

**CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2024  
AMENDMENT MATRIX**

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
1	Regulation 2	Interpretation	“ <b>accredited representative</b> ” means a person designated by the Aircraft Accident Investigation Department, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State;	Inconsistency with the standard definition in Annex 13 (Chapter 1)	“ <b>accredited representative</b> ” means a gazetted aircraft accident investigator designated by the Cabinet Secretary, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State;	Amendment by including the word “a gazetted” (Amendment 17 to A13)
2	Regulation 2	Interpretation	N/A	New standard definition in Annex 13 (Chapter 1 Amendment 19)	<b>C2 Link.</b> The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.	Definition inserted (Amendment 19 to A13)
3	Regulation 2	Interpretation	N/A	Inconsistency with the standard definition in Annex 13 (Chapter 1)	<b>Operator.</b> A person, organization or enterprise engaged in or offering to engage in an aircraft operation.  Note.— In the context of remotely piloted aircraft, an aircraft operation refers to the operation of an RPAS.	Amendment by including the “note” in the definition of Operator in Amendment 19 to A13
4	Regulation 2	Interpretation	“ <b>safety recommendation of global concern</b> ” means a safety recommendation made to a State civil aviation authority, to a regional certification authority, or to ICAO regarding a systemic deficiency having a probability of recurrence with potential for significant consequences and requiring timely action to improve safety;	Inconsistency with the standard definition in Annex 13 (Chapter 1)	“ <b>safety recommendation of global concern</b> ” means a safety recommendation made to a State civil aviation authority, to a regional certification authority, or to ICAO regarding a systemic deficiency having a probability of recurrence with potential for significant consequences at <b>a global level</b> , and requiring timely action to improve safety;	Amendment by including the word “at a global level” (Amendment 17 to A13)

	Regulation	Title	Text	Deficiency	New Text	Remarks
5	Regulation 2	Interpretation	“ <b>State of Manufacture</b> ” means the State having jurisdiction over the organization responsible for the final assembly of the aircraft, engine or propeller;	Inconsistency with the standard definition in Annex 13 (Chapter 1 Amendment 19)	“ <b>State of Manufacture</b> ” means the State having jurisdiction over the organization responsible for the final assembly of the aircraft, <b>remote pilot station</b> , engine or propeller;	The text “remote pilot station” inserted (Amendment 19 to A13)
6	Regulation 2	Interpretation	N/A	New standard definition in Annex 13 (Chapter 1 Amendment 19)	“remote pilot station” means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft;	The definition of “remote pilot station” inserted (Amendment 19 to A13)
7	Regulation 2	Interpretation	N/A	New standard definition in Annex 13 (Chapter 1 Amendment 19)	“Remotely piloted aircraft system (RPAS)” means a remotely piloted aircraft, its associated remote pilot station(s), the required C2 Link(s) and any other components as specified in the type design.	The definition of “remotely piloted aircraft system (RPAS)” inserted (Amendment 19 to A13)

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
8	Regulation 3	Applicability	3. (1) These Regulations shall apply to activities following accidents and incidents arising out of or in the course of air navigation which occur to any civil aircraft in or over Kenya, or elsewhere to aircraft registered in Kenya.	Inconsistency with Annex 13	3. (1) These Regulations shall apply to activities following accidents and serious incidents in Kenya involving; a) Manned aircraft or <b>b) Remotely Piloted Aircraft (RPA)</b>	New text for consistency with Annex 13  inclusion of Amendment 19 to A13 on unmanned aircraft (applicability 26 Nov 2026)

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
9	Regulation 4	Objective of investigation.	<p>(3) Kenya shall ensure that any investigations conducted under these Regulations have unrestricted access to all evidential material without delay.</p> <p>(4) An investigation shall include</p> <p>(a) the gathering, recording and analysis of all relevant information and evidence on the accident or incident;</p> <p>(b) if appropriate, the issuance of safety recommendations;</p> <p>(c) if possible, the determination of the causes or contributing factors;</p> <p>(d) in the case of an accident or serious incident, the compilation of the final report; and</p> <p>(e) the protection of certain accident and incident investigation records.</p> <p>(5) The format of the final report shall be as specified in the First Schedule to these Regulations, provided that it may be adapted to the circumstances of the accident or incident.</p> <p>(6) Where feasible, the scene of the accident shall be visited, the wreckage examined and statements taken from witnesses.</p> <p>(7) The extent of the investigation and the procedure to be followed in carrying out such an investigation shall be determined by the Aircraft Accident Investigation Department depending on the lessons it expects to draw from</p>	Sub regulation 3,4,5,6,& 7 is inconsistent with the title	Retain sub-regulation 1 & 2 only under the title Objective of Investigation	Sub regulation 3,4,5,6, & 7 accommodated under New Regulation – Investigations and procedures

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
			the investigations for the improvement of safety.			

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
10	New Regulation 5	Independence of Investigations	N/A	N/A	There is established Aircraft Accident Investigation Department that is independent from the Authority and any other entity that could interfere with the conduct or objectivity of an investigation.	Complied with Annex 13

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
11	Regulation 6	Delegation of power by the Chief Investigator.	(2) The Chief Investigator shall appoint an Investigator-In-Charge for the organization, conduct and control of an investigation into a specific accident or incident.	AAID does not conduct investigation of incidents	(2) The Chief Investigator shall appoint an Investigator-In-Charge for the organization, conduct and control of an investigation into a specific accident or serious incident.	Amended to address the overlap of responsibility as pointed out by USOAP audit  <b><i>Now Regulation 9</i></b>

	Regulation	Title	Text	Deficiency	New Text	Remarks
11	Regulation 7	Obligation to Investigate	<p>7. (1) Subject to sub-regulation (7), the Aircraft Accident Investigation Department shall institute an investigation into an accident or serious incident and be responsible for its conduct in the following circumstances—</p> <p>(a) where the accident or serious incident occurs in the Kenya;</p> <p>(b) where the accident or serious incident occurs in any NonContracting State which does not intend to carry out an investigation in accordance with Annex 13 and involves a Kenya aircraft or an aircraft operated by a Kenya operator or aircraft designed or manufactured in Kenya: Provided that the Aircraft Accident Investigation Department shall endeavour to institute and conduct the investigation in cooperation with the State of Occurrence, but failing such cooperation should itself conduct an investigation with such information as is available;</p> <p>(c) where the accident or serious incident involves a Kenya aircraft or an aircraft operated by a Kenya operator and the investigation has been delegated to Kenya by another Contracting State by mutual arrangement and consent;</p> <p>(d) where the accident or serious incident occurs in a location which cannot be definitely established as</p>	Inconsistency with the standard provision in Annex 13 (Chapter 1)	<p><b>7.</b> (1) Subject to sub-regulation (7), the Aircraft Accident Investigation Department shall institute an investigation into an accident or serious incident and be responsible for its conduct in the following circumstances—</p> <p>7(1)(e) Where the State of Occurrence does not institute and conduct an investigation and does not delegate the investigation to another State or a regional accident and incident investigation organization, and Kenya is the State of Registry or the State of the Operator, the Aircraft Accident Investigation Department is entitled to request in writing the State of Occurrence to delegate the conducting of such investigation.</p> <p><b>If the State of Occurrence gives express consent or does not reply to such a request within 30 days, Kenya shall institute and conduct the investigation with such information as is available.</b></p>	<p>Amend to include the highlighted text 'sub-section e and f that was missing in the 2018 Regulations</p> <p>Sections a, b, c, d remains unchanged</p> <p><b><i>Now regulation 10 (e, f)</i></b></p> <p><i>Consistency with the recommendation 5.1.3 in Annex 13,</i></p>



	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
			being in the territory of any State and involves a Kenya aircraft.			

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
12	Regulation 7	Obligation to investigate.	(2) In the event of an accident or incident involving a civilian aircraft and a military or State aircraft, investigation shall be conducted in accordance with the provisions of these Regulations, with the military or the State being a party to the investigation.	AAID does not conduct investigation of incidents	(2) In the event of an accident or serious incident involving a civilian aircraft and a military or State aircraft, investigation shall be conducted in accordance with the provisions of these Regulations, with the military or the State being a party to the investigation.	Amended to address the overlap of responsibility as pointed out by USOAP audit.  <b><i>Now regulation 10 (2)</i></b>

	<b>Regulation</b>	<b>Title</b>	<b>Text</b>	<b>Deficiency</b>	<b>New Text</b>	<b>Remarks</b>
13	Regulation 7	Obligation to investigate.	(3) The Chief Investigator may when he expects to draw air safety lessons from it, cause an investigation to be carried out into an incident which occurs — (a) in Kenya; or (b) outside Kenya involving a Kenya aircraft or an aircraft operated by a Kenya operator.	(a) is a repetition of Regulation 3  (b) is not consistent with Annex 13	N/A	The sub regulation deleted in regulation 7 and captured in regulation 13 (3)

	Regulation	Title	Text	Deficiency	New Text	Remarks
14	Regulation 7 (Sub-regulation 7)	Obligation to Investigate (delegation of whole and partial investigation)	(7) The Aircraft Accident Investigation Department may delegate the whole of an investigation into an accident or serious incident to another State or to a regional accident and incident investigation organization by the formal agreement and such State or Regional Accident Investigation Organization shall be responsible for the conduct of the investigation, including the issuance of the final report and the ADREP reporting.	Clarity	<p>The Aircraft Accident Investigation Department may delegate the whole of an investigation into an accident or serious incident to another State, to a regional accident and incident investigation organization by formal agreement. Such State or Regional Accident Investigation Organization shall be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting.</p> <p>Where AAID delegates any part of an investigation into an accident or serious incident to another State, to a regional accident and incident investigation organization by mutual arrangement and consent, the Aircraft Accident Investigation Department shall be responsible for the conduct of the investigation, including the issuance of the Final Report and the ADREP reporting.</p>	<p>Amendment to regulation 7(7) of the AAID regulations</p> <p>The word to a department deleted. (re-worded for clarity)</p> <p><b>Now Regulation 10 (7)</b></p>

	Regulation	Title	Text	Deficiency	New Text	Remarks
15	Regulation 7 (14)	Obligation to investigate (Unmanned Aircraft, UA)	Re-Draft	Transpose the new standard into the Regulations	(14) Notwithstanding regulation 7, the Aircraft Accident Investigation Department may institute an investigation involving unmanned aircraft where an accident or serious incident occurs in Kenya and be responsible for its conduct.  Proposed text to be inserted in Regulation 3	New Draft inserted to comply with Amendment 19 to A13 (applicability 26 Nov 2026)  <b>Now Regulation 10 (13)</b>

	Regulation	Title	Text	Deficiency	New Text	Remarks
16	Regulation 8	Notifications and reporting of accidents and incidents	Text not included in the provision	New provisions in annex 13	<p>(10) In the event Kenya is the State of Occurrence, the Air Accident Investigation Department shall forward notification of an accident, a serious incident, or an incident to be investigated with a minimum of delay and by the most suitable and quickest means available to—</p> <ul style="list-style-type: none"> <li>(a) the State of Registry;</li> <li>(b) the State of the Operator;</li> <li>(c) the State of Design</li> <li>(d) the State of Manufacture; and</li> <li>(e) the International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2250 kg or is a turbojet-powered aeroplane.</li> </ul> <p>(11) Where Kenya is the State of Registry or the State of Operator and is aware of the occurrence of the incident and the State of Occurrence is not aware of the incident to be investigated, as appropriate, the Air Accident Investigation Department shall forward notification of such a serious incident or an incident to the State of Occurrence, State of design and state of manufacture with a minimum of delay and by the most suitable and quickest means of communication available, forward a notification of the accident or serious incident</p>	<p>The text is inserted to align with the provision in Amendment 17 to A 13</p> <p>Concern:</p> <p>Practicality of implementation of this regulation in relation to incidents</p> <p>Annex 13 - 4.1</p> <p><b>Now regulation 11 (10)</b></p>

	Regulation	Title	Text	Deficiency	New Text	Remarks
					containing the information referred to in the Second Schedule as may be available .	
17	Regulation 9 (1)	Action to be taken on receipt of notification	with a minimum of delay and by the most suitable and quickest means of communication available, forward a notification of the accident or serious incident containing the information referred to in the First Schedule as may be available	Drafting clarity	with a minimum of delay and by the most suitable and quickest means of communication available, forward a notification of the accident or serious incident containing the information referred to in the Second Schedule as may be available	Amended to refer to the second schedule  Initial reference was to the first schedule which is Format of the Final Report instead of second schedule which is Contents of the Initial Notification

	Regulation	Title	Text	Deficiency	New Text	Remarks
						<b>Now regulation 12 (1)</b>
18	Regulation 11 (Sub-regulation 9)	Accredited representatives, advisors and experts from Contracting States	(9) Where Kenya is the State conducting the investigation and other states participating in the investigation have appointed accredited representative(s) or adviser(s) who intend to travel to Kenya, the Aircraft Accident Investigation Department shall endeavour to facilitate their entry	Inconsistency with the standard definition in Annex 13 – (as well as their equipment with a minimum of delay)	(8) Where Kenya is the State conducting the investigation and other states participating in the investigation have appointed accredited representative(s) or adviser(s) who intend to travel to Kenya, the Aircraft Accident Investigation Department shall endeavour to facilitate their entry as well as their equipment with a minimum of delay.	The provision amended to include the spirit of the recommendation in <i>Note -2</i>  AAID to develop MOUs with the Immigration and Customs Department for quick facilitation. - (Facilitation of the entry of investigators in amendment 17 to A 13) <b>Now regulation 14 (8)</b>
19	Regulation 11 (Sub-regulation 4)	Accredited representatives, advisors and experts from Contracting States	(4) A Contracting State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, upon request to the Investigator-In-	Inconsistency with the standard text in Annex 13 –	(4) A Contracting State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, upon request to the Investigator-In-Charge, be	The sub-regulation is re-worded to eliminate the word participate



	Regulation	Title	Text	Deficiency	New Text	Remarks
			Charge, be entitled to appoint an expert to participate in the investigation.	(Remove Participate)	entitled to appoint an expert who shall be entitled to—	and sub-regulation 5 and the numbering amended.  <b>Now regulation 14 (4)</b>
20	Regulation 17	Investigation Reports	N/A	Text Missing	(3) Notwithstanding regulation 17(1), the Aircraft Accident Investigation Department shall release information early in the investigation, as appropriate, and then later more formally with a written Preliminary Report.	New sub-regulation inserted (3) to align to Amendment19 to A13 and re-numbering done (Applicability 28 November 2024)  <b>Now regulation 23 (3)</b>
21	Regulation 17	Investigation Reports	(17)(7b) if any such comments are received within 60 days of the date of the transmittal letter or such longer period as may be agreed upon, amend the draft Final Report to include the substance of the comments received, as deemed appropriate or, if desired by the Contracting State that provided the comments, append the comments to the Final Report;	Text deleted	(17)(7b) if any such comments are received within the consultation period, 60 days of the date of the transmittal letter or such longer period as may be agreed upon, amend the draft Final Report to include the substance of the comments received, as deemed appropriate or, if desired by the Contracting State that provided the comments, append the comments to the Final Report;	Delete the text "60 days of the date of the transmittal letter"  Amendment 19 to A13 (Applicability 28 November 2024)  <b>Now regulation 23 (7) (b)</b>
22	Regulation 20	Incident Reporting Systems.	20. (1) There shall be established by the Aircraft Accident Investigation Department— a mandatory incident reporting system to facilitate the collection of information on actual or potential safety deficiencies; and	Inconsistency with Annex 13	Deletion of the regulation	Establishment of a Mandatory & Voluntary system is NOT a requirement under Annex 13.

	Regulation	Title	Text	Deficiency	New Text	Remarks
			a voluntary incident reporting system to facilitate the collection of information that may not be captured by a mandatory incident reporting system.			NOTE: Amendment 14 of Annex 13  Deleted
23	Regulation 21	Accident and Incident Database	21. (1) the Aircraft Accident Investigation Department shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies and to determine any preventive actions required:  Provided the accident and incident database established may be included as part of the safety database established and maintained by the Aircraft Accident Investigation Department	Clarity on text	Provided the accident and incident database established may be included as part of the safety database established and maintained by the State Safety Programme	Note to Annex 13 section 8.2 recommendation  Maintained by the State Safety Programme instead of Aircraft Accident Investigation Department  <b>Now regulation 27 (1)</b>
24	Regulation 22	Safety Recommendations	Text not included in the provision	New provisions in annex 13	26(2)-Subject to sub-regulation 1 the AAID may consult States participating in the investigation on the draft safety recommendations, inviting their comments on the appropriateness and effectiveness of the safety recommendations.	The guideline included as per Amendment 17 to A 13 and numbering changed  <b>Now regulation 26 (2)</b>
25	Regulation 25	Flight Recorders	Text not included in the provision	Difference in character	(5) Subject to regulation 20, the Aircraft Accident Investigation shall make available any data from a flight recorder of an aircraft involved in an accident or incident without delay, and provide the State conducting the investigation	The text provision is replaced  (Amendment 19 to A13)

	Regulation	Title	Text	Deficiency	New Text	Remarks
					with all such data available, and not divulge such data without the express consent of the State conducting the investigation.	<b>Now regulation 20 (5)</b>
26	Regulation 30	Coordination with other departments.	30. (1) The Aircraft Accident Investigation Department shall take all reasonable measures to ensure that the investigation procedures and practices that it follows in relation to aircraft accidents and incidents are compatible to the degree possible with investigation requirements, procedures and practices followed by other departments, regulatory authorities, police forces and coroners.	Reference to Department could cause confusion.	N/A	Consider appropriateness of the sub-regulation  See Regulation 31
27	Regulation 32 Sub regulation 4	Conflicts of interest.	(4) The Aircraft Accident Investigation Department, experts assigned to participate in an investigation being conducted by the Aircraft Accident Investigation Department shall not be engaged in any duties associated with the civil aviation authority for the duration of their involvement in the investigation.	Experts assigned to conduct investigations could be from the Civil Aviation Authority or industry.	(4) The Aircraft Accident Investigation experts and advisers assigned to participate in an investigation being conducted by the Aircraft Accident Investigation Department shall not be engaged in any duties that present a conflict of interest for the duration of their involvement in the investigation.	Re-worded for clarity for use of the word adviser as per Reg. 14 (5)  <b>Now Regulation 32 (1)</b>
28	Regulation 33	Non-disclosure of records.	33. (1) The Aircraft Accident Investigation Department shall not make the following records available for purposes other than accident or incident investigation, unless a court of competent	Difference in character as per text in Annex 13 5.12.5	34 (5) States shall take measures to ensure that audio content of cockpit voice recordings as well as image and audio	Reg 34 (5) Included to provide for Consistency with A13 5.12.5

	Regulation	Title	Text	Deficiency	New Text	Remarks
			jurisdiction or the Tribunal, in accordance with national laws, determines that their disclosure or use outweighs the likely adverse domestic and international impact such action may have on that or any future investigations— (a) cockpit voice recordings and airborne image and audio recordings and any transcripts from such recordings;		content of airborne image recordings are not disclosed to the public.	<b><i>Now Regulation 34 (5)</i></b>
29	Second Schedule	Contents of the Initial Notification	in the case of an accident, the identifying abbreviation "ACCID" or, in the case of a serious incident, the identifying abbreviation "INCID";		in the case of an accident, the identifying abbreviation "ACCID" or, in the case of a serious incident, the identifying abbreviation "SINCID"; for incidents "INCID"	Text changed to align with Amendment 17 to A13  See Second Schedule