



THE REPUBLIC OF KENYA

LAWS OF KENYA

THE CIVIL AVIATION ACT

NO. 21 OF 2013

Revised Edition 2016 [2013]

Published by the National Council for Law Reporting
with the Authority of the Attorney-General

www.kenyalaw.org

NO. 21 OF 2013

CIVIL AVIATION ACT

ARRANGEMENT OF SECTIONS

PART I – PRELIMINARY

Section

1. Short title
2. Interpretation
3. Application of the Act

**PART II – ESTABLISHMENT, COMPOSITION AND
FUNCTIONS OF THE KENYA CIVIL AVIATION AUTHORITY**

4. Establishment of Authority
5. Headquarters.
6. Objectives of the Authority.
7. Functions of the Authority.
8. Powers of the Authority
9. Power to obtain information, documents and evidence.
10. Protection of Safety and Security Information
11. Failure to comply with summons or giving of misleading information
12. Reference to Tribunal
13. Board of Directors
- 13A. Conflict of interest
14. Termination of appointment of Directors.
15. Functions of the Board
16. Powers of the Board
17. Meetings of the Board
18. The common seal of the Authority
19. Appointment of Director-General
20. Responsibilities and powers of the Director-General
21. Suspension or revocation of privileges of a licence
22. Delegation by the Director-General
23. Appointment of Corporation Secretary
24. Staff of the Authority.
25. Protection from personal liability
26. Principles of operation
27. Funds of the Authority
28. Commercial ventures
29. Annual estimates
30. Business plan
31. Borrowing powers
32. Financial year
33. Records and accounts of the Authority
34. Annual report by the Authority

- 35. Charges and fees
- 35A. Establishment of Fund
- 35B. Sources of Fund
- 35C. Payments out of Fund
- 36. Contracting out
- 37. Consultation with users or departments
- 38. Authorisation to provide air navigation services
- 39. Inspection of Aircraft, Aerodromes, premises and documents.
- 39A. Investigation and Enforcement
- 39B. Aviation personnel certificates
- 39C. Aircraft in distress
- 39D. Search and Rescue
- 40. Acquisition of land for purposes of the Authority
- 41. Limitation of actions
- 42. Transfer of Government assets and liabilities
- 43. Restriction in the execution against property of the Authority
- 44. Service of notice on the Director-General
- 45. Recovery of debts

PART III – SAFETY AND SECURITY OF
AIRCRAFT AND PERSONS ON BOARD

- 46. Imperiling, permitting or interfering with the safety and security of aircraft and persons on board.
- 46A. Documents to be carried on Board
- 46B. Prohibited, restricted or danger areas
- 47. Being under the influence of alcohol or drugs in aircraft or while on duty
- 48. Requirement for drug and alcohol testing system
- 49. Exemption by the Director-General
- 50. *Repealed*

PART IV – POWERS AND RESPONSIBILITIES
OF THE CABINET SECRETARY

- 51. Powers of the Cabinet Secretary
- 52. International obligations
- 53. Appointment of investigators of accidents
- 54. Accident Investigation procedure
- 55. Inspection and assessment

PART V – PROVISIONS RELATING TO
PROHIBITIONS, OFFENCES, EXEMPTIONS, ETC.

- 56. Restriction of building in declared areas
- 57. Control of structures etc., on or near aerodromes.
- 58. Trespass
- 59. Nuisance and liability for damage
- 60. Nuisance caused by aircraft and aerodromes
- 60A. Flying from unmanned aerodrome
- 61. Dangerous flying

- 61A. Prohibition from flying without prior approval
- 61A. Use of weapons against civil aircraft
- 61B. Aircraft piracy
- 61C. Interference wrth air navigation
- 61D. Dangerous Goods
- 61E. False or misleading aircraft markings
- 61F. Operations of remotely operated aircraft
- 61G. Radio transmitting apparatus
- 61H. Issuance and compliance with the rules of the air
- 61I. Reporting and record keeping violations
- 62. Exemption from seizure of certain aircraft on patent claims
- 63. Detention of aircraft
- 64. Jurisdiction
- 65. Liability of directors and officers of body corporate

PART VI – THE NATIONAL CIVIL AVIATION
ADMINISTRATIVE REVIEW TRIBUNAL

- 66. Establishment of a Tribunal
- 67. Tenure and vacation of office
- 68. Secretary to Tribunal
- 69. Jurisdiction of Tribunal
- 70. Proceedings of Tribunal
- 71. Powers of Tribunal
- 72. Awards of Tribunal
- 73. Appointment of assessors
- 74. Contempt of Tribunal
- 75. Quorum for Tribunal
- 76. Disclosure of interest
- 77. Appeals to the High Court
- 78. Appeals to the Court of Appeal

PART VII – GENERAL PROVISIONS

- 79. Protection from personal liability
- 80. General penalty
- 81. Compounding of offences
- 82. Regulations

PART VII – REPEAL, SAVINGS AND TRANSITIONAL PROVISIONS

- 83. Repeal of Cap. 394
- 84. Saving provisions

SCHEDULES
