANSP shall ensure that there is an adequate number of qualified, trained and skilled personnel to provide safe and efficient air navigation services.
- (2) Where the Authority requires a license or competence certification for the ANSP personnel the ANSP shall employ only those persons with the required licenses or certification.
- (3) The ANSP shall develop and implement a training programme for ANSP personnel as appropriate.

**23. Air Navigation Services Facilities and Standard Systems**

A designated air navigation service provider shall:

- (1) Provide in the designated portion of airspace and aerodromes, facilities for the provision of air navigation services; and
- (2) Adopt and put into operation the appropriate standard systems, operational practices and rules as specified by the Authority.

**24. Approval of Air Navigation Services Facilities**

A person shall not install, maintain and operate air navigation service facilities in the designated airspaces and aerodromes without approval of the Authority.

**25. Air Navigation Service Provider Safety Management System**

- (1) An ANSP shall establish a safety management system that complies with the requirements specified in the Civil Aviation (Safety Management) Regulations and any other requirements as may be specified by the Authority.
- (2) Notwithstanding the provision of Sub-regulation (1) of this regulation, the ANSP shall cooperate with all other associated or supporting organizations in the runway safety programme to promote safety at, and the safe use of, the aerodrome.

**26. Safety inspections and Audit on Air Navigation Services**

- (1) The Authority shall carry out safety inspections and audits of air navigation facilities, services, documents and records of the air navigation service provider which may be necessary to determine compliance with these Regulations.
- (2) The safety inspections and audits shall be carried out in accordance with the requirements specified by the Authority.
- (3) The Authority may impose operating restrictions or sanctions on the operations of a certificate holder in the event of non-conformance with the certification requirements or any unresolved safety concerns.

**27. Access to Air Navigation Facilities**

An inspector of the Authority shall have unrestricted access to the facilities, installations, records and documents of the Air Navigation Services Provider to determine compliance with these Regulations.

**28. Production of Documents**

A holder of a certificate shall produce any relevant documents under his possession when requested by an authorised person within seventy-two hours of such request.

**29. Notifying and Reporting**

An ANSP shall notify and report to the Authority, within the specified time limits, information on:

- (1) Any inaccuracies in the Aeronautical Information Publication.

- (2) Any changes to the ANS facilities, equipment and level of service planned, in advance; and
- (3) Issues that may require immediate notification including hazards, reduced levels of service, closure of any part of the movement areas, and any other condition that may affect aviation safety at the aerodrome and against which precautions are warranted.

**30. Air Navigation Services Contingency Plan**

- (1) A holder of a certificate shall develop and maintain contingency plans for implementation in the event of disruption or potential disruption, of air navigation services in the airspace for which the holder of the certificate is responsible.
- (2) The holder of a certificate shall liaise with other air navigation service providers in adjacent or contiguous airspaces while developing contingency plans.
- (3) The contingency plan shall include:
  - (a) the actions to be taken by the certificate holder's personnel responsible for providing the service;
  - (b) possible alternative arrangements for providing the service; and
  - (c) The arrangements for resuming normal operations for the service.
- (4) The contingency plan shall be developed in accordance with the requirements specified by the Authority.

**31. Alternative Designated Service Provider**

The Authority may, when considered necessary and in the public interest, designate an alternative service provider for a specified period to provide service in respect of a certificate:

- (1) suspended, for the duration of such suspension; or
- (2) Surrendered by the certificate holder or cancelled by the Authority.

**32. Units of Measurement**

The units of measurement used in air and ground operations shall be as prescribed by the Authority.

## **CHAPTER V EXEMPTIONS**

### **33. Requirements for Application for Exemption**

- (1) A person may apply to the Authority for an exemption in accordance with the provisions of these Regulations.
- (2) Unless in case of emergency, a person requiring exemptions shall make an application to the Authority at least sixty days prior to the proposed effective date, giving the following information:
  - (a) name and contact address including electronic mail and fax if any;
  - (b) telephone number;
  - (c) a citation of the specific requirement from which the applicant seeks exemption;
  - (d) justification for the exemption;
  - (e) a description of the type of operations to be conducted under the proposed exemption;
  - (f) the proposed duration of the exemption;
  - (g) an explanation of how the exemption would be in the public interest;
  - (h) a detailed description of the alternative means by which the applicant shall ensure a level of safety equivalent to that established by the regulation in question;
  - (i) a safety risk assessment carried out in respect of the exemption applied for;
  - (j) if the applicant handles international operations and seeks to operate under the proposed exemption, an indication whether the exemption would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organization (ICAO); and
  - (k) any other information that the Authority may require.
- (3) Where the applicant seeks emergency processing of an application for exemption, the application shall contain supporting facts and reasons for not filing the application within the time specified in sub-regulation (2) of this regulation and satisfactory reason for deeming the application an emergency.
- (4) The Authority may in writing, refuse an application made under sub- regulation (3) of this regulation, where in the opinion of the Authority, the reasons given for emergency processing are not satisfactory.
- (5) The application for exemption shall be accompanied by fee prescribed by the Authority.

### **34. Review and Publication**

- (1) The Authority shall review the application for exemption made in accordance with the provisions of these regulations for accuracy and compliance and if the application is satisfactory, the Authority shall publish a detailed summary of the application for comments, within a prescribed time, in either:

- (a) the State Gazette; or
  - (b) aeronautical information circular; or
  - (c) a daily newspaper with national circulation.
- (2) Where application requirements have not been fully complied with, the Authority shall request the applicant in writing, to comply prior to publication or making a decision under sub- regulation (3) of this regulation.
- (3) If the request is for emergency relief, the Authority shall publish the decision as soon as possible after processing the application.

**35. Evaluation of the Request**

- (1) Where the application requirements have been satisfied, the Authority shall conduct an evaluation of the request to include: -
- (a) determination of whether an exemption would be in the public interest;
  - (b) a determination, after a technical evaluation of whether the applicant's proposal would provide a level of safety equivalent to that established by the regulation, although where the Authority decides that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis;
  - (c) a determination of whether a grant of the exemption would contravene these Regulations; and
  - (d) a recommendation based on the preceding elements, of whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.
- (2) The Authority shall notify the applicant in writing, the decision to grant or deny the request and provide detailed summary of its evaluation and decision.
- (3) The summary referred to in sub- regulation (2) of this regulation shall specify the duration of the exemption and any conditions or limitations of the exemption.
- (4) If the exemption affects a significant population of the aviation community of the State the Authority shall publish the summary in aeronautical information circular.

**CHAPTER VI  
GENERAL PROVISIONS**

**36. Drug and Alcohol Testing and Reporting**

- (1) Any person employed by the ANSP performing any function prescribed by these Regulations directly or by contract under the provisions of these Regulations may be tested for drug or alcohol usage.
- (2) Notwithstanding the provision of sub- regulation (1) of this regulation, the ANSP shall facilitate routine drug and alcohol test to all its employees.
- (3) a person who:
  - (a) refuses to submit to a test to indicate the percentage by weight of alcohol in the blood; or
  - (b) refuses to submit to a test to indicate the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority shall:
    - (i) be denied any licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to one year from the date of that refusal; or
    - (ii) have their licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.
- (4) The ANSP shall ensure that any employee who is convicted for the violation of any local or national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, shall:
  - (a) be denied any license, certificate, rating, qualification, or authorisation issued under this Regulation for a period of up to one year after the date of conviction; or
  - (b) have their licence, certificate, rating, qualification, or authorisation issued under this Regulation suspended or revoked.

**37. Change of Name**

- (1) A holder of a certificate issued under these Regulations may apply to the Authority for:
  - (a) replacement of the certificate if lost or destroyed;
  - (b) change of name on the certificate; or
  - (c) an endorsement on the certificate
- (2) Notwithstanding the provision of Sub-regulation (1) of this regulation, the holder of a certificate shall submit to the Authority:
  - (a) the original certificate or a copy thereof in case of loss; and

- (b) a court order, or other legal document verifying the name change.
- (3) The Authority shall return to the holder of a certificate, with the appropriate changes applied for, if any, the originals specified under sub regulation (2) of this regulation and, where necessary, retain copies thereof.

**38. Change of Address**

- (1) A holder of a certificate issued under these Regulations shall notify the Authority of the change in the physical and mailing address within fourteen days of such change.
- (2) A person who does not notify the Authority of the change in the physical and mailing address within the time frame specified in sub-regulation (1) of this regulation shall not exercise the privileges of the certificate.

**39. Replacement of Documents**

A person may apply to the Authority in the prescribed form for replacement of documents issued under these Regulations if such documents are lost or destroyed.

**40. Use and Retention of Documents and Records**

- (1) A person shall not:
  - (a) use any certificate or exemption issued or required by or under these Regulations which has been forged, altered, cancelled, or suspended, or to which he is not entitled; or
  - (b) forge or alter any certificate or exemption issued or required by or under these Regulations; or
  - (c) lend any certificate or exemption issued or required by or under these Regulations to any other person; or
  - (d) Make any false representation for the purpose of procuring for himself or any other person the grant, issue, renewal or variation of any such certificate or exemption.
  - (e) Mutilate, alter, render illegible or destroy any records, or any entry made therein, required by or under these Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or wilfully omit to make a material entry in such record.
- (2) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.
- (3) A person shall not issue any certificate or exemption under these Regulations unless he is authorised to do so by the Authority.
- (4) A person shall not issue any certificate referred to in sub-regulation (3) of this regulation unless he or she has satisfied himself that all statements in the certificate are correct, and that the applicant is qualified to hold that certificate.

**41. Reports of Violation**

- (1) Any person who knows of a violation of the Act, or any Regulations, rules, or orders issued there under, shall report it to the Authority.
- (2) The Authority may determine the nature and type of investigation or enforcement action that need to be taken.

**42. Failure to Comply with Direction**

Any person who fails to comply with any direction given to him or her by the Authority or by any authorised person in accordance with the provisions of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision.

**43. Aeronautical Fees**

- (1) The Authority shall notify in writing the fees to be charged in connection with the issue, renewal or variation of any certificate, test, inspection or investigation required by, or for the purpose of these Regulations any orders, notices or proclamations made there under.
- (2) Upon an application being made in connection with which any fee is chargeable in accordance with the provisions of sub-regulation (1) of this regulation, the applicant shall be required, before the application is accepted, to pay the fee chargeable.
- (3) If, after that payment has been made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused, the Authority shall not refund the payment made.

**CHAPTER VII  
OFFENCES AND PENALTIES**

**44. Contravention of Regulations**

A person who contravenes any provision of these Regulations may have his or her certificate or exemption cancelled or suspended.

**45. Penalties**

- (1) A person who contravenes any provision of these Regulations, orders, notices or proclamations made in accordance with the provisions these regulations shall, upon conviction, be liable to a fine or imprisonment or both, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.
- (2) Any person who contravenes any provision of these Regulations shall upon conviction be liable to a fine not exceeding Ten thousand USD for equivalent to South Sudanese pound or imprisonment for a term not more than six months or to both.

- (3) If it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations, orders, notices or proclamations made in accordance with the provisions of these regulations was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person.

**46. Appeal**

Where any person is aggrieved by any order made under these Regulations the person may, within twenty-one days of such order being made, appeal against the order to a court of law with competent jurisdiction.

Issued under my hand in Juba on this <sup>1h</sup>12..... day of the month of Feb..... in Year 2026.

12 02  
2 Feb 0



Hon Rizik Zakaria Hassan  
Minister of Transport  
Republic of South Sudan - Juba