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## **PART 1**

### **COMMENCEMENT AND INTERPRETATION**

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**SCHEDULE 1.2 TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT**



**1.1 CITATION, COMMENCEMENT AND TRANSITIONAL**

- (a) These Regulations shall be cited as the Civil Aviation Regulations and shall enter into force on March 2001.
- (b) Any instrument of authorization (being a licence, permission, certificate, permit, document of authorization or circular) issued, published or granted by the Director or his predecessors in that the equivalent of his office shall take effect as if issued, published or granted under these Regulations and shall otherwise be subject to these Regulations.

**1.2 INTERPRETATION**

In these Regulations, unless the context otherwise requires:-

“Aerial work aircraft” means an aircraft (other than a public transport aircraft) flying, or intended by the operator to fly, for the purpose of aerial work;

“Aerial work undertaking” means an undertaking whose business includes the performance of aerial work;

“Aerodrome control service” means an air traffic control service for aerodrome traffic;

“Aerodrome traffic” means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome;

“Aeronautical beacon” means an aeronautical ground light which is visible either continuously or intermittently to designate a particular point on the surface of the earth;

“Aeronautical ground light” means any light specifically provided as an aid to air navigation, other than a light displayed on an aircraft;

“Aeronautical radio station” means a radio station on the surface, which transmits or receives signals for the purpose of assisting aircraft;

“Airport” means an aerodrome with facilities for the arrival and departure of passengers or for the handling of air cargo;

“Air traffic control clearance” or “air traffic service clearance” has the meaning assigned to it in Regulation 12.5(e);

“Air traffic control instruction” or “Air traffic service instruction” has the meaning assigned to it in Regulation 12.5(e);

“Air traffic control unit” or “Air traffic service unit” means a unit to give instructions or advice or both instructions and advice by means of radio or other signals to aircraft in the interests of safety;

“Air Traffic Service” means the service established under the provisions of Division 1 of Part 12 of these Regulations;

“Air Traffic Service Route” or “ATS route” means a route which has been notified as such for channelling the flow of traffic as is necessary for the provision of air traffic services;

“Air transport undertaking” means an undertaking whose business includes the carriage by air of passengers or cargo for reward;

“Apron” means the part of a land aerodrome provided for the accommodation of aircraft for purposes of

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loading or unloading passengers, mail or cargo, refuelling, parking or maintenance;

“Approach to landing” means that portion of the flight of the aircraft, when approaching to land, in which it is descending below a height of 1000 ft above the relevant specified decision height or minimum descent height;

“Appropriate aeronautical radio station” means in relation to an aircraft an aeronautical radio station serving the area in which the aircraft is for the time being;

“Appropriate air traffic control unit” or “Appropriate air traffic services unit” means in relation to an aircraft the air traffic control or air traffic service unit serving the area in which the aircraft is for the time being;

“Authorized person” means a person appointed by the Director in pursuance of Regulation 3.3;

“Captive balloon” means a balloon which when in flight is attached by a restraining device to the surface;

“Cargo” includes mail and animals;

“Certificate of airworthiness” includes any validation thereof and any flight manual, performance schedule or other document, whatever its title, incorporated by reference in that certificate relating to the certificate of airworthiness;

“Certificate of maintenance review” and “certificate of release to service” have the meanings respectively assigned to them by Regulations 6.1 and 6.10;

“Competent authority” means in relation to the Maldives the Director, and in relation to any other country the authority responsible under the law of that country for promoting the safety of civil aviation;

“Congested area” in relation to a city, town or settlement, means any area which is substantially used for residential, industrial, commercial or recreational purposes;

“Contracting State” means any country (including the Maldives) which is a party to the Chicago Convention;

“Control area” means an airspace designated as a control area in pursuance of Regulation 12.4;

“Control zone” means an airspace designated as a control zone in pursuance of Regulation 12.4;

“Controlled aerodrome” means an aerodrome designated as a controlled aerodrome in pursuance of Regulation 12.4;

“Controlled airspace” means a control area or a control zone;

“Country” includes a territory;

“Danger Area” shall mean airspace which has been notified as such within which activity dangerous to the flight of aircraft may take place or exist at such times as may be notified;

“Department” means the government agency responsible for Civil Aviation in the Maldives.

“Director” means the Director in charge of the department.

“Duty Time” means any time in which a pilot is expected to perform duties in connection with his or her employment. In the case of flying duties, it includes the period commencing one hour before the first scheduled take off of the day and ending thirty minutes after the last scheduled landing, whichever is the later.

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In the case of duty periods which do not include flight time including meetings training courses and management duties duty time begins and ends at the actual time a pilot is required to begin and end that duty period.

"Flight" and "to fly" have the meaning respectively assigned to them by Regulation 1.2.1

"Flight level" means one of a series of levels of equal atmospheric pressure, separated by notified intervals and each expressed as the number of hundreds of feet which would be indicated at the level on a pressure altimeter calibrated in accordance with the International Standard Atmosphere and set to 1013.2 millibars;

If the pilot is away from home base, the rest period must include access to adequate accommodation and meals.

"Flight visibility" means the visibility forward from the flight deck of an aircraft in flight;

"Foreign aircraft" means an aircraft registered elsewhere than in the Maldives;

"Free Balloon" means a balloon which when in flight is not attached by any form of restraint device to the surface;

"Instrument Flight Rules" or I. F. R. means the Instrument Flight Rules specified in Part 11;

"To land" in relation to aircraft includes alighting on water;

"Licence" includes any certificate of competency or certificate of validity issued with the licence or required to be held in connection with the licence by the law of the country in which the licence is granted;

"Lifejacket" includes any device designed to support a person individually in or on the water;

"Log book" in the case of an aircraft log book, engine log book or variable pitch propeller log book, or personal flying log book, includes a record kept either in a book, or by any other means approved by the Director in the particular case;

"Maldivian aircraft" means an aircraft registered under these Regulations;

"Maldivian aviation document" means any licence, permit, certificate, authorization or other document issued or granted by the Director under these Regulations;

"Manoeuvring area" means that part of an aerodrome to be used for the take off and landing of aircraft and for the surface movement of aircraft associated with take off and landing but excluding aprons;

"Movement area" means that part of an aerodrome to be used for take off and landing of aircraft and for the surface movement of aircraft;

"Nautical mile" means the International Nautical Mile, that is to say, a distance of 1852 metres;

"Night" ( Refer Personnel Licensing Manual )

"Notified" means set forth in any document published or issued by the Department;

"Passenger" means a person other than a member of the crew;

"Pressurised aircraft" means an aircraft provided with means of maintaining in any compartment a pressure greater than that of the surrounding atmosphere;

"Private flight" means a flight which is neither for the purpose of aerial work nor public transport;

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“Prohibited area” means an airspace of specified dimensions above the Maldives notified as an area within which the flight of aircraft is prohibited;

“Public transport” has the meaning assigned to it by Regulation 1.2.3;

“Public transport aircraft” means an aircraft flying, or intended by the operator of the aircraft to fly for the purpose of public transport;

“Replacement” in relation to any part of an aircraft or its equipment includes the removal and replacement of that part whether or not by the same part, and whether or not any work is done on it, but does not include the removal and replacement of a part which is designed to be removable solely for the purpose of enabling another part to be inspected, repaired, removed or replaced or cargo to be loaded;

“Rest Period” means that period between the end of one duty period and the commencement of the next duty period.

“Restricted area” means an airspace of specified dimensions above Maldives notified as airspace within which the flight of aircraft is restricted in accordance with conditions so notified;

“Reward” includes hire;

“Runway” means a prepared area at a land aerodrome provided for the landing and take off of aircraft;

“The Convention” means the Chicago Convention;

“The Council” means the Council of the International Civil Aviation Organization established under the Chicago Convention;

“The Republic” means the Republic of Maldives and includes the lands and seas of the Republic and airspace above those lands and seas;

### 1.2.1 FLIGHT AND TO FLY

In these Regulations, an aircraft shall be deemed to be in flight:-

- (1) For the purposes of this Division a helicopter shall be deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.
- (2) in the case of a flying machine from the moment when, after the embarkation of its crew for the purpose of taking off, it first moves under its own power, until the moment when it next comes to rest after landing;
- (3) in the case of a pilotless flying machine, or a glider, from the moment when it first moves for the purpose of taking off until the moment when it next comes to rest after landing;
- (4) in the case of an airship, from the moment when it first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;
- (5) in the case of a free balloon, from the moment when the balloon, including the canopy and basket, becomes separated from the surface until the moment it next comes to rest thereon;
- (6) in the case of a captive balloon, from the moment when the balloon, including the canopy and basket, becomes separated from the surface apart from a restraining device attaching it to the



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surface, until the moment when it next comes to rest thereon;

and the expressions “a flight” and “to fly” shall be construed accordingly.

### 1.2.2 OPERATOR OF AN AIRCRAFT

- (a) In these Regulations, the operator of an aircraft is in relation to a particular aircraft the person who at the relevant time has the management of the aircraft and cognate expressions shall be construed accordingly.
- (b) For the purposes of the application of Parts 5, 6, 7 and 8 of these Regulations, when under an agreement for the lease, hire or loan of an aircraft a person other than an air transport undertaking or an aerial work undertaking has the management of that aircraft for a period not exceeding 14 days, the provisions of paragraph (a) shall have effect as if the agreement had not been entered into.

### 1.2.3 FLIGHT FOR THE PURPOSE OF PUBLIC TRANSPORT

- (a) An aircraft in flight shall for the purposes of these Regulations be deemed to fly for the purposes of public transport:-
  - (1) if reward is given or promised for the carriage of passengers or cargo in the aircraft on that flight; or
  - (2) if any passengers or cargo are carried gratuitously in the aircraft on that flight by an air transport undertaking, not being persons in the employment of the undertaking (including, in the case of a corporate body, its directors and, in the case of the Department, the officers of the Department) persons with the authority of the Director either making any inspection or witnessing any training, practice or test for the purposes of these Regulations or cargo intended to be used by any such passengers as aforesaid, or by the undertaking; or
  - (3) for the purposes of Parts 5, 6, 7 and 8 (other than Regulation 7.1 or 7.7), if reward is given or promised for the primary purpose of conferring on a particular person the right to fly the aircraft on that flight (not being a single-seat aircraft of which the maximum weight authorised does not exceed 910 kg) otherwise than under a hire-purchase or conditional sale agreement:

Provided that, notwithstanding that an aircraft may be flying for the purpose of public transport by reason of sub-paragraph (a)(3), it shall not be deemed to be flying for the purpose of the public transport of passengers unless reward is given for the carriage of those passengers:

And provided further that notwithstanding the giving or promising of reward specified in sub-paragraph (a) (3) in respect of a flight it shall:-

- (aa) subject to sub-paragraph (bb) below, for all purposes other than Parts 5, 6, 7 and 8 and
- (bb) for the purposes of Regulations 7.1 and 7.7

be deemed to be a private flight.

- (b) Where under a transaction effected by or on behalf of a member of an association of persons

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on the one hand and the association of persons or any member thereof on the other hand, a person is carried in, or is given the right to fly, an aircraft in such circumstances that reward would be given or promised if the transaction were effected otherwise than aforesaid, reward shall, for the purposes of these Regulations be deemed to have been given or promised, notwithstanding any rule of law as to such transactions.

#### 1.2.4 RULES OF CONSTRUCTION

- (a) In these Regulations unless the context otherwise requires:-
  - (1) the masculine gender imports the feminine gender;
  - (2) words used in the singular import the plural and words used in the plural import the singular;
  - (3) references to "by the regulations" or "under these Regulations" are references to "by or under these Regulations"
- (b) These Regulations may contain references to Maldives Civil Aviation Regulations (MCARs) and such regulations (MCARs) shall take effect as if issued or published under these Regulations.



## SCHEDULE 1.2

### TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT

Col. 1	Col. 2	Col. 3	Col. 4
Aircraft	Lighter than air aircraft	Non-power driven	Free Balloon
			Captive Balloon
		Power driven	Airship
	Heavier than air aircraft	Non-power driven	Glider
			Kite* (* for completeness only)
		Power driven (Flying Machine)	Aeroplane (Landplane)
			Aeroplane (Seaplane)
			Aeroplane (Amphibian)
			Aeroplane (Self-launching motor Glider)
			Powered Lift (Tilt Rotor)
Rotocraft	Helicopter		
Gyroplane			

## **PART 2**

### **APPLICATION**

- 2.1 APPLICATION TO MALDIVIAN AIRCRAFT**
- 2.2 APPLICATION TO MALDIVIAN CONTROLLED AIRCRAFT**
- 2.3 APPLICATION TO DEPARTMENTS, ENTERPRISES AND AUTHORITIES OF THE GOVERNMENT OF THE REPUBLIC**
- 2.4 APPLICATION TO FOREIGN AIRCRAFT**
- 2.5 MALDIVIAN AIRCRAFT OVER THE HIGH SEAS**
- 2.6 MALDIVIAN AIRCRAFT ETC IN OTHER COUNTRIES**
- 2.7 CONFLICT OF LAWS**
- 2.8 CONTRAVENTIONS OUTSIDE OF THE REPUBLIC**
- 2.9 FOREIGN STATE AIRCRAFT**
- 2.10 SMALL AIRCRAFT**



**2.1 APPLICATION TO MALDIVIAN AIRCRAFT**

Subject to the provisions of the Regulations, these Regulations shall apply:-

- (1) To Maldivian aircraft whether within or outside the Republic;
- (2) In so far as they prohibit, require or regulate the doing of anything by persons in, or by any of the crew of, any Maldivian aircraft, to such persons and crew whether within the Republic or outside the Republic;
- (3) To any person who holds a Maldivian aviation document whether within the Republic or outside of the Republic; and
- (4) To any person or aircraft to whom any Regulation is expressed to apply.

**2.2 APPLICATION TO MALDIVIAN CONTROLLED AIRCRAFT**

The Director may, by order, apply such provisions of these Regulations as may be specified in the order to any foreign aircraft which is for the time being under the management of a person or persons who would be entitled to register the aircraft in the Republic, and the order shall have effect as if reference in the provisions specified in it to Maldivian aircraft include references to that aircraft.

**2.3 APPLICATION TO DEPARTMENTS, ENTERPRISES AND AUTHORITIES OF THE GOVERNMENT OF THE REPUBLIC**

- (a) These Regulations shall apply to and in relation to aircraft in the service of and to the civil aviation activities or services of, any Department of the Government of the Republic and of any enterprise or authority of the Government and accordingly:-
  - (1) A reference in these Regulations to the operator or owner of an aircraft shall be deemed to be references to the Department, enterprise or authority having the management of that aircraft;
  - (2) A reference in these Regulations to a person engaging or intending to engage in an activity or providing or intending to provide a service shall be deemed to be references to the Department, enterprise or authority engaging or intending to engage in that activity or providing or intending to provide that service.
- (b) Nothing in this Regulation shall render a Department of Government liable to any penalty.
- (c) For the avoidance of doubt a reference to providing or intending to provide a service is a reference to operating or intending to operate an aerodrome.
- (d) This Regulation does not apply to the Department of Civil Aviation.

**2.4 APPLICATION TO FOREIGN AIRCRAFT**

Subject to the provisions of these Regulations and in particular to Regulation 2.2, these regulations shall apply:-

- (1) To foreign aircraft within the Republic; and
- (2) In so far as they prohibit, require or regulate the doing of any thing by persons on, or by any of the crew of any foreign aircraft to such persons while in the Republic.

## **2.5 MALDIVIAN AIRCRAFT OVER THE HIGH SEAS**

Whenever a Maldivian aircraft flies over the High Seas it shall comply with the Rules relating to Flight and Manoeuvre of Aircraft for the time being in force, specified in Annex 2 to the Chicago Convention.

## **2.6 MALDIVIAN AIRCRAFT ETC. IN OTHER COUNTRIES**

Every person exercising the privileges of a Maldivian aviation document, and every Maldivian aircraft operating, in another country shall comply with the laws relating to civil aviation of that country.

## **2.7 CONFLICT OF LAWS**

Nothing in these regulations shall be construed as requiring a Maldivian aircraft or a person in or acting as member of the crew of a Maldivian aircraft or the holder of a Maldivian aviation document to contravene the law of another country where the aircraft or person is.

## **2.8 CONTRAVENTIONS OUTSIDE OF THE REPUBLIC**

The holder of a Maldivian aviation document who, while exercising the privileges granted by the document, commits an act or omission outside the Republic which if committed in the Republic would be a contravention of a provision of these Regulations shall be deemed to have committed a contravention of the provision and may be prosecuted in the Republic.

## **2.9 FOREIGN STATE AIRCRAFT**

- (a) The provisions of these Regulations shall apply to foreign state aircraft save and to the extent that such aircraft may be exempt by this Regulation from the provisions of these Regulations.
- (b) No foreign state aircraft may fly in the Republic except with the permission of the Director and in accordance with the conditions of the permit which conditions may include a condition exempting the aircraft from complying with any provision of these Regulations.

## **2.10 SMALL AIRCRAFT**

The provision of these Regulations, other than regulations 1.2, 11.10, and 15.62 shall not apply to:-

- (1) Any balloon which at any stage of its flight is not more than 2 metres in linear dimension including any basket or other equipment attached to the balloon;
- (2) Any kite weighing not more than 2 kg;
- (3) Any other aircraft weighing not more than 5 kg without its fuel;
- (4) Any parachute including parascending parachute.



## **PART 3**

### **ADMINISTRATION AND ENFORCEMENT**

#### **DIVISION 1 - GENERAL**

##### **3.1 FUNCTIONS OF DEPARTMENT OF CIVIL AVIATION**

#### **DIVISION 2 - ADMINISTRATION**

##### **3.2 THE DIRECTOR, THE DEPARTMENT OF CIVIL AVIATION**

##### **3.3 AUTHORISED PERSONS**

##### **3.4 DELEGATION**

##### **3.5 CONDITIONS OF GENERAL APPLICATION**

##### **3.6 LAWS AND STANDARDS INCORPORATED BY REFERENCE**

##### **3.7 CIVIL AVIATION REQUIREMENTS/CIRCULARS**

##### **3.8 EXEMPTIONS**

#### **DIVISION 3 - ENFORCEMENT**

##### **3.9 RIGHT OF ACCESS**

##### **3.10 PRODUCTION OF DOCUMENTS AND RECORDS**

##### **3.11 OFFENCES AND OTHER MATTERS RESPECTING DOCUMENTS AND RECORDS**

##### **3.12 OBSTRUCTION OF PERSONS**

##### **3.13 ENFORCEMENT OF DIRECTION AND CONDITIONS**

##### **3.14 REVOCATION, VARIATION AND SUSPENSION OF CERTIFICATES, LICENCES AND OTHER DOCUMENTS**

##### **3.15 POWER TO PREVENT AIRCRAFT FLYING**

##### **3.16 OFFENCES IN GENERAL**

##### **3.17 DEFENCES**

##### **3.18 PENALTIES**

#### **DIVISION 4-APPEAL**

##### **3.19 APPEAL**



**DIVISION 1 - GENERAL****3.1 FUNCTIONS OF DEPARTMENT OF CIVIL AVIATION**

The principal functions of the Department of Civil Aviation shall be:

- (1) to ensure the safety of air navigation;
- (2) to promote and encourage the orderly and economic development of civil aviation;
- (3) to make regulations on the subjects specified in Law No. 2/2001;
- (4) to ensure the observance of these Regulations;

**DIVISION 2 - ADMINISTRATION****3.2 THE DIRECTOR, DEPARTMENT OF CIVIL AVIATION**

The Director is, charged with the administration and enforcement of these Regulations, save and to extent that aforesaid responsibility has been vested by or under these Regulations in the Department.

**3.3 AUTHORIZED PERSONS**

The Director may by writing under his hand appoint a person to be an authorized person for the purposes of a provision of these Regulations in which "authorized person" occurs and an appointment made under this Regulation may be subject to such conditions as are specified in the instrument of appointment.

**3.4 DELEGATION**

The Director may, by writing under his hand, delegate any of his power and functions under these Regulations.

**3.5 CONDITIONS OF GENERAL APPLICATION**

Whenever under these Regulations the Director may grant an instrument (being a licence, certificate, approval, exemption, authorization, permit, permission or any other document) upon or subject to compliance with conditions, he may notify in Civil Aviation Circulars or any other document any conditions which are to be of general application to a specified class of instruments (which may include instruments granted before the notifications) and any conditions so notified shall be deemed to be conditions of every instrument of that class.

**3.6 LAWS AND STANDARDS INCORPORATED BY REFERENCE**

Whenever under these Regulations the Director may incorporate by reference the law of another country or a standard or recommended practice made under the Convention he may notify in Civil Aviation Circulars or any other document either by reference to or by publication of the text of, the law or standard or recommended practice, as the case may be and any law or standard or recommended practice so notified shall take effect as if it is a regulation.

### 3.7 CIVIL AVIATION REQUIREMENTS/CIRCULARS

The Director shall prepare, issue and publish requirements, circulars, manuals, instructions, standards, directives, directions, rules, rulings, guidance materials and/or other documentation for the purpose of:

- (1) Implementing and/or interpreting these Regulations which shall nevertheless prevail in case of conflict of interpretation with the newly finished text.
- (2) Disseminating matters which by these Regulations are required to be published and;
- (3) Providing information on Civil Aviation to facilitate the performance of his functions.

### 3.8 EXEMPTIONS

The Director may exempt from any of the provisions of these Regulations any aircraft or person or class of aircraft or persons either absolutely or subject to such conditions as he thinks fit.

## DIVISION 3 - ENFORCEMENT

### 3.9 RIGHT OF ACCESS

Any authorized person shall at all reasonable times have right of access to:-

- (1) any aircraft, aerodrome, building or place to which access is necessary for the purpose of carrying out his powers and duties under these Regulations;
- (2) any building or place for the purpose of examining any aircraft, or aircraft components being constructed, maintained or held in storage, or any documents relating thereto;

### 3.10 PRODUCTION OF DOCUMENTS AND RECORDS

(a) Any person who:-

- (1) is required by these Regulations to hold any licence, certificate, permit or other authority in respect of the exercise of any function;
- (2) is required by these Regulations to maintain, complete or cause to be maintained or completed any document or record;
- (3) has in his possession any document or record referred to in sub-paragraph (1) or (2),

shall on demand by the Director or an authorized person, produce or cause to be produced such document or record, licence, certificate, permit, or authority as the case may be for the purposes of inspection or investigation.

- (b) The pilot in command of an aircraft to which Regulation 10.2 or 10.6 apply shall on demand of the Director or an authorized person produce for inspection the documents therein specified to be carried appropriate to the aircraft and flight in question.

### 3.11 OFFENCES AND OTHER MATTERS RESPECTING DOCUMENTS AND RECORDS

(a) A person shall not with intent to deceive:-

- (1) use any certificate, licence, approval, permission, exemption or other document issued or required by these Regulations which has been forged, altered, revoked or suspended, or to which he is not entitled; or
- (2) lend any certificate, licence, approval, permission, exemption or other document issued or having effect or required by the Regulations to, or allow it to be used by, any other person; or
- (3) 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, licence, approval, permission or exemption or other document,

and in this paragraph a reference to a certificate, licence, approval, permission, exemption or other document includes a copy or purported copy thereof.

- (b) A person shall not intentionally damage, alter or render illegible any log book or other record required by these Regulations to be maintained or any entry made therein, or knowingly make, or procure or assist in the making of, any false entry in or material omission from any such log book or record or destroy any such log book or record during the period for which it is required under these Regulations to be preserved.
- (c) All entries made in writing in any log book or record referred to in paragraph (b) shall be made in ink or indelible pencil.
- (d) A person shall not knowingly make in a load sheet any entry which is incorrect in any material particular, or any material omission from such a load sheet.
- (e) A person shall not purport to issue any certificate for the purpose of these Regulations made thereunder unless he is authorised to do so under these Regulations.
- (f) A person shall not issue any such certificate as aforesaid unless he has satisfied himself that all statements in the certificate are correct.
- (g) A person required by these Regulations to preserve any document or record by reason of being the operator of an aircraft shall, if he ceases to be the operator of the aircraft continue to preserve the document or record, and in the event of his death the aforesaid duty shall fall upon his personal representative and should the operator or personal representative transfer the operation of the aircraft to another person who thereby becomes the operator the first operator or his personal representative shall upon demand transfer the aforesaid documents and records to the second operator and it shall be the duty of the second operator to deal with the documents and records as if he were the first mentioned operator.

### 3.12 OBSTRUCTION OF PERSONS

A person shall not intentionally obstruct or impede any person acting in the exercise of his powers or the performance of his duties under these Regulations.

### 3.13 ENFORCEMENT OF DIRECTIONS AND CONDITIONS

- (a) Any person who without reasonable excuse fails to comply with any direction given to him under provision of these Regulations shall be deemed to have contravened that provision.
- (b) Any person who fails to comply with any condition imposed upon him under any provision of these Regulations shall be deemed to have contravened that provision.

**3.14 REVOCATION, VARIATION AND SUSPENSION OF CERTIFICATES, LICENCES AND OTHER DOCUMENTS**

- (a) Subject to paragraph (d) the Director may, if he thinks fit, provisionally suspend or vary any certificate, licence, approval, permission, exemption, authorisation or other document issued, granted or having effect under these Regulations pending inquiry into or consideration of the case. The Director may, on sufficient ground being shown to his satisfaction after due inquiry, revoke, suspend or vary any such certificate, licence, approval, permission, exemption, authorisation or other document.
- (b) The holder or any person having the possession or custody of any certificate, licence, approval, permission, exemption, or other document which has been revoked, suspended or varied under these Regulations shall surrender it to the Director within a reasonable time after being required to do so by the Director.
- (c) The breach of any condition subject to which any certificate, licence, approval, permission exemption or other document, other than a licence issued in respect of an aerodrome, has been granted or issued, or which has effect under these Regulations shall, in the absence of provision to the contrary in the document, render the document invalid during the continuance of the breach.
- (d) The provisions of Regulation 10.14 shall have effect, in place of the provisions of this Regulation in relation to permits to which that Regulation applies.
- (e) Notwithstanding paragraph (a) a flight manual, performance schedule or other document incorporated by reference in the certificate of airworthiness may be varied on sufficient ground being shown to the satisfaction of the Director, whether or not after due inquiry.

**3.15 POWER TO PREVENT AIRCRAFT FLYING**

- (a) Where it appears to the Director or an authorized person that any aircraft is intended or likely to be flown:-
  - (1) in circumstances that would be in contravention of any provision of these Regulations;
  - (2) while in a condition unfit for flight whether or not the flight would otherwise be in contravention of any provision of these Regulations; or
  - (3) in circumstances that would be a cause of danger to any person or property whether or not in the aircraft.

The Director or that authorized person may direct the operator or the pilot in command that he is not to permit the aircraft to make the flight or any other flight of such description as may be specified in the direction, until the direction has been revoked by the Director or the authorized person and the Director or that authorized person may take such steps as necessary to detain the aircraft.

- (b) For the purposes of paragraph (a) the Director or an authorized person may enter upon any

**3.16 OFFENCES IN GENERAL**

- (a) A person who contravenes or fails to comply with a provision of these Regulations is guilty of an offence.
- (b) The owner, the operator and the pilot in command and any other pilot, of an aircraft that flies aerodrome and inspect any aircraft.

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in contravention of, or fails to comply with, a provision of these Regulations is guilty of an offence.

- (c) A person who attempts to commit an offence against these Regulations is guilty of an offence and is punishable as if the attempted offence has been committed.

### 3.17 DEFENCES

- (a) It shall be a defence for a person against whom charge is brought for contravention of any provision of these Regulations:-
- (1) if he proves the contravention occurred without his consent, connivance and fault; or
  - (2) if he proves that an act or omission which would have otherwise been a contravention of these Regulations was due to any cause not avoidable by the exercise of reasonable care.
- (b) It is a defence for a person who is charged with contravening a provision of these Regulations by reason of him having been a member of the flight crew of an aircraft on a flight for the purpose of public transport or aerial work if he proves that he neither knew nor suspected that the flight was for that purpose and accordingly the flight shall be treated (without prejudice to the liability of any other person) as not being for that purpose.

### 3.18 PENALTY

If any person contravenes any provision of these Regulations, the Director shall have the right to impose a fine not exceeding MRf 100,000.00 (Maldivian Rufiyaa One Hundred Thousand).

## DIVISION 4-APPEAL

### 3.19 APPEAL

- a) There shall be an Appeal Board established by the Ministry of Transport and Civil Aviation for the purpose of deciding appeals from parties (individual or corporate) for the following decisions made by the Department. The Appeal Board, which shall be chaired by the Minister of Transport and Civil Aviation, shall consist of 3 other members appointed by the Minister of Transport and Civil Aviation. The 3 members appointed by the Minister shall be conservant in Aviation and shall not be associated with the Ministry of Transport and Civil Aviation or any other aviation related entity in Maldives.
- b) 1) Subject to sub-articles (d) and (e), an appeal shall lie from any decision of the Department that:
- (i) a person is not a fit person to hold a licence to act as an aircraft maintenance engineer, member of flight crew of an aircraft, air traffic controller or assistant air traffic controller; and
  - (ii) a party is not satisfied to the amount of fine imposed by the Department under Part 3.18 of the CAR, due to a breach of Civil Aviation Regulation.
- c) 1) If the Appeal Board referred to in section (a) is satisfied that on the evidence submitted to the Department it is wrong in so deciding, the Appeal Board may reserve the Department's decision and the Department shall give effect to the Appeal Board's determination.
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- (2) The appeal must be made within 30 days from the decision by filling the appropriate form at the Ministry of Transport and Civil Aviation.
- d) An appeal shall not lie from the decision of the Department that a person is not qualified to hold the licence by reason of a deficiency in his knowledge, experience, competence, skills, physical or mental fitness.
- e) The Department shall be a respondent to any appeal under this article.
- f) The purpose of any provision relating to the time within which an appeal may be brought, the Department's decision shall be deemed to have been taken on the date on which the Department furnished a statement of its reason for the decision to the applicant for the licence, or as the case may be, the holder or former holder of it or the party on whom the penalty was imposed.



## **PART 4**

### **AIRCRAFT NATIONALITY AND REGISTRATION MARKS**

Aircraft registration ,de-registration, allocation and display of aircraft nationality and registration shall be carried out in accordance with the provisions of MCAR -47

## **PART 5**

### **AIRWORTHINESS OF AIRCRAFT**

- 5.1 AIRCRAFT NOT TO FLY UNLESS CERTIFICATE OF AIRWORTHINESS IN FORCE**
- 5.2 REPEALED**
- 5.3 REPEALED**
- 5.4 VALIDATION OF FOREIGN CERTIFICATE OF AIRWORTHINESS**
- 5.5 REPEALED**
- 5.6 REPEALED**
- 5.7 TRANSITIONAL ARRANGEMENTS**

**5.1 AIRCRAFT NOT TO FLY UNLESS CERTIFICATE OF AIRWORTHINESS IN FORCE**

- (a) Subject to these regulations an aircraft shall not fly unless there is in force in respect thereof a certificate of airworthiness duly issued or rendered valid under the law of the country in which the aircraft is registered, and any conditions subject to which the certificate was issued or rendered valid are complied with.
- (b) The prohibition in paragraph (a) shall not apply to an aircraft flying in accordance with the conditions of a permit to fly issued in accordance with MCAR - 21 subpart P.
- (c) In the case of a Maldivian aircraft the certificate of airworthiness referred to in paragraph (a) shall be a certificate issued in accordance with MCAR - 21 subpart H.

**5.2 REPEALED**

**5.3 REPEALED**

**5.4 VALIDATION OF FOREIGN CERTIFICATE OF AIRWORTHINESS**

The Director may subject to such conditions as he thinks fit, issue a certificate of validation rendering valid for the purposes of these Regulations a certificate of airworthiness issued in respect of any aircraft under the law of any country other than the Republic.

**5.5 REPEALED**

**5.6 REPEALED**

**5.7 TRANSITIONAL AGREEMENTS**

Maldivian registered aircraft shall comply with the provisions of MCAR - 21

## PART 6

### MAINTENANCE, REPAIR MODIFICATION AND OVERHAUL OF AIRCRAFT, AIRCRAFT MAINTENANCE ENGINEERS AND AIRCRAFT WEIGHT SCHEDULE

DIVISION A - Repealed

DIVISION B - Repealed

DIVISION C - Repealed

DIVISION D - CERTIFYING STAFF

DIVISION E - Repealed

DIVISION F - Repealed

DIVISION G - APPROVED MAINTENANCE ORGANIZATIONS (AMO)

DIVISION H - CONTINUING AIRWORTHINESS REQUIREMENTS

DIVISION I - TRAINING ORGANISATION REQUIREMENTS

**Civil Aviation Regulations****DIVISION A - Repealed****DIVISION B - Repealed****DIVISION C - Repealed****DIVISION D - CERTIFYING STAFF**

**6.14** Certifying staff shall be qualified in accordance with the provisions of MCAR-66, except as provided for in MCAR-M.607 (b) and MCAR M 803 of MCAR-M and in MCAR-145.30(j) and Appendix IV of MCAR-145.

**DIVISION E - Repealed****DIVISION F - Repealed****DIVISION G - APPROVED MAINTENANCE ORGANISATION (AMO)**

**6.24** Organisations involved in the maintenance of large aircraft or of aircraft used for commercial air transport, and components intended for fitment thereto, shall be approved in accordance with the provisions of MCAR-145.

**DIVISION H- CONTINUING AIRWORTHINESS REQUIREMENTS**

**6.25** The continuing airworthiness of aircraft and components shall be ensured in accordance with the provisions of MCAR-M.

**6.26** Organisations and personnel involved in the continuing airworthiness of aircraft and components, including maintenance, shall comply with the provisions of MCAR-M and where appropriate those specified in Division G and Division D.

**DIVISION I-TRAINING ORGANISATION REQUIREMENTS**

**6.27** Organisations involved in the training of maintenance personnel referred to in Division D shall be approved in accordance with the MCAR-147 to be entitled:

- (a) to conduct recognised basic training courses; and/or
- (b) to conduct recognised type training courses; and
- (c) to conduct examinations; and
- (d) to issue training certificates

## **PART 7**

### **EQUIPMENT OF AIRCRAFT**

#### **DIVISION A - AIRCRAFT EQUIPMENT**

- 7.1 MANDATORY AIRCRAFT EQUIPMENT**
- 7.2 ACCESSIBILITY OF EQUIPMENT**
- 7.3 MARKING OF EQUIPMENT PROVIDED FOR EMERGENCY USE**
- 7.4 EQUIPMENT INSTALLED NOT TO ENDANGER AIRCRAFT**
- 7.5 NAVIGATIONAL EQUIPMENT**

#### **DIVISION B - RADIO EQUIPMENT**

- 7.6 APPLICATION OF THIS DIVISION TO RADIO EQUIPMENT**
- 7.7 MANDATORY RADIO EQUIPMENT**
- 7.8 RADIO EQUIPMENT TO BE KEPT IN SERVICEABLE CONDITION**
- 7.9 APPROVED RADIO EQUIPMENT**

#### **DIVISION C - GENERAL**

- 7.10 MINIMUM EQUIPMENT REQUIREMENTS**
- 7.11 MINIMUM EQUIPMENT LIST**



**DIVISION A - AIRCRAFT EQUIPMENT****7.1 MANDATORY AIRCRAFT EQUIPMENT**

- (a) Maldivian aircraft shall be provided with such equipment (in addition to any other equipment required by these Regulations) as the Director may from time to time require having regard to the circumstances of any flight in which the aircraft is to engage and the purpose of the flight. In establishing requirements under this paragraph the Director may take into account
- (1) the provisions of Annex 6 to the Chicago Convention; and
  - (2) the law of any other State relating to equipment of aircraft which in the opinion of the Director is relevant to the Republic.
- (b) An aircraft shall not fly unless it is so equipped to comply with the law of the country in which it is registered and to enable lights and markings to be displayed and signals to be made, in accordance with these Regulations.
- (c) The equipment referred to in paragraph (a) shall be of a type approved by the Director and shall be installed in the manner approved by the Director.

**7.2 ACCESSIBILITY OF EQUIPMENT**

The equipment carried in compliance with this Division shall be installed or stowed and kept stowed, and so maintained and adjusted, as to be readily accessible and capable of being used by the person for whose use it is intended.

**7.3 MARKING OF EQUIPMENT PROVIDED FOR EMERGENCY USE**

The position of equipment provided for emergency use shall be indicated by clear markings in or on the aircraft. In particular in every public transport aircraft registered in the Republic there shall be -

- (1) provided individually for each passenger; or
- (2) if the Director so permits in writing, exhibited in a prominent position in every passenger compartment;

a notice relevant to the aircraft in question containing pictorial:

- (i) instructions on the brace position to be adopted in the event of an emergency landing;
- (ii) instructions on the method of use of the safety belts and safety harnesses as appropriate;
- (iii) information as to where emergency exits are to be found and instructions as to how they are to be used;
- (iv) information as to where the life-jackets, escape slides, life-rafts and oxygen masks, if required to be provided by Regulation 7.1, are to be found and instruction as to how they are to be used.

**7.4 EQUIPMENT INSTALLED NOT TO ENDANGER AIRCRAFT**

All equipment installed or carried in an aircraft, whether or not in compliance with this Part, shall be so installed or stowed and so maintained and adjusted as not to be a source of danger in itself or to impair the airworthiness of the aircraft or the proper functioning of any equipment or services necessary for the safety of the aircraft.



## 7.5 NAVIGATIONAL EQUIPMENT.

Without prejudice to Regulation 7.1 (a) all navigational equipment (other than radio apparatus) of any of the following types, namely:

- (1) Inertial navigation systems;
- (2) equipment capable of establishing automatically the altitude and relative bearing of selected celestial bodies;

when carried in a Maldivian aircraft (whether or not in compliance with these Regulations) shall be of a type approved by the Director and shall be installed in a manner so approved.

## DIVISION B - RADIO EQUIPMENT

### 7.6 APPLICATION OF THIS DIVISION TO RADIO APPARATUS

This Division shall apply only to radio apparatus required to be installed under this Division.

### 7.7 MANDATORY RADIO EQUIPMENT

- (a) An aircraft shall not fly unless it is so equipped with radio and radio navigation equipment as to comply with the law of the country in which the aircraft is registered and to enable communications to be made and the aircraft to be navigated, in accordance with these Regulations.
- (b) Without prejudice to paragraph (a), the aircraft shall be equipped with such radio and radio navigation equipment as the Director may from time to time require.

### 7.8 RADIO EQUIPMENT TO BE KEPT IN SERVICEABLE CONDITION

The radio and radio navigation equipment provided in compliance with this Division in a Maldivian aircraft shall always be maintained in serviceable condition.

### 7.9 APPROVED RADIO EQUIPMENT

All radio and radio navigation equipment installed in a Maldivian aircraft carried on such an aircraft for use in connection with the aircraft (whether or not in compliance with these Regulations) shall be of a type approved by the Director in relation to the purpose for which it is to be used, and shall be installed in a manner approved by the Director. Neither the equipment nor the manner in which it is installed shall be modified except with approval of the Director.

## DIVISION C - GENERAL

### 7.10 MINIMUM EQUIPMENT REQUIREMENTS

#### A. MANUFACTURER'S MMEL

There shall be a master minimum equipment list established by the aircraft manufacturer for each type of aircraft deposited at the Department upon bringing an aircraft for registration on the Maldivian Registry.

**B. DIRECTOR'S APPROVAL AND CONDITIONS**

- (a) A Maldivian aircraft shall not commence a flight if any of the equipment (including radio apparatus) required by these regulations to be carried in the circumstances of the intended flight is not carried or is not in a fit condition for use unless;
  - (1) permission to do so has been granted to the operator under paragraph (b) and the terms of such permission are complied with; and
  - (2) in the case of a Maldivian public transport aircraft (to which Regulation applies) the operations manual contains the information specified by the Director.
- (b) Subject to paragraph (c), the Director may, subject to such conditions as he thinks fit, grant for a Maldivian aircraft, or class of Maldivian aircraft permission for such aircraft to commence a flight in specified circumstances notwithstanding that any specified item of equipment (including radio apparatus) required by these Regulations to be carried is not carried or is not in a fit condition for use.
- (c) Paragraph (b) does not apply to the radio communication apparatus referred to in Regulation 7.7 or the radio navigation equipment referred to in Regulation 7.5.

**7.11 MINIMUM EQUIPMENT LIST**

- (a) The operator shall have Minimum Equipment List (MEL) approved by the Director which will enable the Pilot-in-command to determine whether a flight may be commenced or continued from any intermediate stop should any instrument, equipment systems become inoperative.
- (b) The Minimum Equipment List may not deviate from requirements of flight manual, emergency procedures or other airworthiness requirements of the Authority unless the appropriate airworthiness Authority or the Flight manual provides otherwise.

## **PART 9**

### **LICENSING OF FLIGHT CREW**

#### **DIVISION 1-GENERAL**

##### **9.1 PERSONNEL LICENSING MANNUAL**

##### **9.2 Reserved**

##### **9.3 Reserved**

##### **9.4 VALIDITY OF LICENCES**

##### **9.5 DURATION OF LICENCES**

##### **9.6 Reserved**

#### **DIVISION 2- RESERVED**

#### **DIVISION 3-RESERVED**

#### **DIVISION 4-PERSONAL FLYING LOG BOOKS**

##### **9.17 PERSONAL FLYING LOG BOOKS TO BE KEPT**

##### **9.18 PARTICULARS TO BE RECORDED**

##### **9..19 PARTICULARS OF FLIGHT SIMULATOR TIME TO BE RECORDED**

##### **9.20 HELICOPTER FLIGHTTIME**

#### **DIVISION 5-INSTRUCTION IN FLYING**

##### **9.21 QUALIFICATIONS REQUIRED TO GIVE INSTRUCTION**

##### **9.22 APPLIES TO INSTRUCTION FORAEROPLANES, HELICOPTERS AND GLIDERS**

##### **9.23 INSTRUCTION FORAIRCRAFT RATING**

##### **9.24 APPROVAL OF COURSES ETC**



## **DIVISION I -GENERAL**

### **9.1 PERSONNEL LICENSING MANUAL**

Requirements for licensing of pilots, engineers, flight dispatch officers and air traffic controllers are contained in the Personnel Licensing Manual

### **9.2 *Reserved***

### **9.3 *Reserved***

### **9.4 VALIDITY OF LICENCE**

A licence granted under this Part shall not be valid unless the holder signs it in ink.

### **9.5 DURATION OF LICENCES**

A licence granted under this Part shall be valid for the period specified in the licence which period shall not exceed 24 months and may be renewed from time to time by the Director if he is satisfied that the applicant is a fit person and is otherwise qualified in accordance

### **9.6 *Reserved***

## **DIVISION 2**

### **9.7-9.13 RESERVED**

## **DIVISION 3**

### **9.14-9.15 RESERVED**

## **DIVISION 4-PERSONAL FLYING LOG BOOK**

### **9.17 PERSONAL FLYING LOG BOOKS TO BE KEPT**

Every member of the flight crew of a Maldivian aircraft, every holder of a student pilot permit and every person who engages in flying for the purpose of qualifying for the grant or renewal of a licence under this Part shall keep a personal flying log book in which the following particulars shall be recorded:

- (1) the name and address of the holder of the log book;
- (2) Particulars of the holder's licence or permit (if any); and
- (3) the name and address of his employer (if any).

### **9.18 PARTICULARS TO BE RECORDED**

Particulars of each flight during which the holder of the log book acted either as a student pilot, or as a member of flight crew of an aircraft or for the purpose of qualifying for the grant or renewal of a licence under this Part, as the case may be, shall be recorded in the log book at the end of each flight or as soon thereafter as is reasonably practicable, including:

- (1) the date, the places at which the holder embarked on and disembarked from the aircraft and the time spent during the course of a flight when he was acting in either capacity;
- (2) the type and registration marks of the aircraft;
- (3) the capacity in which the holder acted in flight;
- (4) particulars of any special conditions under which the flight was conducted, including night flying and instrument flying;
- (5) particulars of any test or examination undertaken whilst in flight.

### **9.19 PARTICULARS OF FLIGHT SIMULATOR TIME TO BE RECORDED**

Particulars of any test or examination undertaken whilst in a flight simulator shall be recorded in the log book, including:

- (1) the date of the test or examination;
- (2) the type of simulator;
- (3) the capacity in which the holder acted;
- (4) the nature of the test or examination.

### **9.20 HELICOPTER FLIGHT TIME**

For the purposes of this Division a helicopter shall be deemed to be in flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.

## **DIVISION 5-INSTRUCTION IN FLYING**

### **9.21 QUALIFICATIONS REQUIRED TO GIVE INSTRUCTION**

A person shall not give any instruction in flying to which this Part applies unless:

- (1) he holds a licence, granted or rendered valid under this Part entitling him to act as pilot in command of the aircraft for the purpose and in the circumstances under which the instruction is to be given; and
- (2) his licence includes a flying instructor's rating or an assistant flying instructor's rating entitling the holder to give the instruction.

### **9.22 APPLIES TO INSTRUCTION FOR AEROPLANES, HELICOPTERS AND GLIDERS**

This Division applies to instruction in flying given to any person flying or about to fly a flying machine or glider for the purpose of becoming qualified for:

- (1) the grant of a pilot's licence;
- (2) the inclusion or variation of any rating in his licence;

### **9.23 INSTRUCTION FOR AIRCRAFT RATING**

Regulations 9.21 and 9.22 shall not apply to any instruction in flying to a person for the purpose of becoming qualified for the inclusion in his licence of an aircraft rating entitling him to act as pilot of a multi- engined aircraft or of an aircraft of any class if that person has previously been entitled under this Part to act as pilot of multi-engined aircraft, or of an aircraft of that class as the case may be.

### **9.24 APPROVAL OF COURSES ETC.**

The Director may, for the purpose of this Part, either absolutely or subject to conditions:

- (1) approve any course of training or instruction,
- (2) authorise a person to conduct such examinations or tests as the Director may specify;
- (3) approve a person to provide any course of training or instruction; and
- (4) approve a person as qualified to furnish reports to the Director and to accept such reports.

## **PART 10**

### **CONDITIONS OF FLIGHT**

#### **DIVISION 1 - MALDIVIAN AIRCRAFT**

- 10.1 MALDIVIAN AIRCRAFT TO COMPLY WITH REGULATIONS**
- 10.2 DOCUMENTS TO BE CARRIED BY MALDIVIAN AIRCRAFT**
- 10.3 PERMIT FOR INTERNATIONAL FLIGHT BY MALDIVIAN AIRCRAFT**
- 10.4 FLIGHT BY MALDIVIAN AIRCRAFT OVER ANY FOREIGN COUNTRY**
- 10.5 RESERVED**

#### **DIVISION 2 - FOREIGN AIRCRAFT**

- 10.6 AIRCRAFT OF CONTRACTING STATES**
- 10.7 RESERVED**
- 10.8 NON-SCHEDULED FLIGHTS BY AIRCRAFT OF CONTRACTING STATES**
- 10.9 EXEMPTION OF AIRCRAFT OF CONTRACTING STATES FROM SEIZURE ON PATENT AND SIMILAR CLAIMS**
- 10.10 AIRCRAFT OF NON-CONTRACTING STATES**
- 10.11 FOREIGN AIR CARRIER PERMITS**
- 10.12 RESTRICTIONS ON AIR PHOTOGRAPHY AND SURVEY BY FOREIGN AIRCRAFT**
- 10.13 DETENTION OF FOREIGN AIRCRAFT**
- 10.14 REVOCATION, SUSPENSION OR VARIATION OF FOREIGN AIR CARRIER AND FOREIGN AIR SURVEY PERMITS**

#### **DIVISION 3 - ALL AIRCRAFT**

- 10.15 PILOTLESS AIRCRAFT**
- 10.16 AIRCRAFT ON INTERNATIONAL FLIGHTS TO COMPLY WITH LAWS OF MALDIVES RELATING TO ENTRY AND DEPARTURE**
- 10.17 INTERNATIONAL AIRCRAFT TO TAKE OFF AND LAND AT DESIGNATED AIRPORTS**



- 10.18 PROHIBITED, RESTRICTED AND DANGER AREAS
- 10.19 CARRIAGE OF MUNITIONS OF WAR
- DIVISION 4 - CARRIAGE OF DANGEROUS GOODS
- 10.20 INTERPRETATION
- 10.21 CARRIAGE OF DANGEROUS GOODS
- 10.22 EXCEPTED CARRIAGE OF DANGEROUS GOODS
- 10.23 DOCUMENTATION
- 10.24 SHIPPER'S RESPONSIBILITIES
- 10.25 OPERATOR'S RESPONSIBILITIES
- 10.26 METHOD OF LOADING BY OPERATOR
- 10.27 PROVISION OF INFORMATION AND TRAINING PROGRAMMES
- 10.28 PRODUCTION OF DOCUMENTS AND RECORDS
- 10.29 AERIAL AGRICULTURAL OPERATIONS
- 10.30 SAVING

**DIVISION 1 - MALDIVIAN AIRCRAFT****10.1 MALDIVIAN AIRCRAFT TO COMPLY WITH REGULATIONS**

A Maldivian aircraft shall not commence a flight unless it complies with the provision of these Regulations which are expressed to apply to it and relate to the flight in which it is to engage.

**10.2 DOCUMENTS TO BE CARRIED BY MALDIVIAN AIRCRAFT**

- (a) Every Maldivian aircraft shall, when flying, carry:
- (1) Its certificate of registration;
  - (2) Its certificate of airworthiness;
  - (3) The licence in respect of the radio station (if any); and
  - (4) The copy of third party liability insurance
  - (5) The licences of the members of the flight crew.
- (b) A Maldivian aerial work aircraft shall carry in addition to the documents referred to in paragraph (a):
- (1) One copy of such certificate of maintenance review as is in force; and
  - (2) The technical log.
  - (3) Operational Flight Plan and NOTAM/AIS briefing documents.
  - (4) Appropriate Meteorological Information
  - (5) Mass and balance documentation
  - (6) Current Maps and Charts
- (c) A Maldivian public transport aircraft shall carry in addition to the documents referred in paragraph (a):
- (1) The documents relating to the aircraft referred to in paragraph (b);
  - (2) The current parts of the Operations Manual relevant to the duties of the crew and;
  - (3) The current aeroplane Flight Manual unless the Director accepts that the Operations Manual contains relevant information for that aeroplane.
  - (4) An approved MEL for that aeroplane.
  - (5) One copy of the load sheet if required by these Regulations to be carried.
  - (6) Copy of Air Operator's Certificate
- (d) If a flight begins and ends at the same aerodrome without entering the airspace of a country other than the Republic the documents may be kept at that aerodrome.
- (e) Provided where a licence or other document has been submitted to the Director for renewal or other action, that fact shall be deemed a valid excuse for its not being carried on board the aircraft.

**10.3 PERMIT FOR INTERNATIONAL FLIGHT BY MALDIVIAN AIRCRAFT**

- (a) A person intending to fly or operate a Maldivian aircraft between a place in the Republic and a place outside the Republic shall not commence the flight unless there is in force an authorization granted by the Director and the flight shall be conducted in accordance with the terms of the authorization and any conditions there of.
- (b) The Director may grant an authorization permitting a flight or series of flights of the kind referred to in paragraph (a) subject to such terms and conditions and for such period as he considers to be in the public interest.

- (c) In this Regulation, reference to a Maldivian aircraft includes reference to an aircraft registered elsewhere, if the operator's principal place of business or permanent residence is in the Republic.

#### 10.4 FLIGHT OF MALDIVIAN AIRCRAFT OVER ANY FOREIGN COUNTRY

- (a) The operator or pilot in command of a Maldivian aircraft which is being flown over any foreign country shall not allow that aircraft to be used for a purpose that is prejudicial to the security, public order or public health of, or to the safety of air navigation in, that country, but a person does not contravene this provision if he neither knew or suspected that the aircraft was being or was to be used for any of the aforesaid purposes.
- (b) The operator or pilot in command of a Maldivian aircraft which is being flown over any foreign country shall comply with any directions given by the appropriate aeronautical authorities of that country whenever:
- (1) the flight has not been properly authorized; or
  - (2) there are reasonable grounds for the appropriate aeronautical authorities to believe that the aircraft is being, or will be, used for a purpose which is prejudicial to the security, public order or public health of, or to safety of air navigation in, that country;

unless the lives of persons on board or the safety of the aircraft would thereby be endangered. But

- (1) a person does not contravene this provision if he neither knew nor suspected that directions were given by the appropriate aeronautical authorities; and

the aforesaid requirement is without prejudice to any other requirement to comply with directions of an aeronautical authority.

(c) In this Regulation-

- (1) "Appropriate aeronautical authorities" includes any person, whether a member of country's military or civil authorities, authorized under the law of the foreign country to issue directions to aircraft flying over that country.
- (2) A reference to a Maldivian aircraft includes a reference to any other aircraft, if the operator's principal place of business or permanent residence is in the Maldives.

#### 10.5 RESERVED

### DIVISION 2 - FOREIGN AIRCRAFT

#### 10.6 AIRCRAFT OF CONTRACTING STATES

An aircraft which possesses the nationality of a Contracting State shall not fly within, or depart from the Republic unless it complies with the provisions of these Regulations which are expressed to apply to such aircraft and with the relevant requirements of the Chicago Convention, in particular those with respect to the documents to be carried.

#### 10.7 RESERVED

**10.8 NON-SCHEDULED FLIGHT BY AIRCRAFT OF CONTRACTING STATES**

Subject to these Regulations, an aircraft that possesses the nationality of a Contracting State may, subject to the observance of the terms of the Chicago Convention and the provisions of these Regulations, fly in transit non-stop across the Republic, or land in the Republic for non-traffic purposes, in the course of an international non-scheduled flight, after obtaining permission at least 72 hours prior to operation of the flight.

**10.9 EXEMPTION OF AIRCRAFT OF CONTRACTING STATES FROM SEIZURE ON PATENT AND SIMILAR CLAIMS**

- (a) This Regulation applies to any foreign aircraft possessing the nationality of a Contracting State and accordingly references in this Regulation to foreign aircraft are references solely to the aforesaid aircraft.
- (b) The lawful entry into the Republic, or the lawful transit across the Republic, with or without landings, of a foreign aircraft shall not entail:-
  - (1) seizure or detention of the aircraft;
  - (2) the bringing of proceedings against the owner or operator of the aircraft; or
  - (3) any other interference with the aircraft,

by or on behalf of the Republic or any person in the Republic on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is or are an infringement of any patent, design or model.

- (c) The importation into, and storage in, the Republic of spare parts and spare equipment for any foreign aircraft and the use and installation of those spare parts and spare equipment shall not entail:-
  - (1) the seizure or detention of the aircraft or of the spare parts or spare equipment;
  - (2) the bringing of proceedings against the owner or operator of the aircraft or against the owner of the spare parts or spare equipment; or
  - (3) any other interference with the aircraft, or with the spare parts or spare equipment,

by or on behalf of the Republic or any person in the Republic, on the ground that the spare parts or spare equipment or their installation are or is an infringement of any patent, design or model.

- (d) Paragraph (c) does not apply in relation to spare parts or spare equipment which are sold or distributed within the Republic or are exported from the Republic for sale or distribution.

**10.10 AIRCRAFT OF NON-CONTRACTING STATES**

- (a) A foreign aircraft which does not possess the nationality of a Contracting State shall not make a flight into the Republic unless the Director has approved the flight.
- (b) In giving an approval under this Regulation the Director may impose such conditions and requirements as to the flight as he thinks fit, including conditions and requirements as he considers necessary to ensure compliance with the general principles of the Chicago Convention.

**10.11 FOREIGN AIR CARRIER PERMITS**

- (a) A foreign aircraft shall not take on board or discharge any passengers or cargo in the Republic, being passengers or cargo carried or to be carried for reward, except:-
- (1) with the permission of the Director granted under this Regulation to the operator or the charterer of the aircraft or to the Government of the country the nationality of which the aircraft possesses; and
  - (2) in accordance with any conditions to which such permission may be subject.
- (b) Any breach by a person to whom a permission has been granted under this Regulation of any condition to which the permission was subject shall constitute a contravention of this Regulation.
- (c) A permission granted under this Regulation is referred to in these Regulations as a foreign air carrier permit.

**10.12 RESTRICTIONS ON AIR PHOTOGRAPHY AND SURVEY BY FOREIGN AIRCRAFT**

- (a) A foreign aircraft shall not fly in the Republic for the purpose of air photography or air survey (whether or not reward is given or promised in respect of the flight) or for the purpose of any other form of aerial work except with the permission of the Director granted to the operator or charterer of the aircraft and in accordance with any conditions to which such permission may be subject.
- (b) Any breach by a person to whom a permission has been granted under this Regulation of any condition to which that permission was subject shall constitute a contravention of this Regulation.
- (c) A permission granted under this Regulation is referred as to a foreign air survey permit.

**10.13 DETENTION OF FOREIGN AIRCRAFT**

- (a) If it appears to the Director or any authorized person that any aircraft is intended or likely to be flown in contravention of regulation 10.9 or 10.10, the Director or that authorized person may direct the operator or the pilot in command of the aircraft that he is not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction until the direction has been revoked by the Director or by an authorized person, and the Director or any authorized person may take such steps as are necessary to detain the aircraft.
- (b) For the purpose of this Regulation the Director or any authorized person may enter any aerodrome and may enter and inspect any aircraft.

**10.14 REVOCATION, SUSPENSION OR VARIATION OF FOREIGN AIR CARRIER AND FOREIGN AIR SURVEY PERMITS**

- (a) The Director may revoke, suspend or vary any foreign air carrier or foreign air survey permit and any approvals, or authorizations of or consents to any matter which the Director has granted, or is deemed to have granted, in pursuance of a permit which he has so granted. Any such permit and approval, authorization or consent so granted is hereinafter referred to in this Regulation as a permit.

- (b) The Director may exercise his powers under paragraph (a) only after notifying the permit holder of his intention to do so. But if by reason of the urgency of the matter it appears necessary to him to do so the Director may provisionally suspend or vary a permit and thereafter give the notice and shall then either:-
- (1) revoke the provisional suspension or variation of the permit; or
  - (2) substitute a definitive revocation, suspension or variation which, if a definitive suspension, may be for the same or a different period as the provisional suspension (if any) or, if a definitive variation, may be in the same or different terms as the provisional variation (if any).
- (c) The powers referred to in this Regulation may be exercised by the Director whenever, in his judgment and whether or not by reason or anything done, or not done by, or otherwise connected with, the permit holder, it is expedient that the permit holder should not enjoy, or no longer enjoy, the rights conferred upon him by a permit or should enjoy them subject to such limitations and qualifications as the Director may determine, and without limiting the generality of the foregoing the powers may be exercised by the Director if it appears to him that:-
- (1) the permit holder has committed a breach of any condition to which the permit is subject;
  - (2) any agreement between the Government of the Republic and the Government of another country in pursuance of which or on reliance on which the permit was granted is no longer in force or that the other Government has committed a breach thereof;
  - (3) the permit holder, or the Government of the country with which the Government of the Republic has an agreement as aforesaid, or the aeronautical authorities of the country concerned:-
    - (i) have acted in a manner which is inconsistent with or prejudicial to the operation in good faith, according to its object and purpose, of any such agreement; or
    - (ii) have engaged in unfair, discriminatory or restrictive practices to the prejudice of the holder of a permit granted under Regulation 10.3 in his operation of air services to or from places in the country concerned;
  - (4) The permit holder (the permit having been granted to a person designated by the Government of a country other than the Republic for the purposes of such an agreement) is no longer so designated or that person has so conducted himself, or that such circumstances have arisen in relation to him, as to make it expedient to disregard or qualify the consequences of his being so designated.
- (d) The permit holder or any person having the possession of any permit which has been revoked, suspended or varied shall surrender it to the Director upon being required to do so.
- (e) The breach of any condition subject to which a permit has been granted shall render the permit invalid during the continuance of the breach.
- (f) Reference in this Regulation to the permit holder are references to the person to whom a permit has been granted or is deemed to have been granted.

## **DIVISION 3 - ALL AIRCRAFT**

### **10.15 PILOTLESS AIRCRAFT**

An aircraft capable of being flown without a pilot shall not be flown without a pilot in the Republic except with the permission of the Director and in accordance with such conditions as the Director specifies in the permission.

### **10.16 AIRCRAFT ON INTERNATIONAL FLIGHTS TO COMPLY WITH LAWS OF MALDIVES RELATING TO ENTRY AND DEPARTURE**

An aircraft arriving in the Republic from a place outside the Republic or departing from the Republic for a place outside the Republic shall comply with all applicable laws including laws relating to the entry or clearance of passengers, crew, cargo, immigration, passports, customs and quarantine.

### **10.17 INTERNATIONAL AIRCRAFT TO TAKE OFF AND LAND AT DESIGNATED AIRPORTS**

- (a) Subject to such exceptions as the Director may make:
- (1) An aircraft arriving in the Republic from a place outside the Republic shall land at an aerodrome designated as an international airport; and
  - (2) An aircraft departing from the Republic for a place outside the Republic shall take off from an aerodrome designated as an international airport.
- (b) The Director may designate as an international airport any aerodrome at which facilities are available for the formalities incident to customs, immigration, quarantine and other requirements in connection with the arrival in or departure, from the Republic, of aircraft and details of international airports shall be published in Aeronautical Information Publications.

### **10.18 PROHIBITED, RESTRICTED AND DANGER AREAS**

- (a) Where the Director considers it necessary in the public interest to restrict or prohibit flying by reason of:
- (1) the intended gathering or movement of a large number of persons; or
  - (2) the intended holding of an aircraft race or contest or of an exhibition of flying; or
  - (3) the flight of aircraft interfering, or being a potential interference, with the environment or public amenity; or
  - (4) national security or other reason affecting the public interest.

The Director may by a declaration in writing prohibit, restrict or impose conditions on, the flight of any aircraft.

- (b) Particulars of any such declaration shall be published forthwith in NOTAMs and, if appropriate, AIP.

The particulars shall include:

- (1) the boundaries of the airspace affected by the declaration;
- (2) any conditions or restrictions specified in the Declaration; and

- (3) any other information necessary to the safety of aircraft engaged in air navigation.
- (c) If the pilot in command of an aircraft becomes aware the aircraft is flying in contravention of any Declaration made for the reasons referred to in paragraph (a) (4), he shall unless otherwise instructed by the appropriate air traffic control unit cause the aircraft to leave the airspace to which the Declaration relates by flying to the least possible extent within the airspace and the aircraft shall not begin to descend while in such airspace.
- (d) The Pilot in command of an aircraft flying either within an airspace for which a Declaration has been made for any of the reasons referred to in paragraph (a) (4) or within an airspace notified as a danger area shall forthwith comply with instructions given by the appropriate air traffic control unit or the authority responsible for safety within that airspace.
- (e) In this Regulation danger area means airspace which has been notified as such within which activities dangerous to the flight of aircraft may take place or exist at such times as may be notified.

#### 10.19 CARRIAGE OF MUNITIONS OF WAR

- (a) An aircraft shall not carry any munition of war unless such munition is carried with the permission of the Director.
- (b) It shall be unlawful for any person to take on board an aircraft or to deliver or to cause to be delivered for carrying on an aircraft, any goods which he knows or has reason to believe or suspect to be munitions of war unless the operator of the aircraft has permission under paragraph (a) to carry those goods for that person.
- (c) For the purposes of this Regulation "munition of war" means any weapon, ammunition or article containing an explosive or any noxious liquid, gas or other thing which is designed for use in warfare or against persons including parts for such weapon, ammunition or article.

### DIVISION 4 - CARRIAGE OF DANGEROUS GOODS

#### 10.20 INTERPRETATION

- (a) In this Division:
- (1) "consignment" means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address for delivery to one consignee at one destination address and in respect of which there is not more than one air waybill,
- (2) "dangerous goods" means any article or substance which is capable of posing significant risk to health, safety or property when carried by air and is classified as such in the Technical Instructions;
- (3) "dangerous goods transport document" means a document (not being an air waybill) which is required by Regulation 10.23 to accompany a consignment of dangerous goods;
- (4) "package" means the packaging and the articles and substances contained therein including one or more packages which have been consolidated by one shipper into one container or enclosure for convenience of handling;



- (5) "packing" means the art and operation whereby articles and substances are wrapped up, enclosed in containers or otherwise secured and "packed" shall be construed accordingly;
  - (6) "Technical Instructions" means the Technical Instructions for the Safe Transport of Dangerous Goods by air from time to time approved and published by decision of the Council and for the time being in force;
  - (7) "unit load device" means any type of freight container including any container designed for loading on an aircraft.
- (b) The provisions of this Division shall be interpreted as applying to the carriage of dangerous goods beneath passenger or cargo aircraft, all necessary charges having been made.

#### 10.21 CARRIAGE OF DANGEROUS GOODS

- (a) An aircraft shall not carry or have loaded therein any dangerous goods unless such goods are carried or loaded:-
- (1) in accordance with the Technical Instructions and any conditions specified therein; and
  - (2) with the permission of the Director and in accordance with any conditions subject to which such permission may be subject.
- (b) A person shall not take or cause to be taken on board or deliver or cause to be delivered for loading on an aircraft any dangerous goods.

#### 10.22 EXCEPTED CARRIAGE OF DANGEROUS GOODS

- (a) The provisions of this Division shall not apply to dangerous goods which are specified in the Technical Instructions as being permitted to be loaded or carried.
- (1) for the purpose of ensuring the proper navigation or safety of the aircraft; or
  - (2) solely for the personal use or for sale to the passengers or crew members,
- so long as the provisions of the Technical Instructions relating to the aforesaid dangerous goods are complied with.
- (b) The provisions of this Division except for Regulation 10.21 (a)(2) shall not apply to other dangerous goods specified in the Technical Instructions as being permitted to be carried or loaded provided that
- (1) the dangerous goods do not exceed the appropriate quantity limitations specified therein; and
  - (2) such other conditions including those related to methods of loading (as appropriate) referred to in Regulation 10.26 as are specified therein are complied with.

#### 10.23 DOCUMENTATION

- (a) An aircraft shall not carry dangerous goods as cargo unless the shipper of the goods has furnished the operator of the aircraft with a dangerous goods transport document unless such

a document is not required by the Technical Instructions in respect of the dangerous goods shipped.

- (b) The dangerous goods transport document shall be completed in duplicate by the shipper and shall contain:-
  - (1) such particulars as are required by the Technical Instructions; and
  - (2) a signed declaration that the Technical Instructions have been complied with in that the dangerous goods are full and accurately described, are properly classified, packed, marked and labelled, and are in a proper condition for carriage by air.
- (c) The operator of an aircraft shall preserve for not less than six months any dangerous goods transport document which has been furnished to him in accordance with this Regulation.

#### 10.24 SHIPPER'S RESPONSIBILITIES

Before shipping any package containing dangerous goods for carriage by air the shipper shall ensure that:-

- (1) the goods are not of a category whose carriage by air is prohibited by the Technical Instructions;
- (2) the goods are classified and packed and the packagings used are in accordance with the Technical Instructions;
- (3) the package is in a fit condition for carriage by air; and
- (4) the dangerous goods cargo document has been completed and the declaration therein signed.

#### 10.25 OPERATOR'S RESPONSIBILITIES

- (a) The operator of an aircraft shall not load or cause to be loaded on an aircraft any package or unit load device which appears to be leaking or damaged and shall ensure that other cargo or baggage loaded on that aircraft is in a fit state for carriage by air.
- (b) The operator shall unload or cause to be unloaded from an aircraft any package containing dangerous goods which appears to be leaking or damaged and shall ensure that other cargo or baggage loaded on that aircraft is in fit state for carriage by air and has not been contaminated.
- (c) The operator shall, after unloading from an aircraft a package which was leaking or damaged or a unit loading device containing dangerous goods, inspect the aircraft for signs of damage or contamination and shall remove or repair any contamination or damage.
- (d) The operator of an aircraft shall not permit it to fly for the purpose of carrying passengers or cargo if he knows or suspects that radio active materials have leaked in or contaminated the aircraft unless the radiation level resulting from fixed contamination to any accessible surface and the non- fixed contamination are less than the values specified in the Technical Instructions.
- (e) The operator of an aircraft in which any package or unit load device is to be carried shall by means of inspection ensure:
  - (1) that the package is marked and labelled in accordance with the provisions of Technical Instructions;

- (2) that the package is not leaking or damaged so that the contents may escape before accepting it, before loading it on board the aircraft and upon unloading it from the aircraft;
  - (3) that the unit load device is free of evidence of leakage from or damage to any dangerous goods therein before loading on the aircraft.
- (f) An inspection check list shall be used for the purpose of each of the inspections required by paragraph (e)(1) and (e)(2) (in so far as it relates to inspection of a package before acceptance) and the results of the inspection recorded therein in accordance with the form thereof. The operator of the aircraft shall preserve for not less than six months any acceptance list completed in accordance with this paragraph.

#### **10.26 METHOD OF LOADING BY OPERATOR**

- (a) The operator of an aircraft shall ensure that any package containing dangerous goods is loaded, stowed and unloaded from the aircraft in accordance with the provisions of the Technical Instructions applicable to that category of dangerous goods.
- (b) An aircraft shall not carry any dangerous goods either in any compartment occupied by passengers or in the flight crew compartment, except in the circumstances permitted in the Technical Instructions.

#### **10.27 PROVISION OF INFORMATION AND TRAINING PROGRAMMES**

- (a) The operator of aircraft in which dangerous goods are to be carried shall, before the flight begins, provide the pilot in command with written information specifying the matters required by the Technical Instructions to be furnished in such circumstances and shall preserve a copy for not less than 6 months.
- (b) The operator of an aircraft in which passengers are to be carried or his agent shall notify them of the categories of dangerous goods which may be taken on board an aircraft either as checked baggage or accompanying them in such fashion as the Director approves.
- (c) The operator of an aircraft and a shipper of dangerous goods by aircraft and in each case, an agent thereof shall inform any of their respective employees whose duties include a function connected with the carriage of passengers or cargo by air of the provisions of the Technical Instructions and for this purpose shall establish and undertake training programmes as required by the Technical Instructions and as approved by the Director.

#### **10.28 PRODUCTION OF DOCUMENTS AND RECORDS**

The operator of an aircraft shall, upon being requested so to do by an authorized person, produce to that person the written permission referred to in Regulation 10.21 (a)(2) and any document, list or written information required to be preserved by any provision of this Division.

#### **10.29 AERIAL AGRICULTURE OPERATIONS**

Subject to Regulation 10.21 (a)(2), nothing in this division shall apply to any aircraft flying in order to drop articles for the purposes of agriculture, horticulture or forestry.

#### **10.30 SAVING**

The provisions of this Division do not limit or affect the provisions of Regulation 10.19.

## **PART 11**

### **THE RULES OF THE AIR**

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- 11.2 MALDIVIAN AIRCRAFT OVER THE HIGH SEAS**
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- 11.5 DEPARTURE FROM THE RULES OF THE AIR**
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**DIVISION A - APPLICATION****11.1 APPLICATION TO AIRCRAFT WITHIN THE REPUBLIC**

The provision of this Part apply to aircraft within the Republic and subject to these Regulations to Maldivian aircraft where ever they may be.

**11.2 MALDIVIAN AIRCRAFT OVER THE HIGH SEAS**

When a Maldivian aircraft is flying over the high seas or the exclusive economic zone of a country it shall comply with the provisions of Annex 2 to the Chicago Convention.

**11.3 MALDIVIAN AIRCRAFT OVER OTHER COUNTRIES**

When a Maldivian aircraft is flying over a country other than the Maldives it shall comply with the rules of the air there in force.

**DIVISION B - RESPONSIBILITY FOR THE COMPLIANCE WITH THE RULES OF THE AIR****11.4 RESPONSIBILITY OF THE PILOT IN COMMAND**

The pilot in command of an aircraft shall whether piloting the aircraft or not, be responsible for the operation of the aircraft in accordance with the Rules of the Air.

**11.5 DEPARTURE FROM RULES OF THE AIR**

- (a) It shall be lawful for the Rules of the Air to be departed from to the extent necessary to avoid immediate danger.
- (b) If any departure is made
  - (1) from these Rules, or
  - (2) In the case of a Maldivian aircraft, from the rules of the air in force for the aircraft by virtue of regulation 11.2 or regulation 11.3,

for the purpose of avoiding immediate danger, the pilot in command of the aircraft shall furnish written particulars of the departure, and of the circumstances giving rise to it, to the Director within 10 days thereafter.

**11.6 NO EXONERATION FROM NEGLIGENCE**

Nothing in these Rules shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

**11.7 PREFLIGHT ACTION**

Before commencing a flight, the pilot in command of an aircraft shall familiarize himself with all available information appropriate to the intended flight including, in the case of a flight not in the vicinity of an aerodrome or one to be conducted in accordance with Instrument Flight Rules, a careful study of available current weather reports and forecasts, taking into consideration fuel requirements and alternative courses of action if the flight cannot be completed as planned.



### 11.8 AUTHORITY OF THE PILOT IN COMMAND

The pilot in command of an aircraft shall have final authority as to the disposition of the aircraft while he is in command.

### 11.9 INTOXICATING LIQUORS, NARCOTICS AND DRUGS

- (a) No person shall act as, or be carried in an aircraft for the purpose of acting as a member of the flight crew, if he has taken or used any alcoholic drink, sedative, narcotic or stimulant drug or preparation within 12 hours of the commencement of the flight and no such person shall while so acting or being carried, take, use or be under the influence of any such substance.
- (b) No person shall, while in a state of intoxication, enter or be in an aircraft.

## DIVISION C - GENERAL RULES

### 11.10 NEGLIGENT OR RECKLESS OPERATION OF AIRCRAFT

- (a) An aircraft shall not be operated in a negligent manner or in a reckless manner so as to be likely to endanger the life or property of others.
- (b) An aircraft shall not be flown in such a manner or in such circumstances as is or are likely to cause avoidable danger to any person or property on land or water or in the air.

### 11.11 RESERVED

### 11.12 RESERVED

### 11.13 PICKING UP ARTICLES

Objects shall not be picked up by an aircraft in flight except with the prior permission of the Director and in accordance with the conditions specified by him.

### 11.14 PARACHUTE DESCENTS AND PARASCENDING PARACHUTE OPERATIONS

- (a) Parachute descents, other than necessary emergency descents, shall not be made unless permitted by and conducted in accordance with these Regulations.
- (b) Parascending parachute operations shall not be performed unless permitted by and conducted in accordance with the written specifications of the Director.

### 11.15 FLIGHT INSTRUCTION

Flight instruction and authorization to a student for solo flying shall be such as to ensure that an aircraft piloted by the student shall not constitute a hazard to air navigation.

### 11.16 FLIGHT UNDER SIMULATED INSTRUMENT FLYING CONDITIONS

An aircraft shall not be flown under simulated instrument flying conditions unless:-

- (1) Fully functioning dual controls are installed in the aircraft; and
- (2) A competent pilot occupies a control seat to act as safety pilot for the person who is flying under

simulated instrument conditions and:

- (aa) the safety pilot has adequate vision forward and to each side of the aircraft; or
- (bb) if the safety pilot's field of vision is limited, a competent observer in communication with the safety pilot occupies a position in the aircraft from which his field of vision supplements that of the safety pilot.

#### 11.17 PRACTICE INSTRUMENT APPROACHES

An aircraft shall not carry out instrument approach practice when flying in V.M.C. unless:-

- (1) An appropriate ATS unit has been previously informed that the flight is to be made for this purpose; and
- (2) If the flight is not being carried out in simulated flight conditions, a competent observer is carried in such a position in the aircraft that he has an adequate field of vision and can readily communicate with the pilot flying the aircraft.

#### 11.18 ACROBATIC FLIGHT

- (a) An aircraft:-
  - (1) shall not be flown in acrobatic flight at night;
  - (2) shall not be flown in acrobatic flight of a particular kind unless the certificate of airworthiness of the aircraft specifies that the aircraft may perform that type of acrobatic flight.
- (b) Except with the permission of the Director a person shall not engage in acrobatic flight in an aircraft:-
  - (1) At a height lower than 1000 metres above the highest point of the terrain, or any obstacle thereon, within a radius of 600 metres of a line extending vertically below the aircraft; or
  - (2) Over a city, town, populous area, regatta, race meeting or meeting for public games or sports.
- (c) For the purposes of this regulation acrobatic flight means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, or an abnormal variation in speed but straight and steady stalls or turns in which the angle of bank does not exceed 60 degrees shall be deemed not to be acrobatic flight.

#### 11.19 FLYING OVER PUBLIC GATHERINGS

- (a) Except with the permission in writing of the Director and in accordance with the conditions specified in the permit, an aircraft shall not fly over any public gathering, race meeting or any regatta.
- (b) Nothing in paragraph (a) shall apply to an aircraft passing over a public gathering, race meeting or regatta in the process of:-
  - (1) arriving at or departing from an aerodrome in the course of its normal navigation for so doing; or

- (2) passing from place to place in the ordinary course of navigation.

#### 11.20 LOW FLYING

- (a) An aircraft shall not fly over any city or town or other populous area except at such a height that the aircraft could land outside the city, town or populous area, in the event of the means of propulsion failing through any cause, or if it is an aeroplane or helicopter with more than one engine, at such a height that it could land outside the city, town or populous area, in the event of one of its engines failing.
- (b) Without prejudice to paragraph (a), an aircraft shall not fly over:-
  - (1) any city, town or populous area, at a height lower than 300 metres, or
  - (2) over any other area at a height lower than 150 metres.
- (c) A height specified in paragraph (b) is the height above the highest point of the terrain, or of any obstacle thereon, within a radius of 600 metres of a line extending vertically below the aircraft.
- (d) Paragraphs (a) and (b) shall not apply if:-
  - (1) Through stress of weather or any other unavoidable cause it is essential that a lower height be maintained.
  - (2) The aircraft is engaged in aerial work of a nature which necessitates low flying and the owner or operator of the aircraft has received from the Director either a general permit for all flights or a specific permit for a single flight to be made at a lower height while engaged in such aerial work.
  - (3) The pilot of the aircraft is engaged in flying training and flies over an area in which low flying training is permitted by the Director;
  - (4) The pilot of the aircraft is engaged in a bailed approach procedure, or the practice of such procedures under the supervision of a flying instructor or a check pilot;
  - (5) The aircraft is flying in the course of actually taking off or landing at an aerodrome,
  - (6) The pilot of the aircraft is engaged in a search and rescue operation and is either engaged in a search or is dropping supplies in relation to such operation.

#### 11.21 REPORTING HAZARDOUS CONDITIONS

The pilot in command of an aircraft shall on meeting with hazardous conditions in the course of a flight or as soon as possible thereafter send to the appropriate ATS unit by the quickest means available information containing such particulars of the hazardous conditions as may be pertinent to the safety of other aircraft.

#### 11.22 REPORTS AT DESIGNATED POINTS OR INTERVALS

When radio apparatus is fitted in an aircraft and a flight plan has been submitted in respect of the flight, the time and altitude of passing each reporting point designated by the appropriate air traffic service unit or as notified in AIP or NOTAMS together with any other required information, shall be reported by radio as soon as possible to the appropriate air traffic services unit, and in the absence of designated reporting points, position reports shall be made at intervals specified by the appropriate air traffic services unit or as notified aforesaid.

**DIVISION D - RULES FOR THE AVOIDANCE OF AERIAL COLLISIONS****11.23 GENERAL**

- (a) Notwithstanding that the flight is being made with air traffic control clearance it shall remain the duty of the Pilot-in-Command of an aircraft to take all possible measures to ensure that his aircraft does not collide with any other aircraft.
- (b) An aircraft shall not be flown in such proximity to other aircraft as to create a danger of collision.
- (c) Aircraft shall not fly in formation unless the Pilots- in-Command of the aircraft have agreed to do so.
- (d) An aircraft which is obliged by this Division to give way to another aircraft shall avoid passing over or under the other aircraft, or crossing ahead of it, unless passing well clear of it.
- (e) An aircraft which has the right-of-way under this Regulation shall maintain its course and speed.
- (f) For the purposes of this Division glider and a flying machine which is towing it shall be considered to be a single aircraft under the command of the Pilot-in- Command of the towing flying machine.

**11.24 CONVERGING**

- (a) Subject to the provisions of Regulations 11.25 and 11.26, an aircraft in the air shall give way to other converging aircraft as follows:-
  - (i) flying machines shall give way to airships, gliders and balloons;
  - (ii) airships shall give way to gliders and balloons;
  - (iii) gliders shall give way to balloons.
- (b) Subject to the provisions of paragraph (a), when two aircraft are converging in the air at approximately the same altitude, the aircraft which has the other on its right shall give way:

Provided that mechanically driven aircraft shall give way to aircraft which are towing other aircraft or objects.

**11.25 APPROACHING HEAD-ON**

When two aircraft are approaching head-on or approximately so in the air and there is danger of collision, each shall alter its course to the right.

**11.26 OVERTAKING**

An aircraft which is being overtaken in the air shall have the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering course to the right, and shall not cease to keep out of the way of the other aircraft until that other aircraft has been passed and is clear, notwithstanding any change in the relative positions of the two aircraft.

**11.27 FLIGHT IN THE VICINITY OF AN AERODROME**

A flying machine, glider or airship while flying in the vicinity of what the Pilot-in-Command of the aircraft knows or ought reasonably to know to be an aerodrome or moving on an aerodrome shall unless in the case of an aerodrome having an air traffic control unit that unit otherwise authorises:-

- (1) conform to the pattern of traffic formed by other aircraft intending to land at that aerodrome, or keep clear of the airspace in which the pattern is formed;
- (2) make all turns to the left unless ground signals otherwise indicate.

#### 11.28 ORDER OF LANDING

- (a) An aircraft while landing or on final approach to land shall have the right-of-way over other aircraft in flight or on the ground or water.
- (b) In the case of two or more flying machines gliders or airships approaching any place for the purpose of landing, the aircraft at the lower altitude shall have the right-of-way, but it shall not cut in front of another aircraft which is in final approach to land or overtake that aircraft.

Provided that:-

- (1) when an air traffic control unit has communicated to any aircraft an order of priority for landing, the aircraft shall approach to land in that order; and
- (2) when the Pilot-in-Command of an aircraft is aware that another aircraft is making an emergency landing, he shall give way to that aircraft, and at night, notwithstanding that he may have received permission to land, shall not attempt to land until he has received further permission to do so.

#### 11.29 LANDING AND TAKE OFF

- (a) A flying machine, glider or airship shall take-off and land in the direction indicated by the ground signals or, if no such signals are displayed, into the wind, unless good aviation practice demands otherwise.
- (b) A flying machine or glider shall not land on a runway at an aerodrome if the runway is not clear of other aircraft unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.
- (c) Where take-offs and landings are not confined to a runway:-
  - (1) A flying machine or glider when landing shall leave clear on its left any aircraft which has landed or is already landing or about to take-off; if such a flying machine or glider is about to turn it shall turn to the left after the Pilot-in-Command of the aircraft has satisfied himself that such action will not interfere with other traffic movements; and
  - (2) A flying machine about to take-off shall take up position and manoeuvre in such a way as to leave clear on its left any aircraft which has already taken-off or is about to take-off.
- (d) A heavier than air powered aircraft after landing shall move clear of the landing area as soon as it is possible to do so unless, in the case of an aerodrome having an air traffic control unit, that unit otherwise authorises.

### DIVISION E - RULES RELATING TO MOVEMENT ON AERODROMES

#### 11.30 VISUAL SIGNALS

The Pilot-in-Command of a flying machine on, or in the pattern of traffic at, an aerodrome shall observe

such visual signals as may be displayed at, or directed to him from the aerodrome by the authority of the person in charge of the aerodrome and shall obey any instructions which may be given to him by means of such signals.

### 11.31 MOVEMENT ON AERODROMES

An aircraft shall not taxi on the apron or the manoeuvring area of an aerodrome without the permission of the person in charge of the aerodrome or, where the aerodrome has an air traffic control unit for the time being notified as being on watch, without the permission of that unit.

### 11.32 ACCESS TO AND MOVEMENT OF PERSONS AND VEHICLES ON AERODROMES

- (a) A person or vehicle shall not go onto any part of an aerodrome (not being a part of the aerodrome which is a public right of way) without the permission of the person in charge of that part of the aerodrome, and except in accordance with any conditions subject to which the permission may have been granted.
- (b) A vehicle or person shall not go or move on the manoeuvring area of an aerodrome having an air traffic control unit without the permission of that unit, and except in accordance with any conditions subject to which that permission may have been granted.
- (c) Any permission granted for the purposes of this Regulation may be granted whether in respect of persons or vehicles generally, or in respect of any particular person or vehicle or any class of person or vehicle.

### 11.33 RIGHT OF WAY ON THE GROUND

(a) This Regulation shall apply to:-

- (1) flying machines and
- (2) vehicles

on any part of a land aerodrome provided for the use of aircraft and under the control of the person in charge of the aerodrome.

- (b) Notwithstanding any air traffic control clearance it shall remain the duty of the Pilot-in-Command of an aircraft to take all possible measures to ensure that his aircraft does not collide with any other aircraft or with any vehicle.
- (c)
  - (1) Flying machines and vehicles shall give way to aircraft which are taking off or landing.
  - (2) Vehicles, and flying machines which are not taking off or landing, shall give way to vehicles towing aircraft.
  - (3) Vehicles which are not towing aircraft shall give way to aircraft.
- (d) Subject to the provisions of paragraph (c) and of Regulation 11.29(c) in case of danger of collision between two flying machines:
  - (1) when the two heavier than air powered aircraft are approaching head-on or approximately so, each shall alter its course to the right;

- (2) when the two flying machines are on converging courses, the one which has the other on its right shall give way to the other and shall avoid crossing ahead of the other unless passing well clear of it;
- (3) a flying machine which is being overtaken shall have the right-of-way, and the overtaking flying machine shall keep out of the way of the other by altering its course to the left until that other has been passed and is clear, notwithstanding any change in the relative positions of the two flying machines.
- (4) Subject to the provisions of paragraph (c) (2) a vehicle shall:-
  - (a) overtake another vehicle so that the other vehicle is on the left of the overtaking vehicle;
  - (b) keep to the left when passing another vehicle which is approaching head-on or approximately so.

#### 11.34 RESERVED

### DIVISION F - PREVENTING COLLISIONS AT SEA

#### 11.35 AIRCRAFT KEEP CLEAR OF VESSELS

Every aircraft in flight or in process of manoeuvring near the surface of the water, shall, as far as possible, keep clear of all vessels and avoid impeding their navigation.

#### 11.36 AIRCRAFT TO COMPLY WITH INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA

- (a) Subject to the provisions of this Division, every aircraft on water shall comply with the International Regulations for Preventing Collisions at Sea.
- (b) In conforming with the International Regulations for Preventing Collisions at sea aircraft shall have due regard to the fact that in narrow channels steam vessels cannot maneuver so as to avoid collision and avoid impeding their navigation.

#### 11.37 AVOIDANCE OF COLLISIONS ON WATER

Notwithstanding anything in the International Regulations for Preventing Collisions at Sea, aircraft shall observe the following rules with respect to other aircraft and vessels:

- (1) when aircraft, or an aircraft and a vessel are approaching one another and there is a risk of collision, the aircraft shall proceed with careful regard to existing circumstances and conditions including the limitations of the respective craft.
- (2) An aircraft which is converging with another aircraft or a vessel on its right shall give way so as to keep well clear of that aircraft or vessel.
- (3) An aircraft approaching another aircraft or a vessel head-on, or approximately head-on, shall alter its heading to the right so as to keep well clear of that aircraft or vessel.
- (4) An aircraft or vessel which is being overtaken has the right of way, and the one overtaking shall alter its heading to keep well clear of the aircraft or vessel being overtaken.

**11.38 WATER AERODROMES WHICH ARE CONTROLLED AERODROMES**

- (a) At a water aerodrome which is a controlled aerodrome, the following additional rules shall apply:-
- (1) An aircraft shall not take off or alight unless the alighting area has been swept and is known to be clear of floating debris dangerous to the navigation of aircraft except that, in an emergency, an aircraft may land in the safest part of the alighting area without delay.
  - (2) The pilot in command of an aircraft shall ensure that operations are conducted on the swept part of a water aerodrome by commencing his take off or landing run from such a position that the control launch is on his left at no greater distance than 75 metres.
- (b) At a water aerodrome which is a controlled aerodrome, the swept part of the alighting area shall be indicated by the control launch which shall take up position at the leeward and on the left side of the area and shall head into the direction of an aircraft taking off or alighting.

**11.39 INTERPRETATION**

The International Regulations for Preventing Collisions at Sea mean the International Regulations created by the International Conference on Revision of the International Regulations for Preventing at Sea. (London, 1972).

**11.40 RESERVED****DIVISION G - VISUAL FLIGHT RULES AND INSTRUMENT FLIGHT RULES****SUB-DIVISION I - GENERAL****11.41 CHOICE OF RULES**

An aircraft shall be flown in accordance with Visual Flight Rules or Instrument Flight Rules.

**SUB-DIVISION 2 - VISUAL FLIGHT RULES****11.42 VFR FLIGHT**

- (a) A flight conducted in accordance with the provisions of this Sub-Division is classed as a flight under Visual Flight Rules.
- (b) When a flight cannot be flown in accordance with Visual Flight Rules, the pilot in command shall comply with Instrument Flight Rules or land at the nearest suitable aerodrome.

**11.43 VFR FLIGHT - PREFLIGHT ASSESSMENT**

An aircraft shall not take off for the purpose of making a flight under Visual Flight Rules unless meteorological reports, or a combination of current meteorological reports and forecasts, show that meteorological conditions along the route to be flown are and will be such that the flight will be conducted under the Visual Flight Rules and will be completed before night.



#### 11.44 VFR FLIGHT PROHIBITED

- (a) A VFR flight shall not be operated:-
- (1) at night;
  - (2) above flight level 200; or
  - (3) at transonic or supersonic speeds
- (b) The Director may exempt from any of the provisions of paragraph (a) a flight or series of flights upon compliance with such conditions as he specifies.

#### 11.45 VFR FLIGHTS OUTSIDE OF CONTROLLED AIRSPACE

- (a) A VFR Flight outside of controlled airspace shall not be conducted at a height that is less than 900 metres above mean sea level unless:-
- (1) The pilot in command can navigate by reference to land and water and clear of clouds, and
  - (2) The flight visibility is equal to or greater than 5000 metres.
- (b) Notwithstanding the requirements of paragraph (a) the Director may in respect of helicopters make such special provision as he deems appropriate in respect of VFR Flights outside controlled airspace and shall cause such provisions to be published in AIP.
- (c) A VFR Flight outside controlled airspace shall not be conducted at a height of 900 metres above mean sea level or between that height and flight level 200 unless:-
- (1) The flight visibility is equal to or greater than 8 kilometres;
  - (2) The aircraft is flown at a distance equal to or greater than 1500 metres horizontally and 300 metres vertically from cloud; and
  - (3) When at cruising level, the aircraft is flown at a cruising level appropriate to its magnetic track as notified by the Director in AIP or in NOTAM.

#### 11.46 VFR FLIGHTS WITHIN CONTROLLED AIRSPACE

VFR flight within controlled airspace shall not be conducted unless:-

- (1) The flight visibility is equal to or greater than 8 kilometres.
- (2) The aircraft is flown at a distance equal to or greater than 1500 metres horizontally and 300 metres vertically from any cloud;
- (3) When at cruising level, the aircraft is flown at a cruising level appropriate to its magnetic track as notified by the Director in AIP or NOTAM or as required by the appropriate air traffic services unit.
- (4) The pilot in command complies with such requirements as to a flight plan as the Director requires and publishes in AIP.

**11.47 VFR FLIGHT LANDING AND TAKING OFF**

A VFR Flight shall not take off or land at an aerodrome within a control zone or enter the aerodrome traffic zone or traffic pattern when

- (1) The ceiling is less than 450 metres; or
- (2) The ground visibility is less than 8 kilometres unless the appropriate air traffic services unit grants a clearance.

**11.48 RESERVED****11.49 RESERVED****SUB-DIVISION 3 - INSTRUMENT FLIGHT RULES****11.50 IFR FLIGHT**

- (a) A flight conducted in accordance with the provisions of this Sub-Division is classed as a flight under Instrument Flight Rules.
- (b) Where an aircraft flies:-
  - (1) In weather conditions other than VMC for the flight except for the purpose of landing at the nearest suitable aerodrome in accordance with Regulation 11.42 (b);
  - (2) At night,

the pilot in command shall comply with the Instrument Flight Rules of this Sub-Division.

**11.51 MINIMUM HEIGHT FOR IFR FLIGHT**

- (a) An aircraft shall not, except when necessary for take off and landing, be flown at a height less than 300 metres above the highest obstacle located within 8 kilometres of the aircraft in flight.
- (b) The Director may designate the lowest safe altitude for a specified route segment and publish notification of each designation in AIP or in NOTAM and an aircraft shall not be flown, except for purposes of take off or landing, along a route segment at a height less than the altitude so designated for the route segment.

**11.52 CRUISING LEVELS FOR IFR FLIGHTS**

Unless otherwise directed by the Director, when conducting a flight under the Instrument Flight Rules, an aircraft shall be flown:-

- (1) Within controlled airspace - at a cruising level authorized for the flight by the appropriate Air Traffic Services unit, or
- (2) Outside controlled airspace - at a cruising level appropriate to its magnetic track as notified by the Director in Aeronautical Information Publication or NOTAM.

**11.53 RESERVED****11.54 RESERVED**

## **DIVISION H - SIGNALS FOR AIR TRAFFIC**

### **11.55 AERODROMETRAFFIC**

- (a) When control by means of radio telephony messages is not available in relation to aircraft being operated on or in the vicinity of an aerodrome, the appropriate visual signals may be used.
- (b) The appropriate visual signals are those specified in Annex 2 to the Chicago Convention for this purpose.

### **11.56 SIGNALS FOR PROHIBITED, RESTRICTED AND DANGER AREAS AND FOR EMERGENCY**

- (a) The signal appropriate to the occasion specified in Annex 2 shall be used:-
  - (1) When an aircraft is in or in the vicinity of, a danger area, a prohibited area or a restricted area.
  - (2) By an aircraft to indicate that it is in distress or that a situation of urgency exists in respect of it or that the message is a safety one.
- (b) The signals shall be used only in the circumstances and on the occasions specified in the Annex.

### **11.57 RESERVED**

### **11.58 RESERVED**

### **11.59 RESERVED**

## **DIVISION J - DISPLAY OF LIGHTS**

### **11.60 DISPLAY OF LIGHTS**

- (a) Every aircraft shall display lights of such kinds to such specifications and in such circumstances as are specified in Annex 2 and Annex 6 to the Chicago Convention.
- (b) The Director may, by notification, exempt an aircraft from compliance with any requirement of paragraph (a) and he may, where local circumstances so require, alter or adapt those requirements as he thinks fit.

### **11.61 RESERVED**

### **11.62 RESERVED**

### **11.63 RESERVED**

### **11.64 RESERVED**

## **DIVISION K - UNLAWFUL INTERFERENCE AND INTERCEPTION**

### **11.65 AIRCRAFT TO COMPLY WITH ANNEX 2**

Every aircraft shall comply with the provisions of Annex 2 and such other provisions as are made under the Chicago Convention respecting unlawful interferences, and interception of aircraft.

11.66 RESERVED

11.67 RESERVED

11.68 RESERVED

11.69 RESERVED

## **DIVISION L - FLIGHT PLANS**

### **11.70 FLIGHT PLANS REQUIRED**

The Director may, by notice published in AIP.

- (1) Declare that flights included in classes of flights are flights in respect of which flight plans are required to be submitted to the appropriate air traffic services unit and whether or not such flight plans are subject to the approval of that unit;
- (2) Specify in any such declaration the circumstances in which a flight may deviate from such flight plans and the conditions thereof; and
- (3) Make provision for the voluntary submission of a flight plan in respect of a flight and the conditions relating thereto.

### **11.71 COMPLIANCE WITH FLIGHT PLANS**

An aircraft shall not be flown on a flight for which a flight plan is required or in respect of which a flight plan has been submitted under Regulation 11.70 unless the conditions of the declaration relating thereto are complied with.

## **PART 12**

### **AIR TRAFFIC CONTROL**

#### **DIVISION 1 - THE AIR TRAFFIC SERVICE**

- 12.1 THE AIR TRAFFIC SERVICE (A.T.S.)**
- 12.2 FUNCTIONS OF THE AIR TRAFFIC SERVICE**
- 12.3 A.T.S. INSTRUCTIONS**
- 12.4 DESIGNATION OF AIRSPACE**
- 12.5 COMPLIANCE WITH A.T.S. INSTRUCTIONS AND CLEARANCES**
- 12.6 APPROVAL OF OPERATION OF THE AIR TRAFFIC SERVICE**
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#### **DIVISION 2 - LICENSING OF AIR TRAFFIC CONTROLLERS**

- 12.10 AIR TRAFFIC CONTROLLER'S LICENCE**
- 12.11 MINIMUM AGES**
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- 12.16 MEDICAL REQUIREMENTS**
- 12.17 INCAPACITY OF AIR TRAFFIC CONTROLLERS**
- 12.18 PROHIBITION OF UNLICENSED AIR TRAFFIC CONTROLLERS**



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**DIVISION 1 - THE AIR TRAFFIC SERVICE****12.1 THE AIR TRAFFIC SERVICE. (A.T.S.)**

There shall be a service established, maintained and operated which shall be known as the Air Traffic Service.

**12.2 FUNCTIONS OF AIR TRAFFIC SERVICE**

The functions of the Air Traffic Service shall be:

- (1) The prevention of collisions between aircraft, and on the manoeuvring area, between aircraft and obstructions;
- (2) Expediting and maintaining an orderly flow of air traffic;
- (3) The provision of such advice and information as may be useful for the safe and efficient conduct of flights;
- (4) The control of the initiation, continuation, diversion or termination of flight in order to ensure the safety of aircraft operations; and
- (5) Notifying appropriate organizations regarding aircraft known to be or believed to be in need of search and rescue, coordinating search and rescue and otherwise assisting those organisations as required.

**12.3 A.T.S. INSTRUCTIONS**

The Director may, by means of AIP or NOTAM, give such instructions and direction on matters within the functions of the Air Traffic Service as he considers necessary.

**12.4 DESIGNATION OF AIRSPACE**

(a) The Director may designate:

- (1) An aerodrome at which aerodrome control service is provided as a controlled aerodrome;
- (2) Airspace that is within defined horizontal and vertical limits as a control area or a control zone; and
- (3) Airspace in respect of which flight information and alerting services are provided as a flight information region.

(b) Where the Director designates an aerodrome or an airspace under paragraph (a), the Director shall cause a notification of the designation, including details of the boundaries and any conditions imposed by him, to be published in AIP or where the designation is of a temporary nature, in NOTAM.

**12.5 COMPLIANCE WITH A.T.S. INSTRUCTIONS AND CLEARANCES**

(a) An aircraft shall comply with air traffic service instructions.

(b) Subject to paragraph (c) and unless otherwise authorized by the appropriate Air Traffic Service

Unit or by notification in AIP or in NOTAM, an aircraft shall not:

- (1) enter, operate in or leave a control area;
  - (2) operate outside a control area as a result of a diversion out of that control area in accordance with Air Traffic Service Instructions; or
  - (3) enter, operate in, or leave a control zone or operate at a controlled aerodrome, except in accordance with an air traffic service clearance in respect of the aircraft.
- (c) If an emergency arises that necessitates a deviation from the requirement of an Air Traffic Service instruction, the pilot in command may make such deviation as is necessary but shall forthwith inform the Air Traffic Service unit of the deviation.
- (d) The pilot in command of an aircraft is responsible for compliance with Air Traffic Service clearances and Air Traffic Service instructions.
- (e) In this Regulation:
- (1) "Air Traffic Service Clearance" means an authorization given by a person performing duty in Air Traffic Service for an aircraft to proceed under conditions specified in the authorization;
  - (2) "Air Traffic Service Instruction" means a direction given by a person performing duty in Air Traffic Service for an aircraft to conduct its flight in the manner specified in the direction.

## 12.6 APPROVAL OF OPERATION OF AIR TRAFFIC SERVICE

- (a) This Regulation applies if the Air Traffic Service or a part thereof or if it functions at a particular place is under the control and management of a person other than the Director. That person is hereinafter referred to in this Regulation as the operator.
- (b) The functions and powers vested in the Director by Regulation 12.3, 12.4 and 12.5 shall be vested in the operator to the extent necessary to perform his functions.
- (c) The operator shall ensure that there is prepared and furnished to the staff of the Air Traffic Service such manuals as the Director requires to guide members of the staff in the performance of the functions specified in Regulation 12.2. Each manual and any amendment of any such manual shall be submitted to the Director for approval.
- (d) The operator shall furnish such equipment (including radio apparatus) and accommodation for the Air Traffic Services as is necessary for the effective performance of his functions and in compliance with the relevant standards and recommended practices and procedures for Air Navigation Services prescribed by the International Civil Aviation Organisation, the appropriate Regional Plan of that Organisation, the requirements of the Director and these Regulations.
- (e) The Director may impose such other requirements as he considers fit relating to the conduct and manning of the Air Traffic Service.
- (f) The operator shall comply with the provisions of this paragraph, in particular with any requirements of the Director and any other provisions of these Regulations that relate to the Air Traffic Service, its equipment and the charges (if any) imposed for the use of his services.



12.7 RESERVED

12.8 RESERVED

12.9 RESERVED

## DIVISION 2 LICENSING OF AIR TRAFFIC CONTROLLERS

### 12.10 AIR TRAFFIC CONTROLLER'S LICENCE

- (a) The Director may grant a licence, subject to such conditions as he thinks fit, to any person to act as an air traffic controller, or as a student air traffic controller, upon his being satisfied that the applicant is:
- (1) a fit person to hold the licence; and
  - (2) qualified by reason of his knowledge, experience, competence, skill, physical and mental fitness to act in that capacity.
- (b) An applicant under paragraph (a) shall furnish such evidence and undergo such examinations and tests (including medical examinations) as the Director may require.

### 12.11 MINIMUM AGES

The director shall not grant:

- (1) A student air traffic controller's licence to a person under the age of 18 years;
- (2) An air traffic controller's licence (Aerodrome Control Rating) to a person under the age of 18 years;
- (3) An air traffic controller's licence to a person under the age of 21 years.

### 12.12 RATINGS

- (a) Every Air Traffic Controller's licence shall include:
- (1) one or more of the following ratings:
    - (aa) aerodrome control,
    - (bb) approach control,
    - (cc) area control,
    - (dd) radar,
  - (2) a list of the places at which he may provide the service; and
  - (3) the type of radar equipment (if any) with the aid of which he may provide the service.
- (b) The functions of each rating specified in paragraph (a) shall be as follows:-
- (1) Aerodrome control rating entitles the holder of the licence to provide, at any aerodrome for which the rating is valid, air traffic control service for any aircraft on the manoeuvring area or apron of that aerodrome or which is flying in the vicinity of the aerodrome.

- (2) Approach control rating entitles the holder of the licence to provide, at any aerodrome for which the rating is valid, air traffic control service to any aircraft engaged in a controlled flight while in the terminal control area of that aerodrome.
- (3) Area control rating entitles the holder of the licence to provide, for any control area or portion thereof for which the rating is valid, air traffic control service.
- (4) Radar rating entitles the holder of the licence to provide:
  - (aa) at any aerodrome at which the rating is valid, air traffic control service with the aid of any type of precision approach radar for which the rating is valid;
  - (bb) at any aerodrome at which the rating is valid, air traffic control service with the aid of any type of surveillance radar equipment for which the rating is valid to aircraft while engaged in controlled flights arriving at or departing from that aerodrome;
  - (cc) within any control area for which the rating is valid, air traffic control service with the aid of any type of surveillance radar equipment for which for rating is valid.
- (c) the holder of a licence having a rating under paragraph (b) may supervise the provision of air traffic control service of the type specified in the rating at the aerodrome or for the control area for which the rating is valid.
- (d) A holder of a licence having a rating of the type specified in paragraph (b) (1) or (b) (2) is not entitled to exercise its privileges with any type of radar for which a radar rating is required unless he has a radar rating appropriate to the capacity in which he acts.
- (e) The holder of a licence which includes two or more ratings shall not any one time perform the functions specified in respect of more than one of these ratings (including in respect of a radar rating more than any one of the functions that can be specified in such rating) except for the following:-
  - (1) an aerodrome control rating and an approach control rating;
  - (2) an approach control rating and a radar rating authorizing the function specified in regulation 12.12(b)(4)(bb);
  - (3) an area control rating and a radar rating authorizing the function specified in Regulation 12.12(b)(4)(cc).
- (f) If throughout a period of 90 days, the holder of a licence has not at any time provided at a particular place the type of air traffic control service specified in a rating included in his licence, the rating shall cease to be valid for that place at the end of that period and the holder of the licence shall immediately sent the licence to the Director for it to be endorsed accordingly.

### 12.13 STUDENT AIR TRAFFIC CONTROLLER'S LICENCE

A licence to act as a student air traffic controller shall be valid only for the purpose of authorising the holder to provide air traffic control service under the supervision of a person who is present at the time and who holds an air traffic controller's licence which includes a rating appropriate to the type of air traffic control service which is being provided by the student air traffic controller.

**12.14 LICENCE TO BE SIGNED**

A licence granted under this Division shall not be valid unless the holder has signed his name on it in ink with his ordinary signature.

**12.15 DURATION OF LICENCE**

A licence granted under this Division shall remain in force for the period indicated in the licence and may be renewed by the Director from time to time upon him being satisfied that the applicant satisfies the requirements of Regulation 12.10 and such other requirements as are specified in this Division.

**12.16 MEDICAL AND OTHER EXAMINATIONS**

- (a) An applicant for and the holder of an air traffic controller's licence or student air traffic controller's licence shall when the Director may require:
- (1) submit himself to medical examination by a person approved by the Director who shall make a report to the Director in such form as the Director may require; and
  - (2) submit himself to such examinations and tests and furnish such evidence as to his knowledge, experience, competence and skill, as the Director may require.
- (b) On the basis of the medical examination referred to in paragraph (a), the Director or any person approved by him may issue a medical certificate subject to such conditions as are considered desirable to the effect that the holder of the licence is fit to perform the functions to which the licence relates and the certificate shall be valid for the period specified in it.
- (c) The holder of an air traffic controller's licence or a student air traffic controller's licence shall not provide air traffic control service unless his licence includes a medical certificate issued and in force under paragraph (b).

**12.17 INCAPACITY OF AIR TRAFFIC CONTROLLERS**

- (a) The holder of an air traffic controller's licence who:
- (1) suffers personal injury or illness involving incapacity to undertake the functions of his licence throughout a period of 20 consecutive days, or
  - (2) being a woman, has reason to believe that she is pregnant,
- shall inform the Director in writing of the condition as soon as possible.
- (b) An air traffic controller's licence shall be deemed to be suspended upon the expiration of the period, as to illness or injury, referred to in paragraph (a), and the suspension shall cease upon the Director being satisfied after the holder has been medically examined that the holder is fit to resume the functions under the licence or the Director exempting the holder from a medical examination subject to such conditions as the Director thinks fit.
- (c) Upon the pregnancy of the holder of an air traffic controller's licence being confirmed, the licence shall be deemed to be suspended, but the Director may lift the suspension subject to such conditions as he thinks fit and, in any event, the suspension shall cease upon the holder being medically examined under arrangements made by the Director after the pregnancy has ended and pronounced as fit to resume her functions under the licence.

### 12.18 PROHIBITION OF UNLICENSED AIR TRAFFIC CONTROLLERS

- (a) A person shall not provide at any place any type of air traffic control service unless he is the holder, and complies with the terms of:
  - (1) a student air traffic controller's licence and he is supervised in accordance with Regulation 12.13; or
  - (2) an air traffic controller's licence authorizing him to provide that type of service at that place; or
  - (3) an air traffic controller's licence which does not authorize him to provide that type of service at that place, but he is supervised by a person who is present at the time and who holds an air traffic controller's licence which authorizes him to provide at that place the type of air traffic control service which is being provided.
- (b) The holder of an air traffic controller's licence shall not be entitled to perform the functions of any rating specified in Regulation 12.12 in respect of a rating at any place unless:
  - (1) his licence includes that rating and the rating is valid for the place at which, and the type of radar, if any, with the aid of which the functions are performed; or
  - (2) he is supervised by a person who is present at the time and who is the holder of an air traffic controller's licence which authorizes him to provide at that place the type of air traffic control service which is being provided.
- (c) Nothing in this Division shall permit any person to operate manually any direction finding equipment for the purpose of providing air traffic control service to an aircraft at a time when he is providing air traffic control service or making signals to that aircraft or to another aircraft.
- (d) Nothing in this Regulation shall prohibit the holder of an air traffic controller's licence from providing at any place for which the licence includes a valid rating information to aircraft in flight in the interests of safety.

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## DIVISION A - AERODROMES

### 13.1 USE OF AERODROMES

An aircraft shall not take off or land at any place in the Republic unless:-

- (1) The place has been certified as an aerodrome under this Regulation, or
- (2) The use of the place is authorized by the Director under Regulation 13.33 and:-
  - (i) The aircraft is of a type authorized under that Regulation to land and take off from the place, and
  - (ii) The aircraft is engaged in operations of a class specified by the Director in the instrument of authorization for that place,

and unless the aircraft complies with any conditions subject to which the aerodrome may have been certified subject to which the place may have been authorized.

### PART A-GENERAL

#### 13.2 Application

Part A, B, C, D and E of these regulations apply to land aerodromes.

#### 13.3 Definitions

The terms described in this section have the following meanings whenever they appear in these regulations:

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

***Aerodrome certificate.*** The certificate to operate an aerodrome issued by the appropriate authority under Section B of these regulations subsequent to the approval of the aerodrome manual.

***Aerodrome facilities and equipment.*** Facilities and equipment, inside or outside the boundaries of an aerodrome, what are constructed or maintained for the arrival, departure and surface movement of aircraft.

***Aerodrome manual.*** The manual that forms part of the application for an aerodrome certificate pursuant to these regulations, including any amendments thereto approved by the Director.

***Aerodrome operator.*** In relation to a certified aerodrome, means the aerodrome certificate holder.

***Apron.*** A defined area, on land aerodrome, intended to accommodate aircraft for purposes of loading or unloading of passengers, mail or cargo, fuelling, parking or maintenance.

***Certified aerodrome.*** An aerodrome whose operator has been granted an aerodrome certificate.

***Maneuvering area.*** That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

***Marker.*** A symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information.



**Maximum carrying capacity.** In relation to an aircraft, means the maximum passenger-seating capacity, or the maximum payload, permitted under the aircraft's Type Certified Data Sheet.

**Maximum passenger seating capacity.** In relation to an aircraft, means the maximum number of seats for passengers permitted under the aircraft's Type Certified Data Sheet.

**Movement area.** That part of the aerodrome to be used for the take off, landing and taxiing of aircraft, consisting of the maneuvering area and the apron(s).

**Obstacle.** All fixed (whether temporary or permanent) and mobile objects, or part thereof, that are located on an area intended for the surface movement of aircraft or that extend above a defined surface intended to protect aircraft in flight.

**Obstacle free zone (OFZ).** The airspace above the inner approach surface, inner transitional surfaces, and balked landing surface and that portion of the strip bounded by these surfaces, which is not penetrated by any fixed obstacle other than a low-mass and frangibly mounted one required for air navigation purposes.

**Obstacle limitation surface.** A series of surface that define the volume of airspace at and around aerodrome to be kept free of obstacles in order to permit the intended aeroplane operations to be conducted safely and to prevent the aerodrome from becoming unusable by the growth of obstacles around the aerodrome.

**Runway strip.** A defined area including the runway and stopway, if provided, intended:

- (a) to reduce the risk of damage to aircraft running off a runway; and
- (b) to protect aircraft flying over it during take-off or landing operations.

**Safety management systems.** A system for the management of safety at aerodromes including the organizational structure, responsibilities, procedures, processes and provisions for the implementation of aerodrome safety policies by the aerodrome operator, which provides for the control of safety at, and the safe use of, the aerodrome.

**Taxiway strip.** An area including a taxiway intended to protect an aircraft operating on a taxiway and reduce the risk of damage to an aircraft accidentally running off the taxiway.

**Work area.** A part of an aerodrome in which maintenance or construction works are in progress.

#### 13.4 Standards and practices

Any reference in these regulations to aerodrome standards and practices is a reference to the Standards and Recommended Practices (SARPs) in the latest version of Volume 1 to Annex 14 to the Convention on International Civil Aviation, and these regulations and practices as amended from time to time.

### PARTB—AERODROME CERTIFICATION

#### 13.5 Requirement for an aerodrome certificate

- (a) The operator of an aerodrome intended for public use shall, in accordance with the national requirements, be in possession of an aerodrome certificate.
- (b) An aerodrome certificate is required if the passenger-seating capacity of the aircraft employed in the operations exceeds 30 seats.

**13.6 Application for an aerodrome certificate**

An applicant for an aerodrome certificate shall submit to the Director for approval an application in the form prescribed by the Director. The application shall include the aerodrome manual for the aerodrome.

**13.7 Grant of an aerodrome certificate**

- (a) Subject to the provision in regulation 13.6 (b) and 13.7(c) the Director may approve the application and approve the Aerodrome Manual submitted under regulation 13.6 and grant an aerodrome certificate to the applicant upon payment of the appropriate fee prescribed in Air Safety Circular AW 06.
- (b) Before granting an aerodrome certificate, the Director must be satisfied that;
- (1) the applicant and the applicant's staff have the necessary competence and experience to operate and maintain the aerodrome properly.
  - (2) the aerodrome manual prepared for the applicant's aerodrome and submitted with the application contains all the relevant information.
  - (3) the aerodrome facilities, services and equipment are in accordance with the standards and practices specified in regulations.
  - (4) the aerodrome operating procedures make satisfactory provision for the safety of aircraft; and
  - (5) acceptable Safety Management System is in place at the aerodrome.
- (c) The Director may refuse to grant an aerodrome certificate to an applicant. In such cases, the Director must notify the applicant, in writing of its reason.

**13.8 Endorsement of conditions on an aerodrome certificate**

After successful completion of the processing of the application and the inspection of the aerodrome, the Director, when granting the aerodrome certificate, will endorse the conditions for the type of use of the aerodrome and other details as may be stipulated in the Aerodrome Certificate.

**13.9 Duration of an aerodrome certificate**

An aerodrome certificate shall remain in force until it is suspended.

**13.10 Surrender of an aerodrome certificate**

- (a) An aerodrome certificate holder must give the Director not less than 20 day's written notice of the date on which the certificate is to be surrendered in order that suitable promulgation action can be taken.
- (b) The Director will cancel the certificate on the date specified in the notice.

**13.11 Transfer of an aerodrome certificate**

- (a) The Director may give its consent to and issue an instrument of transfer of an aerodrome certificate to a transferee when:
- (1) the current holder of the aerodrome certificate notifies the Director, in writing, at least 20 days before ceasing to operate the aerodrome, that the current holder will cease

- to operate the aerodrome as of the dates specified in the notice;
- (2) the current holder of the aerodrome certificate notifies the Director, in writing, of the name of the transferee;
  - (3) the transferee applies to the Director, in writing within 20 days before the current holder of the aerodrome certificate ceases to operate the aerodrome for the aerodrome certificate to be transferred to the transferee; and
  - (4) the requirement set out in regulation 13.7 (b) are met in respect of the transferee.
- (b) If the Director does not consent to the transferee of the aerodrome certificate, it shall notify the transferee, in writing, of its reason.

### 13.12 Interim aerodrome certificate

(a) The Director may issue an interim aerodrome certificate to the applicant referred to in regulation 13.6 or the proposed transferee of an aerodrome certificate referred to in regulation 13.11 (a)(1) authorising the applicant or transferee to operate an aerodrome if the Director is satisfied that;

- (1) an aerodrome certificate in respect of the aerodrome will be issued to the applicant or transferred to the transferee as soon as the application procedure for the grant or transfer of an aerodrome certificate has been completed; and
- (2) the grant of the interim certificate is in the public interest and is not detrimental to the aviation safety.

(b) An interim aerodrome certificate issued pursuant to regulation 13.12 (a) shall expire on;

- (1) the date on which the aerodrome certificate is issued or transferred; or
- (2) the expiry date specified in the interim aerodrome certificate;

whichever is earlier.

(c) These regulations apply to an interim aerodrome certificate in the same manner as they apply to an aerodrome certificate.

### 13.13 Amendment of an aerodrome certificate

The Director may, provided that the requirements of regulations 13.7 (b), 13.18 and 13.19 have been met, amend an aerodrome certificate when;

- (a) there is a change in the ownership or management of the aerodrome;
- (b) there is a change in the use or operation of the aerodrome;
- (c) there is a change in the boundaries of the aerodrome; or
- (d) the holder of the aerodrome certificate requests an amendment.

## PART C – AERODROME MANUAL

### 13.14 Preparation of the aerodrome manual

- (a) The operator of a certified aerodrome must have a manual, to be known as the Aerodrome Manual, for the aerodrome.
- (b) The aerodrome manual shall:

- (1) be typewritten or printed, and signed by the aerodrome operator;
- (2) be in a format that is easy to revise;
- (3) have a system for recording the currency of pages and amendments thereto, including a page for logging revisions; and
- (4) be organized in a manner that will facilitate the preparation, review and approval process.

### 13.15 Location of the aerodrome manual

- (a) The aerodrome operator must provide the Civil Aviation Department with a complete and current copy of the aerodrome manual.
- (b) The aerodrome operator must keep at least one complete and current copy of the aerodrome manual at the aerodrome and one copy at the operator's principal place of business if other than the aerodrome.
- (c) The aerodrome operator must make the copy referred to in regulation 13.15 (b) available for inspection by authorised Civil Aviation Department personnel.

### 13.16 Information to be included in the aerodrome manual

- (a) The operator of a certified aerodrome must include the following particulars in an aerodrome manual, to the extent that they are applicable to the aerodrome, under the following parts:

Part 1. General information set out in Air Safety Circular No. OPS 25 on the purpose and scope of the aerodrome manual; the legal requirement for an aerodrome certificate and an aerodrome manual as prescribed in the CAR; conditions for use of the aerodrome; the aeronautical information services available and the procedures for their promulgation; the system for recording aircraft movements and the obligations of the aerodrome operator as specified in Section D of these regulations.

Part 2. Particulars of the aerodrome site as set out in Air Safety Circular No. OPS 25.

Part 3. Particulars of the aerodrome required to be reported to the aeronautical information service as set out in Air Safety Circular No. OPS 25

Part 4. The aerodrome operating procedures and safety measures as set out in Air Safety Circular No. OPS 25. This may include references to air traffic procedures such as those relevant to low-visibility operations. Air traffic management procedures are normally published in the air traffic manual with a cross reference to the aerodrome manual.

Part 5. Details of the aerodrome administration and the safety management system as set out in Air Safety Circular No. Ops 25.

- (b) If, under the regulation 13.29 the Director exempts the aerodrome operator from complying with any requirement set out in regulation 13.7 (b), the aerodrome manual must show identifying number given to that exemption by the Civil Aviation Department and the date the exemption came into effect and any conditions or procedures subject to which the exemption was granted.
- (c) If a particular is not included in the aerodrome manual because it is not applicable to the aerodrome, the aerodrome operator must state in the manual the reason for non-applicability of the particular.

**13.17 Amendment of the aerodrome manual**

- (a) The operator of a certified aerodrome must alter or amend the aerodrome manual, whenever necessary, in order to maintain the accuracy of the information in the manual.
- (b) To maintain the accuracy of the aerodrome manual, the Director may issue a written directive to an aerodrome operator requiring the operator to amend the manual in accordance with that directive.

**13.18 Notification of changes to the aerodrome manual**

An aerodrome operator must notify the Civil Aviation Department, as soon as practicable, of any changes that the operator wishes to make to the aerodrome manual.

**13.19 Approval of the aerodrome manual**

The Director shall approve the aerodrome manual and any amendments thereto, provided these meet the requirements of the preceding regulation in this section.

**SECTION D – OBLIGATIONS OF THE AERODROME OPERATOR****13.20 Compliance with standards and practices**

The aerodrome operator shall comply with the standards and practices specified in regulations 13.4 and with any conditions endorsed in the certificate pursuant to regulation 13.8 and 13.29.

- (a) The aerodrome operator shall employ an adequate number of qualified and skilled personnel to perform all critical activities for aerodrome operation and maintenance.
- (b) If the Director or any authorized inspection by the Civil Aviation Department requires competency certification for the personnel referred to in regulation 13.20 (a) the aerodrome operator shall employ only those persons possessing such certificates.
- (c) The aerodrome operator shall implement a programme to upgrade the competency of the personnel referred to in regulation 13.20 (a).

**13.21 Aerodrome operation and maintenance**

- (a) Subject to any directives that the Director may issue, the aerodrome operator shall operate and maintain the aerodrome in accordance with the procedures set out in the aerodrome manual.
- (b) To ensure the safety of aircraft, the Director may give written directives to an aerodrome operator to alter the procedures set out in the aerodrome manual.
- (c) The aerodrome operator should ensure proper and efficient maintenance of the aerodrome facilities.
- (d) The aerodrome certificate holder shall coordinate with the ATS provider in order to be satisfied that appropriate air traffic services are available to ensure the safety of aircraft in the airspace associated with the aerodrome. The coordination shall cover other areas related to safety such as aeronautical information service, air traffic service, designated meteorological authorities, and security.

**13.22 Aerodrome operators safety management system**

- (a) The aerodrome operator shall establish a Safety Management System for the aerodrome describing the structure of the organization and the duties, powers and responsibilities of the officials in the organization structure, with a view to ensuring that operations are carried out in a demonstrably controlled way and are improved where necessary.

- (b) The aerodrome operator shall oblige all users of the aerodrome, including fixed-base operators, ground-handling agencies and other organizations that perform activities independently at the aerodrome in relation to flight or aircraft handling, to comply with the requirements laid down by the aerodrome operator with regard to safety at the aerodrome. The aerodrome operator shall monitor such compliance.
- (c) The aerodrome operator shall require all users of the aerodrome, including fixed base operators, ground handling agencies and other organizations referred to in regulation 13.22 (b) to cooperate in the programme to promote safety at, and the safe use of, the aerodrome by immediately informing it of any accidents, incidents, defects and faults which have a bearing on safety.

### 13.23 Aerodrome operator's internal safety audits and safety reporting

- (a) The aerodrome operator shall arrange for an audit of the Safety Management System, including an inspection of the aerodrome facilities and equipment. The audit shall cover the aerodrome operator's own functions. The aerodrome operator shall also arrange for an external audit and inspection programme for evaluating other users, including fixed-base operators, ground handling agencies and other organizations working at the aerodrome as referred to in regulation 13.22(b).
- (b) The audits referred to in regulation 13.23 (a) shall be carried out every six month, or as specified in the Operations Manual.
- (c) The aerodrome operator shall ensure that the audit reports, including the report on the aerodrome facilities, services and equipment, are prepared by suitably qualified safety experts.
- (d) The aerodrome operator shall retain a copy of the report(s) referred to in 13.23 (c) for a period to be agreed with the Civil Aviation Department. The Civil Aviation Department may request a copy of the report(s) for its review and reference.
- (e) The report(s) referred to in regulation 13.23 (c) must be prepared and signed by the persons who carried out the audits and inspections.

### 13.24 Access to aerodromes

- (a) Personnel so authorized by the Director may inspect and carry out tests on the aerodrome facilities, services and equipment, inspect the aerodrome operator's documents and records and verify the aerodrome operator's Safety Management System before the aerodrome certificate is granted or renewed and, subsequently, at any other time, for the purpose of ensuring safety at the aerodrome.
- (b) An aerodrome operator shall, at the request of the person referred to in regulation 13.24 (a) allow access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and operator personnel, for the purpose referred to in regulation 13.24 (a).
- (c) The aerodrome operator shall cooperate in conducting the activities referred to in 13.24 (a).

### 13.25 Notifying and reporting

- (a) An aerodrome operator shall adhere to the requirement to notify and report to the Civil Aviation Department, air traffic control and pilots within the specified time limits required by these regulations.
- (b) *Notification of inaccuracies in aeronautical information service (AIS) publications.* An aerodrome operator shall review all Aeronautical Information Publications (AIPs), AIP Supplements, AIP Amendments, Notices to Airmen (NOTAMs), Pre-flight Information Bulletins and

Aeronautical Information Circulars issued by AIS on receipt thereof and immediately after such reviews shall notify AIS of any inaccurate information contained therein that pertains to the

**(c) Notification of changes to the aerodrome facilities, equipment and level of service planned in advance.** An aerodrome operator shall notify AIS and the Civil Aviation Department, in writing at least 30 days before effecting any change to the aerodrome facility or equipment or the level of service at the aerodrome that has been planned in advance and which is likely to affect the accuracy of the information contained in any AIS publication referred to in regulation 13.25 (b).

**(d) Issues requiring immediate notification.** Subject to the requirements of regulation 13.25 (e) an aerodrome operator shall give AIS and shall arrange for air traffic control and the flight operations unit to receive immediate notice detailing any of the following circumstances of which the operator has knowledge;

(1) obstacle, obstruction and hazards:

- (i) any projections by an object through an obstacle limitation surface relating to the aerodrome; and
- (ii) the existence of any obstruction or hazardous condition affecting aviation safety at or near the aerodrome;

(2) level of service:

reduction in the level of service at the aerodrome as set out in any of the AIS publications referred to in regulation 13.25 (b).

(3) movement area:

closure of any part of the movement area of the aerodrome; and

(4) any other condition that could affect aviation safety at the aerodrome and against which precautions are warranted.

**(e) Immediate notification to pilots.** When it is not feasible for an aerodrome operator to arrange for the air traffic and the flight operations unit to receive notice of a circumstance referred to in 13.25(d) in accordance with that regulation, the operator must give immediate notice direct to the pilots who may be affected by that circumstance.  
aerodrome.

### 13.26 Special inspections

An aerodrome operator shall inspect an aerodrome, as circumstances require, to ensure aviation safety:

- (a) as soon as practicable after any aircraft accident or incident within the meaning of these terms as defined in Annex 13 to the Convention on International Civil Aviation;
- (b) during any period of construction or repair of the aerodrome facilities or equipment that is critical to the safety of aircraft operations; and
- (c) at any other time when there are conditions at the aerodrome that could affect aviation safety.

### 13.27 Removal of obstructions from the aerodrome surface

An aerodrome operator shall remove from the aerodrome surface any vehicle or other obstruction that is likely to be hazardous.

**13.28 Warning notices**

When low flying aircraft, at or near an aerodrome, or taxiing aircraft are likely to be hazardous to people or vehicular traffic, the aerodrome operator shall:

- (a) post hazard warning notices on any public way that is adjacent to the manoeuvring area; or
- (b) if such a public way is not controlled by the aerodrome operator, inform the authority responsible for posting the notices on the public way that there is a hazard.

**PART-E-EXEMPTIONS**

- 13.29 The Civil Aviation Department may exempt in writing, an aerodrome operator from complying with specific provisions of these regulations.
- 13.30 Before the Director decides to exempt the aerodrome operator, the Civil Aviation Department must take into account all safety related aspects.
- 13.31 An exemption is subject to the aerodrome operator complying with conditions and procedures specified by the Civil Aviation Department in the aerodrome certificate as being necessary in the interest of safety.
- 13.32 When an aerodrome does not meet the requirement of a standard or practice specified in regulation 13.4 the Civil Aviation Department may determine, after carrying out aeronautical studies, the conditions and procedures that are necessary to ensure a level of safety equivalent to that established by the relevant standard or practice.
- 13.33 Deviation from a standard or practice and the conditions and procedures referred to in 13.8 shall be set out in an endorsement on the aerodrome certificate.

**13.34 AUTHORIZATION OF PLACE FOR USE AS AN AERODROME**

- (a) The Director may, specifically or generally, authorize the use of any place for the purposes of landing and take off of aircraft, engaged in such classes of operations and subject to such conditions as the Director specifies in the instrument of authorization.
- (b) An authorization in respect of a place granted under this regulation does not confer on any person the right to land at that place without the consent of the occupier of the land unless a condition permitting use without consent is included in the authorization.

**13.35 STATE AIRCRAFT**

Aircraft used in the service of the Republic shall have access to any licensed aerodrome.

**13.36 USE OF AERODROMES AND AIR NAVIGATION FACILITIES BY AIRCRAFT OF CONTRACTING STATES**

- (a) Any aerodrome open to public use shall be open to any aircraft which possesses the nationality of a Contracting State on the same terms and conditions as for Maldivian aircraft.
- (b) An aircraft which possesses the nationality of a Contracting State shall be entitled to use such aerodromes and such visual and non-visual aids to air navigation as are open to public use.

**13.37 CHARGES FOR THE USE OF AERODROMES**

- (a) The licensee of an aerodrome for public use shall not cause or permit to be made any charge for the use of the aerodrome or for any service furnished to or in connection with aircraft unless such charge has been notified to the Director in writing.



- (b) The licensee of an aerodrome for public use shall cause particulars of the approved or prescribed charges to be kept exhibited in such a manner as to be readily available to persons affected by

### **13.38 PROVISION OF INFORMATION BY LICENSEES OF AERODROMES**

- (a) The licensee of an aerodrome for public use shall furnish to the Director when he so requires particulars as to the charges for the use of the aerodrome and of any facilities provided at the aerodrome for the safety, efficiency and regularity of air navigation.
- (b) If the Director so requires the licensee of an aerodrome for public use shall provide to him such statistics as to such matters as the Director determines.

### **13.39 OBSTRUCTION CLEARANCE AND MARKING**

- (a) Whenever any object located in the vicinity of an aerodrome for public use constitutes an obstruction or potential hazard to aircraft moving in the vicinity of the aerodrome, the occupier of the place or, in the case of a movable object, the person having the management of it shall comply with terms of a notice from the Director directing him within the time specified in the notice:-
  - (1) to remove the object or a portion of it specified in the notice; or
  - (2) to install and operate lights on the object and mark it in accordance with the requirements of the notice.
- (b) All reasonable expenses and the amount of actual loss suffered by the person (except a person violating an order under regulation 13.9) in complying with the directions in the notice may be recovered from the holder of the licence of the aerodrome in respect of which the notice of the Director was served.
- (c) A person who fails to comply with a notice served under this regulation is guilty of an offence and persons authorized by the Director may carry out the directions contained in the notice.
- (d) In the exercise of his powers under this regulation the Director will have regard to any material standards and recommended practices and procedures for air navigation services made under the Chicago Convention.
- (e) In this regulation "object" includes any man made or natural thing, whether movable or immovable and any crop or cultivated trees.

### **13.40 ZONING OF LAND AND WATERS IN THE VICINITY OF AERODROMES**

- (a) Every person who occupies land or who has the management or use of a vessel or vehicle in an area to which an order made under this regulation applies shall comply with the provisions of the order.
- (b) The Director may by order restrict the use of land or waters in the vicinity of an aerodrome for public use for the purpose of protecting the approach and transitional surfaces of the aerodrome in accordance with the material standards and recommended practices and procedures for air navigation services prescribed under the Chicago Convention.

- (c) An order made under paragraph (b) may provide for:-
- (1) prohibition of the erection of or limitation of the height of buildings, structures or things;
  - (2) prohibition of the planting of or limitation of the height of any trees;
  - (3) prohibition of sowing or growing any plant or crop; and
  - (4) prohibition of the bringing of vessels or vehicles or anchoring, mooring or parking of any vessel or vehicle,

in any area or areas to which the order applies.

(d) An order made under paragraph (b) may make different provision with respect to different areas.

(e) An order made under this regulation only becomes effective upon publication in a local newspaper.

#### **13.41 DUMPING OF RUBBISH**

- (a) Where the presence of waste food stuffs, in the vicinity of an aerodrome for public use in the opinion of the Director, may constitute such an attraction to birds as to create potential hazard to aircraft using or flying in the vicinity of that aerodrome, he by notice may prohibit the leaving or bringing on of waste food in an area of land or water in the vicinity of the aerodrome.
- (b) A person shall not leave waste food or bring waste food on land or water which is the subject of a notice under paragraph (a).
- (c) A person, being the occupier of land within an area the subject of a notice under paragraph (a), shall when so required by the Director and within the time and in the manner specified by the Director remove waste food from his land to a place outside the aforesaid area.
- (d) If a person fails to comply with the requirement of the Director in pursuance of paragraph (c) he shall be guilty of an offence and the Director may authorize persons to remove or deal with the waste food.

### **DIVISION B - AVIATION FUEL AT AERODROMES**

#### **13.42 DELIVERY OF AVIATION FUEL AND CHECKING OF QUALITY**

- (a) A person who manages an aviation fuel installation on an aerodrome shall not permit to be delivered or cause to be delivered any fuel to that installation or from it to an aircraft unless:-
- (1) When the aviation fuel is delivered into the installation:
    - (aa) the installation is capable of storing and dispensing fuel so as not to render it unfit for use in aircraft;
    - (bb) the installation is marked in a manner appropriate to the grade of fuel stored or if different grades are stored in different parts each part is so marked; and

- (cc) in the case of delivery into an installation from a vehicle or vessel, the fuel has been sampled and is of a grade appropriate to that installation or that part of the installation as the case may be and is fit for use by aircraft;
- (2) When any aviation fuel is dispensed from the installation he is satisfied as a result of sampling the fuel is found to be fit for use in aircraft.
- (b) This regulation does not apply in respect of fuel which has been removed from an aircraft and is intended for use in another aircraft operated by the same operator as the aircraft from which it has been removed.

### 13.43 RECORDS

- (a) A person to whom regulation 13.11 applies shall keep for each installation which he manages a written record which shall include:-
  - (1) particulars of the grade and quantity of aviation fuel delivered and the date of delivery;
  - (2) particulars of all samples taken of the aviation fuel and the results of tests of those samples;
  - (3) particulars of maintenance and cleaning of the installation.
- (b) The written record referred to in paragraph (a) shall be preserved for a period of 12 months or for such longer period as the Director requires and shall be produced to him or any authorised person on request.

### 13.44 AVIATION FUEL TO BE FIT FOR USE

A person shall not cause or permit any aviation fuel to be dispensed for use in an aircraft if he knows or has reason to believe that it is not fit for such use.

### 13.45 PROHIBITION OF SUPPLY OF FUEL

If the Director is not satisfied that any aviation fuel which is intended or likely to be delivered for use in an aircraft is fit for use, the Director may direct the person managing the installation not to permit aviation fuel to be dispensed from the installation until the direction has been revoked.

### 13.46 INTERPRETATION

For the purpose of this Division

- (1) "Aviation fuel" means fuel intended for aircraft;
- (2) "Aviation fuel installation" means any apparatus or container, including a vehicle or a vessel, designed, manufactured or adapted for the storage of aviation fuel or for the delivery of such fuel to an aircraft.

## DIVISION C - AIR NAVIGATION AIDS

### SUB-DIVISION 1 - AERONAUTICAL RADIO STATIONS

#### 13.47 ESTABLISHMENT OF AERONAUTICAL RADIO STATIONS

A person shall not cause or permit an aeronautical radio station to be established or used unless its

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purpose has been approved by the Director, and the equipment is of a type the specification of which has been approved by the Director for the purpose for which it is to be used and such conditions as are specified in the approval are complied with.

#### 13.48 INSTALLATION AND CHECKING OF AERONAUTICAL RADIO STATIONS

- (a) The operator of any aeronautical radio station shall not cause or permit the aeronautical radio station to provide navigational aid to aircraft unless the aeronautical radio station is:-
  - (1) installed, modified and maintained in a manner approved by the Director; and
  - (2) flight checked by the Director or by a person approved by the Director on such occasions as the Director may require.
- (b) This Regulation does not apply to any aeronautical radio station which is used solely for the purpose of enabling communications to be made by or on behalf of the operator of an aircraft and the pilot in command of an aircraft.

#### 13.49 TYPE AND HOURS OF SERVICE OF AERONAUTICAL RADIO STATION

- (a) The operator of an aeronautical radio station for public use (whether located at an aerodrome for public use or elsewhere) shall notify the type of service which is available for use by aircraft and the hours of operation of that service.
- (b) The operator of an aeronautical radio station not for public use (whether located at an aerodrome or elsewhere) may be required by the Director to comply with the provisions of paragraph (a).

#### 13.50 RECORDS OF AERONAUTICAL RADIO STATIONS AVAILABLE FOR NAVIGATION OF AIRCRAFT

The operator of any aeronautical radio station shall in respect of the station.

- (1) Keep a written record of functional tests, flight checks and particulars of any overhaul, repair, replacement or modification thereof; and
- (2) Preserve the written record for a period of one year, or such longer period as the Director requires, and shall at the request of an authorized person produce such record to that person.

#### 13.51 RECORDS OF AERONAUTICAL RADIO STATION USED FOR THE PROVISION OF AIR TRAFFIC SERVICE

- (a) The operator of an aeronautical radio station which is used for the provision of air traffic services by an air traffic control unit shall provide apparatus (in this Regulation referred to as "the apparatus") which is capable of recording the terms or content of any radio message or signal to any aircraft either alone or in common with other aircraft or received from any aircraft by the air traffic control unit.
- (b) The apparatus shall be:
  - (1) of a type the specification of which is approved by the Director for that particular aeronautical radio station;
  - (2) installed, modified and maintained in a manner approved by the Director; and
  - (3) in operation at all times when the aeronautical radio station is in operation for providing air traffic service.

An approval may be subject to compliance with such conditions as the Director specifies in the instrument of approval.

- (c) The operator of an aeronautical radio station shall ensure that each record made by the apparatus includes:
  - (1) the identification of the aeronautical radio station;
  - (2) the date or dates on which the record was made;
  - (3) a means of determining the time at which each message or signal was transmit
  - (4) the identity of the aircraft to or from, and the radio frequency on, which the message or signal was transmitted or received; and
  - (5) the time at which the record started and finished.
- (d) If at any time the apparatus ceases to be capable of recording the matters required by this regulation to be recorded the operator shall ensure that a written record is kept in which the particulars in paragraph (c) are recorded together with a summary of communications exchanged between the aeronautical radio station and aircraft.
- (e) The operator of an aeronautical radio station shall preserve any record made in compliance with paragraphs (a) and (d) for a period of 30 days from the date on which the message or signal was recorded or for such longer period as the Director may in a particular case direct, and shall produce such records to him or an authorised person on request.

### **13.52 CONTROL OF INTERFERENCE WITH AERONAUTICAL RADIO STATIONS**

- (a) A person shall comply with the directions of a notice served upon him under this regulation and shall not impede or obstruct any authorized person inspecting or testing any installation subject to a notice under this Regulation.
- (b) Where an installation may be, either actively or passively, causing interference to signals or communications to or from an aeronautical radio station, an authorized person with such assistance as he requires may, after notice to the owner or user of the installation or occupier of the place where installation is situated (in this regulation referred to as “The person”), inspect and test the installation.
- (c) If the Director, as a result of the inspection and any test in accordance with paragraph (b), determines that it is necessary to do so in the interests of safety of air navigation he may by notice served on the person upon whom notice was served under paragraph (b) direct the person to modify or take other action as to eliminate the interference.
- (d) If the person upon whom notice has been served under paragraph (c) fails to comply with the direction within the time specified in the notice, an authorized person with such assistance as he requires may take such action as is directed by the notice.
- (e) In this regulation “installation” includes any electrical or other equipment or any metallic structure.

**13.53 INTERPRETATION**

In this sub-division:

- (1) "Aeronautical radio station" means a radio station on the surface, which transmits or receives signals for the purpose of assisting aircraft;
- (2) "Operator" means the person having the management of an aeronautical radio station.

**SUB-DIVISION 2 - AERONAUTICAL LIGHTS AND DANGEROUS LIGHTS****13.54 AERONAUTICAL LIGHTS**

- (a) A person, except with the permission of the Director and in accordance with the conditions of the permission, shall not establish, maintain or alter the character of:
  - (1) an aeronautical beacon; or
  - (2) an aeronautical ground light (other than an aeronautical beacon) at an aerodrome licensed under this Part, or which forms part of the lighting system for use by aircraft taking off or landing at such an aerodrome.
- (b) A person shall not damage or interfere with an aeronautical ground light established by or with the permission of the Director.

**13.55 DANGEROUS LIGHTS**

- (a) A person shall not exhibit a light which:
  - (1) because of its glare may endanger aircraft taking off or landing at an aerodrome or using an A.T.S. route; or
  - (2) because it may be mistaken for an aeronautical ground light, may endanger aircraft.

In this regulation any such light is referred to as a dangerous light.

- (b) Upon service of a notice from the Director and within the period specified in the notice the occupier of the place at which the dangerous light is located or the person in charge thereof shall permanently extinguish the dangerous light or take such other measures as may be specified in the notice.

## **PART 14**

### **OTHER SERVICES FOR CIVIL AVIATION**

#### **DIVISION A - THE AERONAUTICAL INFORMATION SERVICE**

- 14.1 ESTABLISHMENT AND FUNCTIONS**
- 14.2 PUBLICATIONS OF THE AERONAUTICAL INFORMATION SERVICE**
- 14.3 COMPLIANCE WITH THE CHICAGO CONVENTION**
- 14.4 RESERVED**
- 14.5 RESERVED**

#### **DIVISION B - THE SEARCH AND RESCUE SERVICE**

- 14.6 ESTABLISHMENT OF SEARCH AND RESCUE SERVICE**
- 14.7 COMPLIANCE WITH THE CHICAGO CONVENTION**
- 14.8 RESERVED**
- 14.9 RESERVED**

#### **DIVISION C - FIRE FIGHTING AND RESCUE**

- 14.10 ESTABLISHMENT**
- 14.11 FUNCTIONS OF SERVICE**
- 14.12 DUTIES OF THE OFFICER IN CHARGE OF THE SERVICE**
- 14.13 GENERAL POWERS OF THE OFFICER IN CHARGE OF THE SERVICE**
- 14.14 SPECIFIC POWER OF OFFICER IN CHARGE OF THE SERVICE**
- 14.15 NO CIVIL ACTION FOR DAMAGE**

#### **DIVISION D - PROVISION OF METEOROLOGICAL INFORMATION**

- 14.16 PROVISION OF METEOROLOGICAL INFORMATION**





**DIVISION A - THE AERONAUTICAL INFORMATION SERVICE****14.1 ESTABLISHMENT AND FUNCTIONS**

- (a) The Director may establish or permit to be established a service to be known as the Aeronautical Information Service.
- (b) The functions of Aeronautical Information Service are the collection and dissemination of aeronautical information and instructions relating to the safety, regularity and efficiency of air navigation.

**14.2 PUBLICATIONS OF THE AERONAUTICAL INFORMATION SERVICE**

- (a) The Aeronautical Information Service shall publish publications to be known as Aeronautical Information Publications and notices to be known as Notices to Airmen.
- (b) There shall be published in Aeronautical Information Publications the aeronautical information and instruction required by the regulations to be so published and other aeronautical information and instructions which are of a lasting (permanent) character essential to air navigation.
- (c) There shall be published in Notices to Airmen the aeronautical information and instructions required by these Regulations to be published and such other aeronautical information and instructions as are of temporary nature or cannot be published with sufficient expedition.

**14.3 COMPLIANCE WITH CHICAGO CONVENTION**

The Aeronautical Information Service shall comply with the standards and recommended practices of Annex 15 of Chicago Convention and such directions as the Director may from time to time give relating to its conduct.

**14.4 RESERVED****14.5 RESERVED****DIVISION B - THE SEARCH AND RESCUE SERVICE****14.6 ESTABLISHMENT OF SEARCH AND RESCUE SERVICE**

The Director may require the operator of an aerodrome licensed or authorised under Part 13 to make arrangements for the establishment and operation of a search and rescue service for the purpose of assisting aircraft which may be in need of search and rescue service.

**14.7 COMPLIANCE WITH THE CHICAGO CONVENTION**

A search and rescue organisation established under this division shall be operated in accordance with the relevant standards & recommended practices of Annex 12 of the Chicago Convention.

**14.8 RESERVED****14.9 RESERVED****DIVISION C - FIRE FIGHTING AND RESCUE**

**14.10 ESTABLISHMENT**

The Director may require the operator of an aerodrome licensed or authorized under Part 13 to establish and maintain at that aerodrome a Fire Fighting and Rescue Service.

**14.11 FUNCTIONS OF SERVICE**

A Fire Fighting and Rescue Service established at an aerodrome is responsible for all operations in connection with:-

- (1) The rescuing of persons and property from an aircraft that has crashed, has caught on fire or has been involved in an accident on, or in the vicinity of, the aerodrome.
- (2) The control and extinguishing of, and the protection of persons and property threatened by:
  - (i) A fire at the aerodrome, whether in an aircraft or elsewhere on the aerodrome; or
  - (ii) A fire in the vicinity of the aerodrome, being a fire that is in (or that originated in) an aircraft.

**14.12 DUTIES OF THE OFFICER IN CHARGE OF SERVICE**

The Officer in charge of a Fire Fighting and Rescue Service shall take charge of any operation for which the service is responsible under regulation 14.11.

**14.13 GENERAL POWERS OF THE OFFICERS IN CHARGE OF SERVICE**

Where the officer in charge of a fire fighting and rescue service has taken charge of an operation in accordance with regulation 14.12, he:-

- (1) may give such directions as he thinks proper for the purpose of carrying out the operation to members of the fire fighting and rescue service and to persons who have voluntarily placed their services at his disposal; and
- (2) may take such measures as he thinks proper for the purpose of carrying out the operation.

**14.14 SPECIFIC POWERS OF THE OFFICER IN CHARGE OF THE SERVICE**

- (a) The powers of the Officer in charge of a Fire Fighting and Rescue Service conferred by Regulation 14.13 include in relation to an operation of which he has taken charge under that regulation power:-
  - (1) by force or otherwise, to enter, take possession of, use, pull down, sink, damage, remove or destroy any premises, aircraft or other property;
  - (2) to close to traffic any street;
  - (3) to use without payment any convenient supply of water and shut off water from any main or pipe to obtain a greater supply of water;
  - (4) to remove from any land, premises, or aircraft any inflammable, explosive or dangerous material;
  - (5) to order a person to leave any land, premises or aircraft;

- (6) to remove a person or thing the presence of whom or which is, in his opinion, interfering, or likely to interfere with, the operation;
  - (7) to take a fire engine or other fire appliance through, over or upon any land or premises;
  - (8) to shut up, pull down or destroy a wall, or building that, in his opinion, is damaged or made in secure or may be dangerous to person or property; and
  - (9) to direct or authorize the doing by a member of the Fire Fighting and Rescue Service or any volunteer of any act or thing the Officer in charge is under this regulation and regulation 14.13 empowered to do.
- (b) A member of the Fire and Rescue Service who is taking part in any operation under this regulation may for the purpose of carrying out the operation do any act or thing set out in sub-paragraph (1) to (8) of paragraph (a) without the authorization referred to in sub-paragraph (9) of that paragraph where it is not practicable to secure that authorization.

#### **14.15 NO CIVIL ACTION FOR DAMAGE**

No action lies against the Republic or any person for the damage caused to a person or property by reason of the exercise of a power under Regulation 14.13 or 14.14.

### **DIVISION D - METEOROLOGICAL SERVICES**

#### **14.16 PROVISION OF METEOROLOGICAL INFORMATION**

The Director may make arrangements with the Director of Meteorology for the provision of meteorological information in such form and in such manner and at such places as the Director considers necessary to ensure the safe, economic and regular operation of aircraft and to give effect to the Chicago Convention.

## **PART 15**

### **OPERATION OF AIRCRAFT**

#### **DIVISION 1 OPERATOR'S CERTIFICATE**

- 15.1 AIR OPERATOR'S CERTIFICATE**
- 15.2 GRANT OF AIR OPERATOR'S CERTIFICATE**
- 15.3 SUBMISSION OF THE PROPOSAL**
- 15.4 DETAILS OF FINANCIAL INFORMATION TO BE PROVIDED IN THE PROPOSAL**
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- 15.6 DURATION OF CERTIFICATES**
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#### **DIVISION 2 - COMPOSITION OF AIRCRAFT CREW**

- 15.10 COMPOSITION OF FLIGHT CREW**
- 15.11 MINIMUM PILOT COMPLEMENT - PUBLIC TRANSPORT**
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#### **DIVISION 3 - FATIGUE OF CREW**

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15.31 TRAINING OF CREW

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**15.41 PUBLIC TRANSPORT - FLIGHT OVER WATER EXTENDED RANGE TWIN ENGINED OPERATIONS (ETOPS)**

**15.42 AERODROME MINIMA - MALDIVIAN PUBLIC TRANSPORT AIRCRAFT**

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**DIVISION 7 - THE AUTHORITY AND RESPONSIBILITIES OF THE PILOT IN COMMAND AND OTHER FLIGHT CREW**

**15.44 AUTHORITY OF THE PILOT IN COMMAND**

**15.45 PRE-FLIGHT ACTION BY PILOT IN COMMAND**

**15.46 PASSENGER BRIEFING BY PILOT IN COMMAND**

**15.47 PILOT TO REMAIN AT CONTROLS**

**15.48 PUBLIC TRANSPORT OF PASSENGERS - ADDITIONAL DUTIES OF PILOT IN COMMAND**

**DIVISION 8 - RADIO APPARATUS, NAVIGATION EQUIPMENT AND FLIGHT RECORDING SYSTEM**

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- 15.57 EXITS AND BREAK-IN MARKINGS
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- 15.64 GRANT OF AIR OPERATOR'S CERTIFICATE
- 15.65 HOLDERS OF AIR OPERATOR'S CERTIFICATE

**DIVISION 1 - OPERATOR'S CERTIFICATE****15.1 AIR OPERATOR'S CERTIFICATE**

A Maldivian aircraft shall not fly on any flight for the purpose of public transport except under and in accordance with the terms and conditions of an Air Operator's Certificate granted to the operator of the aircraft under regulation 15.2, certifying that the holder of the certificate is competent to secure that aircraft operated by him on such flights as that in question are operated safely.

**15.2 GRANT OF AIR OPERATOR'S CERTIFICATE**

- (a) The Director may grant to any person applying thereof an Air Operator's Certificate if he is satisfied that the person is competent, having regard in particular to his previous conduct and experience, equipment, organization, staffing, maintenance and other arrangements, to secure the safe operation of aircraft of the type specified in the certificate on flights of the description and for the purposes so specified.
- (b) An applicant will be able make a formal AOC application after the applicant is granted with a No Objection Letter (NOL) in accordance with these regulations.
- (c) Financial and other commercially sensitive information provided by any applicant shall be treated as confidential information by the Director.
- (d) A certificate under paragraph 15.2 (a) may be granted to successful applicants in accordance with the following procedure.

**15.3 SUBMISSION OF THE PROPOSAL**

- (a) For the grant of an Air Operator's Certificate, the applicant shall first make a written proposal to the Director with applicant's plans of the proposed services, areas of operation, type of aircraft to be acquired, financial soundness of the applicant, the applicant's organizational structure, project viability, proposed main base of operations and other secondary stations as may be required. This shall include
  - (i) the manner in which the aircraft is obtained/ owned, dry leased or wet leased;
  - (ii) If the aircraft is under foreign register, the understanding with the foreign Civil Aviation Authority;
  - (iii) The training facilities that will be used;
  - (iv) The manner in which the operator plans to;
    - (aa) get all technical documents prepared;
    - (bb) train all technical personnel;
    - (cc) to contract-out any work, if any;



In addition, the following information shall be furnished in the proposal.

- (b) In case of an individual;
  - (i) Name
  - (ii) Nationality
  - (iii) Full Postal address with Telephone, Fax and email address
- (c) In case of a company or a corporate body;
  - (i) Name of the company/corporate body with details of registration
  - (ii) Full Postal address with Telephone, Fax and email address of the registered office
  - (iii) Full details of any other businesses the company is engaged in
  - (iv) Names and Nationalities of the Board of Directors
  - (v) Details of the share holding of the company
  - (vi) Percentage share of foreign nationals of the company, if any.
  - (vii) A copy each of the Certificate of Incorporation and Memorandum and Articles of Association
  - (viii) Objectives of the organization particularly with regard to proposed air transport operations
  - (ix) Details of experience in civil aviation activities
- (d) Type of Air Transport Services proposed,
  - (i) Scheduled Air Transport Services
  - (ii) Non- Scheduled Air Transport Services
- (e) Potential need for the proposed services,
- (f) Details of the routes proposed to be operated with the type of aircraft, proposed flight scheduled, and frequency,
- (g) Availability of seat kilometers proposed to be deployed in each category of the routes/region.

**15.4 DETAILS OF FINANCIAL INFORMATION TO BE PROVIDED IN THE PROPOSAL**

- (a) A three-year cash flow forecast which discloses,
  - (i) A breakdown of receipt and payment items with estimates for each item as prescribed in Form CAD/AT-09
  - (ii) Any relevant explanatory notes including details of projected annual flying hours
- (b) In case of a company or a corporate body;
  - (i) Authorized and Subscribed Equity capital,
  - (ii) A copy of the latest financial statements (preferably audited) including profit and loss statement and balance sheet together with any accompanying notes or qualifications,
  - (iii) If the corporate entity is part of a larger corporate group, a copy of the latest consolidated financial statements (preferably audited) for the group of companies including profit and loss statement and balance sheet together with any accompanying notes and qualification
- (c) In case of an individual details of any competing demands that will be placed upon the applicant's funds in the applicant's aviation business
- (d) Applicant should indicate the basis upon which key forecast assumptions have been made, in particular whether any market research has been carried out, or other investigations made, into market demand, revenue and expenditure aspects of the proposed AOC operation, and if so the findings.

**15.5 APPROVAL OF THE PROPOSAL AND GRANT OF NO-OBJECTION LETTER**

- (a) If the director approves the proposal, a NOL shall be granted within 14 days of submission of the proposal.
- (b) If the director is of the opinion that the applicant is unfit for the grant of an NOL, the Director shall inform the applicant within 14 days of submission of the proposal. The Director shall stipulate his reasons for the decision.
- (e) Upon issuance of the NOL and within 12 months of its issue, the applicant shall submit the completed AOC application form; Form No: CAD/OPS-01, the completed form together with all required documentation.
- (f) If the applicant fails to submit completed AOC application form with all the required documents within the 12 months as stipulated in 15.5 (e) above, the NOL will become invalid after 12 months.

**15.6 DURATION OF CERTIFICATES**

A certificate granted under this Division shall remain in force for the period specified in the certificate.

15.7 RESERVED

15.8 RESERVED

15.9 RESERVED

## DIVISION 2 - COMPOSITION OF AIRCRAFT CREW

### 15.10 COMPOSITION OF FLIGHT CREW

- (a) An aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the country in which it is registered.
- (b) A Maldivian aircraft shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the certificate of airworthiness issued or rendered valid under these Regulations or, if no certificate of airworthiness is required under these Regulations to be in force, the certificate of airworthiness, if any, last in force under these Regulations in respect of that aircraft.

### 15.11 MINIMUM PILOT COMPLEMENT - PUBLIC TRANSPORT

- (a) A power driven heavier than air Maldivian aircraft flying for the purpose of public transport having a maximum total weight authorised exceeding 5700 kg shall carry not less than two pilots as members of the flight crew thereof.
- (b) A Maldivian aeroplane flying for the purpose of public and having a maximum total weight authorised of 5700 kg or less and powered by:
  - (1) one or more turbine jets;
  - (2) one or more turbine propeller engines and provided with a means of pressurising the personnel compartments;
  - (3) two or more turbine propeller engines and certificated to carry more than nine passengers;
  - (4) two or more turbine propeller engines and certificated to carry fewer than ten passengers, not provided with a means of pressurising the personnel compartment unless it is equipped with an autopilot which has been approved by the Director for the purposes of this Regulation and which is serviceable on take off; or
  - (5) two or more piston engines, unless it is equipped with an autopilot which has been approved by the Director for the purposes of this Regulation and which is serviceable on take off;

shall carry not less than two pilots as members of the flight crew thereof:

provided that an aeroplane described in sub-paragraphs (4) or (5) which is equipped with an approved autopilot shall not be required to carry two pilots notwithstanding that before take-off the approved autopilot is found to be unserviceable, if the aeroplane flies in accordance with arrangements approved by the Director.

### 15.12 FLIGHT NAVIGATOR REQUIREMENTS

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A Maldivian aircraft engaged on a flight for the purpose of public transport shall carry navigational equipment approved by the Director and used in accordance with any conditions subject to which that approval may have been given.

#### 15.13 RESERVED

#### 15.14 RESERVED

#### 15.15 CABIN ATTENDANTS

Any public transport flight by a Maldivian aircraft which in accordance with its Certificate of Registration, carrying one or more passengers shall comply with the requirements specified for cabin attendants in Air Safety Circular; OPS 11.

### DIVISION 3 - FATIGUE OF CREW

#### 15.16 APPLICATION AND INTERPRETATION

(a) The provisions of this Division apply in relation to any Maldivian aircraft which is either:-

- (1) engaged on a flight for the purpose of public transport; or
- (2) operated by an airtransport undertaking;

Provided that these provisions do not apply to a flight made only for the purpose of instruction or on behalf of a flying club or flying school, or a person who is not an airtransport undertaking.

(b) In this Division:-

- (1) "Flight time" in relation to any person, means all time spent by that person in an aircraft (other than an aircraft of which the maximum total weight does not exceed 1600 kg and which is not flying for the purpose of public transport or aerial work) while it is in flight and he is carried therein as a member of the crew thereof and cognate expressions shall be construed accordingly.
- (2) "Duty Time" means any time in which a pilot is expected to perform duties in connection with his or her employment. In the case of flying duties, it includes the period commencing one hour before the first scheduled take off of the day and ending thirty minutes after the last scheduled landing, whichever is the later.
- (3) "Rest period" means a period of time during which a flight crew member is relieved by the operator of all duties associated with his employment;
- (4) "Day" means a continuous period of twenty four hours beginning at midnight Coordinated Universal Time plus 5 hours.

(c) For the purpose of this Division, a helicopter shall be deemed to be in-flight from the moment the helicopter first moves under its own power for the purpose of taking off until the rotors are next stopped.

- (b) The operator of an aircraft shall not cause or permit any person to fly therein as a flight crew member unless the operator has in his possession an accurate and up to-date record in respect of that person and in respect of the 28 days immediately preceding the flight showing:-
- (1) all his flight times; and
  - (2) brief particulars of the nature of the functions performed by him in the course of his flight times.
- (c) The operator of an aircraft shall not cause or permit a person to act as a member of the crew of the aircraft in respect of a flight if the flight time limitations, the duty time limitation of the rest periods specified in or calculated in accordance with Regulations 15.19, 15.20, 15.21 will thereby be infringed.
- (d) The operator of an aircraft shall not require a flight crew member who is required by the provisions of this Division to take a rest period to perform any duties associated with his employment during the rest period.

#### 15.18 RESPONSIBILITIES OF CREW

- (a) A person shall not act as a flight crew member if he knows or suspects that he is suffering from, or having regard to the circumstances of the flight to undertaken, is likely to suffer from, such fatigue as may endanger the safety of the aircraft or of its occupants.
- (b) A person shall not act as a flight crew member of an aircraft unless he has ensured that the operator of the aircraft is aware of his flight times during the period of 28 days preceding the flight.
- (c) A person shall not act as a flight crew member in respect of a flight if the maximum duty times or maximum flight time limitations prescribed in regulations 15.19, 15.20 or 15.21 (as the case maybe) will thereby be infringed.
- (d) A flight crew member shall not fly unless he has taken the minimum rest period calculated in accordance with Regulation 15.20.

#### 15.19 FLIGHT AND DUTY TIME LIMITATIONS OF FLIGHT CREW

##### 1. FLIGHT CREW NOT ENGAGED IN FLOATPLANE OPERATIONS BY DAY VFR

- (a) The flight time of flight crew not engaged in floatplane operations by day VFR on a Maldivian registered aircraft shall not exceed;
- (i) 8 hours in any consecutive 24 hours
  - (ii) 35 hours in any consecutive 7 days
  - (iii) 120 hours in any consecutive 28 days
  - (iv) 300 hours in any consecutive 90 days
  - (v) 1000 hours in any consecutive 365 days
- (b) The duty time of the aforesaid crew member shall;
- (i) not exceed 12 hours in any consecutive 24 hours
- (c) Notwithstanding the provisions of paragraph (b)
- (i) A pilot may be scheduled for flight duty up to a maximum of 16 hours during any consecutive 24 hours provided;

- (aa) A third pilot who is qualified to act as Pilot in Command is carried on the aircraft for the purpose of that flight, and
  - (bb) Suitable facilities for sleeping are available on the aircraft for the use of at least one pilot at all times throughout the flight, and
  - (cc) During the duty period in the course of that flight each of the pilots is afforded the opportunity of resting for a reasonable time.
- (ii) A flight engineer may be scheduled for a duty time up to 16 hours provided:
- (aa) An additional flight engineer who is qualified and type rated is carried on the flight as a crew member, and
  - (bb) Suitable facilities for sleeping are available on the aircraft for one of the flight engineers at all times throughout the flight, and;
  - (cc) During the duty period in the course of that flight each of the flight engineers is afforded the opportunity of resting for a reasonable time.
- (d) Where due to circumstances outside the control of the operator of the aircraft, such as adverse weather, air traffic control delays, diversions, or any similar events, the flight time limitations of a flight crew member is exceeded there shall not be a contravention of these regulations. Under such circumstances a report shall be submitted to the Director within 48 hours.
- (e) The period for which a flight crew member is in the aircraft pursuant to paragraph (c) or any period by which the flight time limitations are exceeded in pursuance of paragraph (c), shall be counted as flight time for the purpose of this Division.

## 2. FLIGHT CREW ENGAGED IN FLOATPLANE OPERATIONS BY DAY VFR

- (a) A person may not act as a flight crew member engaged in floatplane operations by day VFR on a Maldivian registered aircraft if the person's total flight time is likely to exceed;
- (i) 9 hours in any consecutive 24 hours;
  - (ii) 35 hours in any consecutive 7 days;
  - (iii) 120 hours in any consecutive 30 days;
  - (iv) 300 hours in any consecutive 90 days;
  - (v) 1000 hours in any consecutive 365 days;
- (b) The duty of the aforesaid crew member shall;
- (i) not exceed 14 hours in any consecutive 24 hours;
  - (ii) in any consecutive period of seven days be not more than 60 hours, except that if a rest period of not less than 58 hours has been scheduled and provided within the previous seven days, this total may be increased to 65 hours.
- (c) Where due to circumstances outside the control of the operator of the aircraft, such as adverse weather, air traffic control delays, diversions or any similar events, the flight time limitation of a flight crew member is exceeded there shall not be a contravention of these regulations. Under such circumstances a report should be submitted to the Director within 48 hours.

### 15.17 RESPONSIBILITIES OF THE OPERATOR

- (a) The operator of an aircraft shall not cause or permit any person to fly therein as a member of

### 15.20 MINIMUM REST PERIOD OF FLIGHT CREW MEMBERS

#### 1. Minimum rest period of flight crew member not engaged in floatplane operations by day VFR

- (a) A flight crew member shall not act in that capacity unless immediately prior to commencing duty with the operator of the aircraft he has had a rest period calculated in accordance the provisions of paragraph (b).
- (b) (i) The minimum rest period for a flight crew member shall not be less than twice the number of hours flown since immediately preceding rest period and in any event shall not be less than 8 hours.

#### 2. Minimum rest period of flight crew member engaged in floatplane operations by day VFR

- (a) The minimum allowable rest period between duty periods is 10 hours.
- (b) One rest period of not less than 34 hours must be provided in any consecutive seven day.
- (c) A pilot newly arrived in the Maldives, who has been travelling in excess of 12 hours, must have a rest period of not less than 24 hours prior to commencing the first duty period.
- (d) Standby time may not be included in any rest period.

### 15.21 FLIGHT AND DUTY TIME LIMITATIONS OF OTHER CREW MEMBERS

The maximum flight times for member of the crew (not being flight crew) of aircraft are as follows:-

- (1) 125 hours during any 1 calendar month;
- (2) 350 hours during any 3 consecutive calendar months;
- (3) 1200 hours during any 12 consecutive calendar months;

Provided that during any period of 24 consecutive hours duty time shall not exceed 16 hours and flight time shall not exceed 12 hours.

## DIVISION 4 - MANUALS

### SUB-DIVISION 1 - OPERATIONS MANUAL

#### 15.22 APPLICATION

The provisions of the Sub-division apply only to Maldivian public transport aircraft except aircraft used for the time being solely for flights not intended to exceed 60 minutes in duration, which are either:-

- (1) flights solely for training persons to perform duties in an aircraft; or

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(2) flights intended to begin and end at the same aerodrome.

### 15.23 OPERATIONS MANUAL

(a) An operator shall provide an operations manual for the use and guidance of operations personnel concerned. The operations manual shall be amended or revised as necessary to ensure that the contents are kept up to date in accordance with the CAR. The details of the particular information and instructions relating to the following matters will be found in the relevant Air Safety Circular on the subject; Operations Manual.

(b) The operations manual which may be issued in separate parts corresponding to specific aspects of operations shall contain at least the following;

#### 1. Operations administration and supervision

- (a) An organization chart and instructions outlining the responsibilities of operations personnel pertaining to flight operations.
- (b) A check list of emergency and safety equipment and instructions for its use.
- (c) The approved minimum equipment list for each aircraft type operated and specific operations authorized including navigation equipment and the requirements relating to operations in RNP airspace.
- (d) Safety precautions when refueling with passenger on board.

#### 2. Accident prevention and flight safety program

- (a) Details of the accident prevention and flight safety program provided in accordance with the Air Safety Circular OPS 20 including a statement of safety policy and the responsibilities of personnel.

#### 3. Fatigue and flight time limitations

- (a) Rules relating to the flight and duty time limitations appropriate to the operations as specified in the CAR.

#### 4. Flight operations

- (a) The flight crew required for each type of operation and instructions relating to the succession of command.
- (b) The in flight and emergency duty assigned to each crew member.
- (c) Specific instructions for the computation of fuel and oil to be carried having regard to all circumstances of the operation including the possibility of the failure of one or more power plants en route and instructions for the use of fuel and oil records.
- (d) The quantities of oxygen to be carried and the circumstances in which it is to be used.
- (e) Instructions for mass and balance control.
- (f) Instructions for the conduct of ground de-icing/ anti-icing operations.
- (g) The specifications for the operational flight plan.
- (h) The normal, abnormal and emergency procedures to be used by the flight crew for



each aircraft type. This shall include the relevant details of the aircraft systems and the check lists to be used. This information shall be provided using human factor principles.

- (i) Altimeter setting procedures.
- (j) Standard Operating Procedures for each stage of flight.
- (k) Instructions for the use of normal check lists and the timing of their use.
- (l) Emergency evacuation procedures.
- (m) Departure contingency procedures.
- (n) Instructions for the maintenance of altitude awareness and the use of automated or flight crew altitude callout.
- (o) Instructions for the use of autopilots and auto-throttles in IMC.
- (p) Instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved.
- (q) Departure and approach briefings.
- (r) Route and destination familiarization.
- (s) Stabilized approach procedure.
- (t) Limitation on high rates of descent near the surface.
- (u) Conditions required to commence or to continue an instrument approach.
- (v) Instructions for the conduct of precision and non-precision instrument approach procedures.
- (w) Allocation of flight crew duties and procedures for the management of crew workload during night and IMC instrument approach and landing operations.
- (x) Instructions and training requirements for the avoidance of controlled flight into terrain and policy for the use of Ground Proximity Warning Systems (GPWS).
- (y) Information and instructions relating to the interception of civil aircraft including;
  - (i) procedures as prescribed in Annex 2 for pilots in command of intercepted aircraft.
  - (ii) visual signals for use by intercepted and intercepting aircraft as contained in Annex 2.
- (z) For aircraft operating in excess of 49,000 feet;
  - (i) information which will enable the pilot to determine the best course of action to take in the event of an exposure to solar cosmic radiation; and
  - (ii) procedures in the event that a decision to descend is taken , covering;
    - 1. the necessity of giving appropriate ATC unit prior to warning

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of the situation and obtaining a provisional descent clearance;  
and

2. the action to be taken in the event that communication with ATC unit cannot be established or is interrupted.

**5. Aeroplane performance**

- (a) Climb performance data with all engines operating to give the pilot in command ready access to climb gradient data during the early stages of flight.

**6. Route guides and charts**

- (a) A route shall ensure that the flight crew will have for each flight information relating to communication facilities, navigation aids, aerodromes, and such other information as the operator may deem necessary for the proper conduct of flight operations.

**7. Minimum flight altitudes**

- (a) The method of determining minimum flight altitudes taking into account terrain, and laws and regulations of the Maldives.
- (b) The minimum flight altitudes for each route to be flown.

**8. Aerodrome operating minima**

- (a) The method of determining aerodrome operating minima taking into account company requirements, laws and regulations of the Maldives, and those of other countries in which landing may be made.
- (b) Aerodrome operating minima for each of the aerodromes that are likely to be used as destination or alternates.
- (c) The increase of aerodrome operating minima in the case of degradation of approach or aerodrome facilities.

**9. Search and rescue**

- (a) The procedures to be followed by operating staff when an aircraft is involved in search and rescue operations.
- (b) The ground to air visual signal code for use by survivors as contained in Annex 12.
- (c) Procedures as prescribed in Annex 12 for pilots in command observing an accident.

**10. Dangerous goods**

- (a) Information and instructions on the carriage of dangerous goods including the action to be taken in an emergency.

**11. Navigation**

- (a) A list on the navigational equipment to be carried including any requirements relating to operations in RNP airspace.
  - (b) Long range navigation procedures, where appropriate.
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**12. Communication**

- (a) The circumstances in which a radio watch is to be maintained.

**13. Security**

- (a) Security instructions and guidance.
- (b) A search procedure check-list of the procedures to be followed in searching for a bomb in case of suspected sabotage. The check list shall be supported by guidance on the course of actions to be taken in the event a bomb or other suspicious object is found.
- (c) Information on the least risk bomb location specific to the aircraft.

**14. Reporting of occurrences**

- (a) Instructions relating to the reporting of defects, incidents and other occurrences that might affect flight safety.

**15.24 APPROVAL OF OPERATIONS MANUAL**

- (a) An aircraft shall not fly unless, not less than 90 days prior to such flight, the operator of the aircraft has furnished to the Director a copy of the whole of the operations manual for the time being in effect in respect of the aircraft;
- (b) Any amendments or additions to the operations manual shall be furnished to the Director by the operator before or immediately after they come into effect;

provided that where an amendment or addition relates to the operation of an aircraft to which the operations manual did not previously relate, that aircraft shall not fly for the purpose of public transport until the amendment or addition has been furnished to the Director and duly approved by him.

- (c) Without prejudice to the foregoing paragraphs the operator shall make such amendments or additions to the operations manual as the Director may require for the purpose of ensuring the safety of the aircraft or of persons or property carried therein or the safety, efficiency or regularity of air navigation.

**15.25 RESERVED**

**15.26 RESERVED**

**15.27 RESERVED**

**15.28 RESERVED**

**15.29 RESERVED**

**DIVISION 5 - OPERATOR'S RESPONSIBILITIES - PUBLIC TRANSPORT  
SUB-DIVISION 1 - GENERAL RESPONSIBILITIES**

**15.30 DESIGNATION OF PILOT IN COMMAND, ADEQUACY OF AERODROMES AND NAVIGATION AIDS**

The operator of a Maldivian aircraft shall not permit the aircraft to fly for the purpose of public transport without first:-

- (1) designating from among the flight crew a pilot to be pilot in command of the aircraft for the flight;
- (2) satisfying himself by every reasonable means that the aeronautical radio stations and navigational aids serving the intended route or planned diversion therefrom are adequate for the safe navigations of the aircraft; and
- (3) satisfying himself by every reasonable means that the aerodromes at which it is intended to take off or land and any alternate aerodrome at which a landing may be made are suitable for the purpose and in particular are adequately manned and equipped (including such manning and equipment as may be required by the Director) to ensure the safety of the aircraft and its passengers;

provided that the operator of the aircraft shall not be required to satisfy himself as to the adequacy of fire-fighting, search, rescue or other services which are required only after the occurrence of an accident.

### 15.31 TRAINING OF CREW

The operator of a Maldivian aircraft shall not permit any person to be member of the crew thereof during any flight for the purpose of public transport (except a flight for the sole purpose of training persons to perform duties in aircraft) unless such person has had the training, experience, practice and periodical tests required by the Director in respect of the duties which he is to perform and unless the operator has satisfied himself that such person is competent to perform his duties, and in particular to use the equipment provided in the aircraft for that purpose. The operator shall maintain, preserve, produce and furnish such information in respect of records relating to the foregoing matter as the Director may require.

### 15.32 SIMULATED EMERGENCY MANOEUVRES PROHIBITED

The operator of a Maldivian aircraft shall not permit any member of the flight crew thereof, during any flight for the purpose of the public transport of passengers, to simulate emergency maneuvers and procedures which the operator has reason to believe will adversely affect the flight characteristics of the aircraft.

## SUB-DIVISION 2 - LOADING - PUBLIC TRANSPORT AIRCRAFT

### 15.33 MANNER OF AND STANDARDS OF LOADING

The operator of a Maldivian aircraft shall not cause or permit it to be loaded for a flight for the purpose of public transport, or any load to be suspended therefrom, except under the supervision of a person whom he has caused to be furnished with written instructions as to the distribution and securing of the load so as to ensure that:-

- (1) the load may safely be carried on the flight; and
- (2) any conditions subject to which the certificate of airworthiness in force in respect of the aircraft was issued or rendered valid, being conditions relating to the loading of the aircraft, are complied with.

### 15.34 CONTENT OF INSTRUCTIONS FOR LOADING

The instructions shall indicate the weight of the aircraft prepared for service, that is to say the aggregate of the weight of the aircraft (shown in the weight schedule referred to in Regulation 6.20) and the weight of such additional items in or on the aircraft as the operator thinks fit to include; and the instructions shall indicate the additional items included in the weight of the aircraft prepared for service, and show the position

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of the centre of gravity of the aircraft at that weight: provided that this paragraph shall not apply in relation to a flight if:-

- (1) the aircraft's maximum total weight authorised does not exceed 1150 kg; or
- (2) the aircraft's maximum total weight does not exceed 2730 kg and the flight is intended not to exceed 60 minutes in duration and is either:-
  - (aa) a flight solely for training persons to perform duties in an aircraft; or
  - (bb) a flight intended to begin and end at the same aerodrome; or
- (3) the aircraft is a helicopter the maximum total weight authorised of which does not exceed 3000 kg, and the total seating capacity of which does not exceed five persons.

### **15.35 COMPLIANCE WITH INSTRUCTIONS FOR LOADING**

The operator of an aircraft shall not cause or permit it to be loaded in contravention of the instructions referred to in Regulation 15.33.

### **15.36 RESERVED**

### **15.37 BAGGAGE WEIGHTS**

Director may approve a schedule of standard passenger and baggage weights.

### **15.38 CARRIAGE BY AIRCRAFT OF LOAD SHEET AND PRESERVATION**

One copy of the load sheet shall be carried in the aircraft when Regulation 10.2 so requires until the flights to which it relates have been completed and one copy of that load sheet and of the instructions shall be preserved by the operator until the expiration of a period of 6 months thereafter and shall not be carried in the aircraft:

Provided that in the case of an aeroplane of which the maximum total weight authorised does not exceed 2730 kg, or a helicopter, if it is not reasonably practicable for the copy of the load sheet to be kept on the ground it may be carried in the aeroplane or helicopter, as the case may be, in a box approved by the Director for that purpose.

### **15.39 BAGGAGE IN PASSENGER COMPARTMENT TO BE SECURED**

The operator of a Maldivian aircraft flying for the purpose of the public transport of passengers shall not cause or permit baggage to be carried in the passenger compartment of the aircraft unless such baggage can be properly secured and, in the case of an aircraft capable of seating more than 30 passengers, such baggage shall not exceed the capacity of the spaces in the passenger compartment approved by the Director for the purpose of stowing baggage.

## **DIVISION 6 - OPERATING CONDITIONS - WEATHER MINIMA**

### **15.40 OPERATING CONDITIONS - PUBLIC TRANSPORT**

- (a) A Maldivian aircraft shall not fly for the purpose of public transport (except for sole purpose of training persons to perform duties in aircraft) unless such requirements as the Director may specify under paragraph (b) in respect of its weight and related performance and flight in specified meteorological conditions or at night are complied with.

- (b) The Director may specify requirements in relation to an aircraft of the kinds referred to in paragraph (a) by reference to:-
- (1) any material standards or recommended practices made under the Chicago Convention; or
  - (2) The provision of the law of any country, and make such adoptions and modifications to the aforesaid standards and recommended practices or provisions of a law as he considers appropriate.
- (c) The assessment of the ability of an aircraft to comply with paragraph (a) shall be based on the information as to its performance contained in the certificate of airworthiness relating to the aircraft. In the event of the information given therein being insufficient for that purpose such assessment shall be based on the best information available to the commander of the aircraft.

#### **15.41 PUBLIC TRANSPORT - FLIGHT OVER WATER EXTENDED RANGE TWIN ENGINED OPERATIONS (ETOPS)**

- (a) A one engine only power driven heavier than air Maldivian aircraft when flying over water for the purpose of public transport shall fly (except as may be necessary for the purpose of take-off or landings) at such an altitude as would enable the aircraft in the event of failure of the engine to reach a place at which it can safely land at a height sufficient to enable it to do so.
- (b)
- (1) Subject to subsection (b)(2) no air operator shall operate a twin engine aeroplane on a route containing a point that is farther from an adequate aerodrome than the distance that can be flown in 60 minutes at the one engine inoperative cruise speed.
  - (2) An air operator may operate an aeroplane on a route referred to in subsection (b)(1) where
    - (i) the aeroplane is turbine-powered;
    - (ii) the air operator is authorised to do so in its air operator certificate;
    - (iii) the air operator complies with the safety criteria for Approval of ETOPS manual.

#### **15.42 AERODROME MINIMA - MALDIVIAN PUBLIC TRANSPORT AIRCRAFT**

- (a) The operator of a Maldivian public transport aircraft to which Division 4 of this Regulation applies shall establish and include in the operations manual relating to the aircraft aerodrome operating minima for every aerodrome which he plans his aircraft shall use. In the case of other aerodromes (the use of which is not reasonably foreseeable) to be used, the operator shall provide the means for the pilot in command of the aircraft to calculate such minima for such aerodromes. Such minima shall not be less favourable than any declared in respect of any one of the aforesaid aerodromes by the competent authority unless it permits otherwise and in establishing such minima the operator shall take into account such matters as the Director requires.
- (b) The operator shall include in the operations manual particulars of the aerodrome operating minima established under paragraph (a) or as the case may be the means for calculating such minima, but if it is impracticable to do this in respect of a flight he shall furnish in writing (a copy of which he shall keep outside the aircraft for a period of 3 months) to the pilot in command of the aircraft particulars of such minima for the aerodromes planned to be used.

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- (c) An aircraft to which this Regulation applies shall not commence a flight at a time when:-
- (1) the cloud ceiling or the runway visual range at the aerodrome of departure is less than the relevant minimum specified for take-off; or
  - (2) according to the information available to the pilot in command it would not be able without contravening paragraph (d), to land at the aerodrome of intended destination at the estimated time of arrival there and at any alternate aerodrome at any time at which according to a reasonable estimate the aircraft would arrive there.
- (d) An aircraft to which this Regulation applies when making a descent to an aerodrome shall not:-
- (1) descend below 1000 ft above the height of the aerodrome if the relevant runway visual range at the aerodrome is at the time less than the specified minimum for landing; or;
    - (i) continue an approach to landing at any aerodrome by flying below the relevant specified decision height, or;
    - (ii) descend below the relevant specified minimum descent height
 unless from that height the specified visual reference for landing is established and is maintained.
- (e) If, according to the information available, an aircraft would as regards any flight be required to be flown in accordance with the Instrument Flight Rules at the aerodrome of intended landing, the pilot in command shall select prior to take-off an alternate aerodrome unless no aerodrome suitable for that purpose is available.
- (f) In this Regulation:-
- (1) "Specified" in relation to aerodrome operating minima means such particulars of aerodrome operating minima as have been specified by the operator in, or are ascertainable by reference to the operations manual or furnished in writing to the pilot in command by the operator pursuant to paragraph (b).
  - (2) References to aerodrome include references to alternate aerodromes.

#### 15.43 AERODROME MINIMA - FOREIGN PUBLIC TRANSPORT AIRCRAFT

- (a) The Director may require the operator of a foreign public transport aircraft to furnish to him the aerodrome operating minima specified by the operator in relation to aerodromes which it uses or plans to use in the Republic for approval. The Director may amend such minima and, in any event such minima shall not be less favourable than such minima as the Director has declared in respect of such aerodromes.
- (b) An aircraft shall not take off or land at an aerodrome in the Republic in contravention of any aerodrome operating minima that may have been approved, amended or declared as the case may be, under paragraph (a) unless the Director otherwise permits.

### DIVISION 7 - THE AUTHORITY AND RESPONSIBILITIES OF THE PILOT IN COMMAND AND OF OTHER FLIGHT CREW

#### 15.44 AUTHORITY OF THE PILOT IN COMMAND

- (a) The pilot in command of a Maldivian aircraft shall, while he is in command, have final authority

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as to the disposition of the aircraft.

- (b) Every person in a Maldivian aircraft shall obey all lawful commands which the pilot in command of that aircraft may give for the purpose of securing the safety of the aircraft and persons and property carried therein, or the safety, efficiency and regularity of air navigation or to secure compliance with these Regulations.
- (c) The pilot in command of an aircraft, with such assistance as he requires may:-
  - (1) take such action (including removal of a person from the aircraft or placing under restraint or in custody by force) as he considers necessary to maintain order in the aircraft or to ensure compliance with these Regulations relating to the aircraft; and
  - (2) detain the passengers, crew and cargo for such period as he considers necessary to ensure compliance with these Regulations relating to the aircraft.
- (d) A person who, on an aircraft in flight, whether within or outside of the Republic, is found committing or is suspected of having committed, or having attempted to commit, or about to commit, an offence against these Regulations, may be taken into custody by a member of the crew of the aircraft.

#### 15.45 PRE-FLIGHT ACTION BY PILOT IN COMMAND

The pilot in command of a Maldivian aircraft shall reasonably satisfy himself before the aircraft takes off:-

- (1) that the flight can safely be made, taking into account the latest information available as to the route and aerodrome to be used, the weather reports and forecasts available, and any alternative course of action which can be adopted in case the flight cannot be completed as planned;
- (2)
  - (aa) that the equipment (including radio apparatus) required by the Regulations to be carried in the circumstances of the intended flight is carried and is in a fit condition for use, or
  - (bb) that the flight may commence under and in accordance with the terms of a permission granted to the operator pursuant to Regulation 7.10;
- (3) that the aircraft is in every way fit for the intended flight, and that where a certificate of maintenance review is required by these Regulations to be in force, it is in force and will not cease to be in force during the intended flight;
- (4) that the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;
- (5) in the case of a flying machine or airship, that sufficient fuel, oil and engine coolant (if required) is carried for the intended flight, and that a safe margin has been allowed for contingencies, and, in the case of a flight for the purpose of public transport, that the instructions in the operations manual relating to fuel, oil and engine coolant have been complied with;
- (6) in the case of an airship or balloon, that sufficient ballast is carried for the intended flight;
- (7) in the case of a flying machine, that, having regard to its performance in the conditions to be expected on the intended flight, and to any obstructions at the places of departure and intended destination and on the intended route, it is capable of safely taking off, reaching and maintaining a safe height thereafter, and making a safe landing at the place of intended destination;
- (8) that any pre-flight check system established by the operator and set forth in the operations



manual or elsewhere has been complied with by each member of the crew of the aircraft.

#### 15.46 PASSENGER BRIEFING BY PILOT IN COMMAND

The pilot in command of a Maldivian aircraft shall take all reasonable steps to ensure:-

- (1) before the aircraft takes off on any flight, that all passengers are made familiar with the position and method of use of emergency exits, safety belts (with diagonal shoulder strap where required to be carried), safety harnesses and (where required to be carried) oxygen equipment, life jackets, floor path lighting system and all other devices required by these Regulations and intended for use by passengers individually in the case of an emergency occurring to the aircraft;
- (2) in an emergency, that all passengers are instructed in the emergency action which they should take.

#### 15.47 PILOT TO REMAIN AT CONTROLS

- (a) The pilot in command of a Maldivian aircraft being a flying machine or glider shall cause one pilot to remain at the controls at all times while the aircraft is in flight. If the aircraft is required by these Regulations to carry two pilots, the pilot in command shall cause both pilots to remain at the controls during take-off and landing. If the aircraft carries two or more pilots (whether or not it is required to do so) and is engaged on a flight for the purpose of the public transport of passengers the pilot in command shall remain at the controls during take-off and landing.
- (b) Each pilot at the controls shall be secured in his seat by either a safety belt with or without a diagonal shoulder strap, or a safety harness except that during take-off and landing a safety harness shall be worn if it is required by these Regulations to be provided.

#### 15.48 PUBLIC TRANSPORT OF PASSENGER - ADDITIONAL DUTIES OF PILOT IN COMMAND

- (a) This Division applies solely to flights for the purpose of public transport of passengers by Maldivian aircraft.
- (b) The pilot in command of a Maldivian aircraft shall:-
  - (1) (i) if the aircraft is not a seaplane but is intended in the course of the flight to reach a point more than 30 minutes flying time (while flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flight over water) from the nearest land, take all reasonable steps to ensure that before take-off, all passengers are given a demonstration of the method of use of the lifejackets required by these Regulations for the use of passengers;
  - (ii) if the aircraft is not a seaplane but is required by these Regulations to carry cabin attendants, take all reasonable steps to ensure that, before the aircraft takes off on a flight;
    - (aa) which is intended to proceed beyond gliding distance from land, or
    - (bb) on which in the event of any emergency occurring during the take-off or during the landing at the intended destination or any likely alternate destination it is reasonably possible that the aircraft would be forced to land onto water;

all passengers are given a demonstration of the method of use of the lifejackets require by these Regulations for the use of passengers:

provided that where the only requirement to give such a demonstration arises because it is reasonably possible that the aircraft would be forced to land onto water at one or more of the likely alternate destinations the demonstration need not be given until after the decision has been taken to divert to such a destination.

- (2) if the aircraft is a seaplane, take all reasonable steps to ensure that before the aircraft takes off all passengers are given a demonstration of the method of use of the equipment referred to in the preceding sub- paragraph;
- (3) before the aircraft takes off, and before it lands, take all reasonable steps to ensure that the crew of the aircraft are properly secured in their seats and that any persons carried in compliance with these Regulations are properly secured in seats which shall be in a passenger compartment and which shall be so situated that those persons can readily assist passengers;
- (4) before the aircraft takes off, and before it lands, and whenever by reason of turbulent air or any emergency occurring during the flight he considers the precaution necessary:-
  - (i) take all reasonable steps to ensure that all passengers of 2 years of age or more are properly secured in their seats by safety belts (with diagonal shoulder strap, where required to be carried) or safety harnesses and that all passengers under the age of 2 years are properly secured by means of a child restraint device; and
  - (ii) take all reasonable steps to ensure that those items of baggage in the passenger compartment which he reasonably considers by virtue of their size, weight or nature ought to be properly secured are properly secured and, in the case of an aircraft capable of seating more than 30 passengers, that such baggage is stowed in the passenger compartment stowage spaces approved by the Director for the purpose;
- (5) where an aircraft is operated at cabin-pressure-altitudes above 10,000 feet ASL but not exceeding 13,000 feet ASL, each crew member shall wear an oxygen mask and use supplemental oxygen for any part of the flight at those altitudes that is more than 30 minutes in duration.
- (6) where an aircraft is operated at cabin-pressure-altitudes above 13,000 feet ASL, each person on board the aircraft shall wear an oxygen mask and use supplemental oxygen for the duration of the flight at those altitudes.
- (7) the pilot at the flight controls of an aircraft shall use an oxygen mask if
  - (a) the aircraft is not equipped with quick-donning masks and is operated at or above flight level 250 feet; or
  - (b) the aircraft is equipped with quick-donning oxygen masks and is operated above flight level 410 feet.

## **DIVISION 8 - RADIO APPARATUS, NAVIGATION EQUIPMENT AND FLIGHT RECORDING SYSTEMS**

### **15.49 OPERATION OF RADIO IN AIRCRAFT**

- (a) The radio station in an aircraft shall not be operated, whether or not the aircraft is in flight except in accordance with the conditions of the licence issued in respect of that station under the law of the country in which the aircraft is registered, and by a person duly licensed or otherwise permitted to operate the radio station under that law.

- b) Whenever an aircraft is in flight in such circumstances that it is required to be equipped with radio communications apparatus a continuous radio watch shall be maintained by a member of the flight crew listening to the signals transmitted upon the frequency notified, or designated by a message received from an appropriate aeronautical radio station, for use by that aircraft:

Provided that:-

- (1) the radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits; and
- (2) the watch may be kept by a device installed in the aircraft if:-
  - (i) the appropriate aeronautical radio station has been informed to that effect and has raised no objection; and
  - (ii) that station is notified, or in the case of a station situated in a country other than the Maldives, otherwise designated as transmitting a signal suitable for that purpose.

Provided that:-

- (1) the radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits; and
- (2) the watch may be kept by a device installed in the aircraft if:-
  - (i) the appropriate aeronautical radio station has been informed to that effect and has raised no objection; and
  - (ii) that station is notified, or in the case of a station situated in a country other than the Maldives, otherwise designated as transmitting a signal suitable for that purpose.

- (c) Whenever an aircraft is in flight in such circumstances that it is required to be equipped with radio or radio navigation equipment a member of the flight crew shall operate that equipment in such a manner as he may be instructed by the appropriate air traffic control unit or as may be notified in relation to any notified airspace in which the aircraft is flying.

- (d) The radio station in an aircraft shall not be operated so as to cause interference which impairs the efficiency of aeronautical telecommunications or navigational services, and in particular emissions shall not be made except as follows:

- (1) emissions of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;
- (2) distress, urgency and safety messages and signals in accordance with general international aeronautical practice;
- (3) messages and signals relating to the flight of the aircraft, in accordance with general international aeronautical practice; and
- (4) such public correspondence messages as may be permitted by or under the aircraft radio station licence referred to in paragraph (a).

- (e) In any Maldivian aircraft being a flying machine which is engaged on a flight for the purpose of public transport the pilot and the flight engineer (if any) shall not make use of a hand-held microphone (whether for the purpose of radio communication or of intercommunication within the aircraft) whilst the aircraft is flying in controlled airspace below flight level 150 feet or is taking off or landing.

**15.50 MINIMUM NAVIGATION PERFORMANCE**

A Maldivian aircraft shall not fly in airspace prescribed by the Director for the purposes of this regulation unless:-

- (1) it is equipped with navigation systems which enable the aircraft to maintain the prescribed navigation performance capability; and
- (2) the navigation systems required by sub-paragraph (1) hereof are approved by the Director and installed and maintained in a manner approved by the Director; and
- (3) the operating procedures for the navigation systems required by paragraph (1) hereof are approved by the Director and
- (4) the equipment is operated in accordance with the approved procedures while the aircraft is flying in the said airspace.

**15.51 USE OF FLIGHT RECORDING SYSTEMS AND PRESERVATION OF RECORDS**

- (a) On any flight on which a flight data recorder or a cockpit voice recorder is required by the Regulations to be carried in an aeroplane, it shall always be in use from the beginning of the take-off run to the end of the landing run.
- (b) The operator of the aeroplane shall at all times preserve:-
  - (1) the last 25 hour of recording made by any flight data recorder required by these Regulations to be carried in an aeroplane; and
  - (2) a record of not less than one representative flight, that is to say, a recording of a flight made within the last twelve months which includes a take-off, climb, descent, approach to landing and landing, together with a means of identifying the record with the flight to which it relates;

and shall preserve such records for such period as the Director may in a particular case direct.

- (c) On any flight on which a cockpit voice recorder is required by these Regulations to be carried in a helicopter, it shall always be in use from the time the rotors first turn for the purpose of taking off until the rotors are next stopped.
- (d) The operator of the helicopter shall at all times, subject to this regulation, preserve;
  - (1) the last 10 hours recording made by any flight data recorder specified by the Director and required by or under this Regulation to be carried in the helicopter;
  - (2) in the case of a combined cockpit voice recorder/flight data recorder specified by the Director and required by or under this regulation to be carried in a helicopter either:
    - (i) the last 8 hours of recording; or
    - (ii) the last 5 hours of recording or the duration of the last flight, whichever is the greater, together with an additional period of recording for either:
      - (aa) the period immediately preceding last five hours of recording or the duration of the last flight, whichever is greater, or
      - (bb) such period or periods as the Director may permit in any particular case or class of cases or generally.

- (e) The additional recording retained pursuant to sub-paragraph (ii)(aa) and (bb) above shall, together with the recording required to be retained pursuant to sub-paragraph (2)(ii) above, total a period of 8 hours and shall be retained in accordance with arrangements approved by the Director.
- (f) An approval granted by the Director for the purpose of this article shall be in writing and may be subject to such conditions as the Director thinks fit.

## **DIVISION 9 - MISCELLANEOUS**

### **15.52 TOWING OF GLIDERS**

An aircraft in flight shall not tow a glider except with the permission in writing granted by the Director and in accordance with the conditions subject to which the permission is granted.

### **15.53 TOWING, PICKING UP AND RAISING OF PERSONS AND ARTICLES**

- (a) Subject to the provisions of this Regulation an aircraft in flight shall not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose.

### **15.54 DROPPING OF ARTICLES AND ANIMALS**

- (a) Articles and animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.
- (b) Except under and in accordance with the terms of an Air Operator's Certificate granted under Regulation 15.2 and animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, to the surface from an aircraft flying over the Republic.

Provided that this paragraph shall not apply to the dropping of articles by, or with the authority of, the pilot in command of the aircraft in any of the following circumstances:

- (1) the dropping of articles for the purpose of saving life;
- (2) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
- (3) the dropping of ballast in the form of fine sand or water
- (4) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of the regulations;
- (5) the dropping of an aerodrome of tow ropes, banners, or similar articles towed by aircraft;
- (6) the dropping of articles for the purpose of public health or a measure against weather conditions or oil pollution or for training for the dropping of articles for any such purposes, if the articles are dropped with the permission of the Director in accordance with any conditions subject to which that permission may have been given, or;
- (7) the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind drift indicators are dropped with the permission of the Director and in accordance with any conditions subject to which that permission may have been given.

- (c) For the purposes of this Regulation dropping includes projecting and lowering.
- (d) Nothing in this Regulation shall prohibit the lowering of any article or animal from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopter under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

#### 15.55 DROPPING OF PERSONS

- (a) A person shall not drop, be dropped or permitted to drop to the surface or jump from an aircraft flying in the Republic except under and in accordance with the terms of a written permission granted by the Director.
- (b) For the purpose of this article dropping includes projecting and lowering.
- (c) Notwithstanding the grant of a permission under paragraph (a), a person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.
- (d) An aircraft shall not be used for the purpose of dropping persons unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose and the aircraft is operated in accordance with the written permission granted by the Director under this regulation.
- (e) Every applicant for and every holder of a permission shall make available to the Director if requested to do so a parachuting manual and shall make such amendments or additions to such manual as the Director may require. The holder of a permission shall make available to every employee or person who is or may engage in parachuting activities conducted by him the manual which shall contain all such information and instructions as may be necessary to enable such employees or persons to perform their duties.
- (f) Nothing in this Regulation:-
  - (1) shall apply to the descent of persons in an emergency;
  - (2) shall prohibit lowering of any person in an emergency or for the purpose of saving life.
  - (3) shall prohibit the lowering of any person from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopters under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

#### 15.56 METHOD OF CARRYING PASSENGERS

A person shall not be in or on any part of an aircraft in flight which is not a part designed for the accommodation of persons and in particular a person shall not be on the wings or undercarriage of an aircraft. A person shall not be in or on any object, other than a glider or flying machine, towed by or attached to an aircraft in flight:

Provided that a person may have temporary access to:

- (1) any part of an aircraft for the purpose of taking action necessary for the safety of the aircraft or of any person, animal or goods therein; and
- (2) any part of an aircraft in which cargo or stores are carried, being a part which is designed to enable a person to have access thereto while the aircraft is in flight

**15.57 EXITS AND BREAK-IN MARKINGS**

- (a) This regulation applies only to Maldivian public transport aircraft.
- (b) Whenever an aircraft to which this regulation applies is carrying passengers, every exit therefrom and every internal door in the aircraft shall be in working order, and during take-off and;
- (1) an exit may be obstructed by cargo if it is an exit which, in accordance with arrangements approved by the Director, is not required for use by passengers;
  - (2) a door between the flight crew compartment and any adjacent compartment to which passengers have access may be locked or bolted if the pilot in command of the aircraft so determines, for the purpose of preventing access by passengers to the flight crew compartment; and
  - (3) nothing in this paragraph shall apply to any internal door which is so placed that it cannot prevent, hinder or delay the exit of passengers from the aircraft in an emergency if it is not in working order.
- (c) Every exit from the aircraft shall be marked with the words 'Exit' or 'Emergency Exit' in capital letters and their equivalent in Dhivehi.
- (d)
- (1) Every exit from the aircraft shall be marked with instruction in English and Dhivehi and with diagrams, to indicate the correct method of opening the exit.
  - (2) The markings shall be placed on or near the inside surface of the door or other closure of the exit and, if it is openable from the outside of the aircraft, on or near the exterior surface.
- (e)
- (1) Every aircraft to which this article applies, being an aircraft of which the maximum total weight authorised exceeds 3600 kg, shall be marked upon the exterior surface of its fuselage with markings to show the areas (in this paragraph referred to as 'break-in areas') which can for purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aircraft.
  - (2) The break-in areas shall be rectangular in shape and shall be marked by right-angled corner markings, each arm of which shall be 10 centimetres in length along its outer edge and 2.5 centimetres in width.
  - (3) The words 'Cut Here in Emergency' shall be marked across the centre of each break-in area in capital letters and their equivalent in Dhivehi.
- (f) On every flight by an aircraft to which this regulation applies, being an aircraft of which the maximum total weight authorised exceeds 5700 kg every exit from such an aircraft intended to be used by passengers in an emergency shall be marked upon the exterior of the aircraft by a band not less than 5 centimeters in width outlining the exit.
- (g) The markings required by this Regulation shall:-
- (1) be painted, or affixed by other equally permanent means;
  - (2) except in the case of the markings required by paragraph (f) be red in colour and in any case in which the colour of the adjacent background is such as to render red markings not readily visible, be outlined in white or some other contrasting colour in such a manner as to render them readily visible;

- 3) in the case of the markings required by paragraph (f) of this regulation, be of a colour clearly contrasting with the back ground on which it appears;
  - (4) be kept at all times clean and un-obscured.
- (h) If one, but not more than one, exit from an aircraft becomes inoperative at a place where it is not reasonably practicable for it to be repaired or replaced, nothing in this Regulation shall prevent the aircraft from carrying passengers until it next lands at a place where the exit can be repaired or replaced:

Provided that:-

- (1) the number of passengers carried and the position of the seats which they occupy is in accordance with arrangements approved by the Director either in relation to the particular aircraft or to a class of aircraft; and
- (2) in accordance with arrangements so approved, the exit is fastened by locking or otherwise, the words 'Exit' or 'Emergency Exit' are covered, and the exit is marked by a red disc at least 23 centimeters in diameter with a horizontal white bar across it bearing the words 'No exit' in red letters.

#### 15.58 SMOKING IN AIRCRAFT

- (a) Smoking shall not be permitted on any flights undertaken in the Republic for public transport purposes and on any international passenger flights undertaken by any Maldivian AOC holder.
- (b) The nonsmoking sign shall remain illuminated at all times during the flight.
- (c) The crew of the aircraft shall make an announcement, both in Dhivehi and English at the commencement of every flight, informing all passengers that smoking is prohibited.

#### 15.59 STOWAWAYS

A person shall not secrete himself for the purpose of being carried on an aircraft without the consent of either the operator or the pilot in command thereof or any other person entitled to give consent to his being carried in the aircraft.

#### 15.60 EXHIBITIONS OF FLYING

- (a) No person shall act as the organizer of an exhibition of flying at an organized event except with a permission granted by the Director and in compliance with any conditions specified therein.
- (b) The pilot in command of an aircraft and any other pilot thereof flying in an exhibition of flying for which a permission has been granted shall comply with any conditions of the permission relating to the flight of the aircraft.
- (c) An aircraft shall not fly in any exhibition of flying unless there is in force a permission granted under paragraph (a).
- (d) This Regulation shall not apply to an aircraft race or contest or to an aircraft taking part in such a race or contest or to the pilot thereof whether or not such race or contest is held in association with an exhibition of flying.



**15.61 LIGHTER THAN AIR AIRCRAFT, GLIDERS AND KITES**

A lighter than air aircraft, a glider or a kite shall not be flown in the Republic except with a permission granted by the Director and in accordance with any conditions subject to which the permission is granted.

**15.62 TETHERED BALLOONS, KITES AND AIR SHIPS**

(a) Within the Republic:-

- (1) a captive balloon or kite shall not be flown at a height of more than 60 metres above the ground level or within 60 meters of any vessel, vehicle or structure;
- (2) a captive balloon shall not be flown within 5 km of an aerodrome;
- (3) a balloon exceeding 2 metres in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon, shall not be flown in controlled airspace;
- (4) a kite shall not be flown within 5 km of an aerodrome;
- (5) an airship shall not be moored;
- (6) a glider or parascending parachute shall not be launched by winch and cable or by ground tow to a height of more than 60 meters above ground level;

without the permission in writing of the Director and in accordance with any condition subject to which that permission may be granted.

- (b) A captive balloon when in flight shall be securely moored, and shall not be left unattended unless it is fitted with a device which ensures its automatic deflation if it breaks free of its moorings.

**15.63 UNRULY PASSENGERS**

- (a) No person may permit the boarding or serving of any person who appear to be intoxicated or who demonstrates by manner or physical indications that the person is under the influence of drugs, except a medical patient under proper care.
- (b) Any crew member who encounters difficulty in controlling intoxicated, violent or unruly passenger may take all necessary actions to restrain such passenger.
- (c) Any passenger who causes a disturbance or indecent acts, causes damage of property, interferes with equipment, smokes on board, refuses to follow inflight safety instructions consumes own alcohol on board commits a violation under this Regulation.

**DIVISION 10 - TRANSITIONAL PROVISIONS****15.64 GRANT OF AIR OPERATOR'S CERTIFICATE**

With effective from 20 March 2008, organisation ( excluding operators holding Air Operators Certificates issued prior to 20 March 2008) involved in the operation of any civil aeroplanes as prescribed in MCAR - OPS 1.001, shall be approved in accordance with the provisions of MCAR -OPS 1

**15.65 HOLDERS OF AIR OPERATOR'S CERTIFICATE**

Operators holding Air Operator's Certificates issued prior to 20 March 2008 shall comply with

- (a) the provisions of MCAR - OPS 1.035, Quality System , before 31 December 2008
- (b) the entire provisions of MCAR - AOPS 1 before 31 December 2009

## **PART 16**

### **PROTECTION OF THE ENVIRONMENT**

- 16.1 INTERPRETATION**
- 16.2 REQUIREMENT OF A NOISE CERTIFICATE**
- 16.3 VALIDATION OF NOISE CERTIFICATES**
- 16.4 NOISE CERTIFICATE TO BE CARRIED**
- 16.5 APPLICATION OF REGULATIONS 16.6 AND 16.7**
- 16.6 FUEL VENTING REQUIREMENTS**
- 16.7 SMOKE EMISSION REQUIREMENTS**
- 16.8 SUPPRESSION OF AIRCRAFT NOISE AND VIBRATION**



## 16.1 INTERPRETATION

In this Part “noise certificate” means a certificate issued, or validated or other document approved by the competent authority of a State to the effect that the aircraft to which the certificate or other document relates complies with the applicable noise requirements in force in that State.

## 16.2 REQUIREMENT OF A NOISE CERTIFICATE

- (a) An aircraft shall not land or take off in the Republic unless in respect of the aircraft there is in force a noise certificate issued or validated by the competent authority of the country whose nationality the aircraft possesses to standards the same as or substantially equivalent to those prescribed in pursuance of the Convention.
- (b) This Regulation applies to aircraft to which the aforesaid standards prescribed in pursuance of the Convention are expressed to apply.

## 16.3 VALIDATION OF NOISE CERTIFICATES

The Director may issue a certificate of validation rendering valid for the purpose of these Regulations any noise certificate in respect of an aircraft granted under the law of another country. A certificate of validation may be issued subject to such conditions and for such periods as the Director thinks fit.

## 16.4 NOISE CERTIFICATE TO BE CARRIED

- (a) An aircraft shall not land or take off in the Republic unless it carries any noise certificate which it is required to carry under the law of the country whose nationality it possesses.
- (b) A Maldivian aircraft shall when in flight, whether within the Republic or elsewhere, carry a noise certificate which is required by this Part to be in force in respect of that aircraft:

Provided that if the flight is intended to begin and end at same aerodrome the certificate may be kept at that aerodrome.

## 16.5 APPLICATION OF REGULATIONS 16.6 AND 16.7

Regulation 16.6 and 16.7 shall apply to:-

- (1) every aircraft which is powered by gas turbine engines whose date of manufacture was on or after 1 May 1986 or in respect of which a certificate of airworthiness was first issued on or after 1 May 1986;
- (2) every turbo jet and turbo fan engine whose date of manufacture was on or after 1 May 1986

## 16.6 FUEL VENTING REQUIREMENTS

An aircraft shall not land or take off in the Republic unless

- (1) the aircraft; or
- (2) the engines fitted to the aircraft;

are of a type which have been certified as complying with the requirements relating to fuel venting by the competent authority of a Contracting State which requirements are the same as or are substantially equivalent to the standards prescribed in pursuance of the Convention and in the case of paragraph (16.5), that the aircraft is fitted with the engines specified in the certification.

**16.7 SMOKE EMISSION REQUIREMENTS**

An aircraft powered by turbo jet or turbo fan engines shall not land or take off in the Republic unless those engines are of a type which have been certified as complying with requirements relating to smoke emission by the competent authority of a Contracting State such requirements being equal in stringency to the standards prescribed in pursuance of the Convention.

**16.8 SUPPRESSION OF AIRCRAFT NOISE AND VIBRATION**

- (a) For the purpose of limiting or mitigating the effect of noise or vibration caused by aircraft, whether landing, taking off, on an aerodrome, the Director may, by notice published in such manner as the Director considers sufficient:-
- (1) direct the operator of an aircraft which is to take off or land at an aerodrome to secure that, after the aircraft takes off, or, as the case may be, before it lands at an aerodrome, such requirements as specified in the notice are complied with;
  - (2) direct the operator of an aircraft which is within an aerodrome to secure compliance with such directions with respect to the taxiing of the aircraft and the running of power plants (whether installed in an aircraft or otherwise) as are specified in the notice; or
  - (3) prohibit aircraft from taking off or landing at an aerodrome during certain periods, or limit the number of occasions on which they may take off and land at an aerodrome during certain periods.
- (b) The Director may, if he is satisfied that any requirement in a notice published under sub-paragraph (1) or (3) has not been complied with in respect of an aircraft, cause withdrawal of the facilities for use of the aerodrome from the operator of the aircraft for such period as the Director determines.
- (c) If it appears to the Director that an aircraft is about to take off in violation of a prohibition or limitation imposed under sub-paragraph (3) any person authorized by the Director for the purpose may detain the aircraft for such period as that person considers appropriate for preventing the violation.

## **PART 17**

### **ACCIDENT AND INCIDENT INVESTIGATION**

#### **DIVISION 1 - ACCIDENT INVESTIGATION**

Accidents and Incidents Investigation shall be carried out as per MCAR - 12

## **PART 18**

### **AERODROME RULES**

**18.1 APPLICATION**

**18.2 INTERPRETATION**

**18.3 PROHIBITED ACTIVITIES**

**18.4 ACTIVITIES PROHIBITED EXCEPT WITH THE PERMISSION OF THE AUTHORITY**

**18.5 CONTROL OF VESSELS**

**18.6 VEHICLES**

**18.7 STRAY ANIMALS AND LIVE STOCK**

**18.8 ENTRY TO DESIGNATED AREAS**

**18.9 REMOVAL OF PERSONS ETC. FROM AIRPORT**

**18.10 RESTRAINT OF PERSONS**

**18.11 STARTING ENGINES**





### 18.1 APPLICATION

All persons on any part of the property comprising an airport managed or operated by the Authority shall be governed by the provisions of these Rules relating to such an airport and by any orders and instructions of the Authority relative to the use or occupation of any part of the property comprising the airport.

### 18.2 INTERPRETATION

In these Rules:-

- (1) "The Authority" means the Maldives Airports Authority; or other relevant Government Authority.
- (2) "Authorized person" means a member of the National Security Service or any person authorized by the Authority to perform the functions of an authorized person under these Rules;
- (3) "Airport" means an aerodrome licensed under these Regulations and managed and operated by the Authority.

### 18.3 PROHIBITED ACTIVITIES

No person shall, within an airport:-

- (1) obstruct or interfere with the proper use of the airport;
- (2) obstruct any person acting in the execution of his duty in relation to the airport;
- (3) remain in the airport after having been required to leave it by an authorised person;
- (4) allow any motor vehicle or animal to be in the airport after having been required to remove it or its presence on the airport has been forbidden by an authorised person;
- (5) board or attempt to board an aircraft without the permission of the person in charge of it;
- (6) interfere or tamper with any aircraft without the permission of the person in charge of it;
- (7) smoke in or otherwise bring or light any naked light into or in:-
  - (i) any place where any such act is prohibited by notice; or
  - (ii) any place within 15 metres of an aircraft or a store of liquid fuel or explosives;
- (8) do any act causing or tending to cause an outbreak of fire;
- (9) throw, leave or drop anything capable of causing injury to any person or property;
- (10) climb any wall, fence, barrier, railing or post;
- (11) wilfully give any false alarm indicating that an emergency situation exists either on or in the vicinity of the airport or on any aircraft within the area customarily under the control of an airport air traffic control unit;

- (12) fail to put an aircraft in the place and position specified by an authorised person;
- (13) fail to moor or secure any stationary aircraft, which is not in a hanger, in such manner as will ensure that it does not constitute a hazard to persons or property;
- (14) drive or place a motor vehicle carelessly or dangerously or without consideration for other persons using the airport;
- (15) being the driver of a motor vehicle fail to stop when required to do so by an authorised person;
- (16) being the driver of a motor vehicle which is involved in an accident fail to give his name and address and the name and address of the owner of the vehicle to an authorised person;
- (17) being the driver of a motor vehicle fail to report to an authorised person any accident in which the vehicle is involved;
- (18) park a motor vehicle elsewhere than in a place provided for that purpose, either generally or in relation to a particular class of vehicles;
- (19) being the person in charge of a motor vehicle fail to remove it from any place where it may be parked upon being so required by an authorised person;
- (20) fail to keep any animal under control;
- (21) be drunk or intoxicated;
- (22) dispose of garbage, papers or refuse or other material in the airport except in the receptacle provided for that purpose;
- (23) travel other than on the roads, paths or places provided for the particular class of traffic;
- (24) occupy the roads or paths in such manner as to hinder or obstruct their proper use.

#### 18.4 ACTIVITIES PROHIBITED EXCEPT WITH THE PERMISSION OF THE AUTHORITY

- (a) No person shall, within an airport except with permission in writing of the Authority first obtained:-
- (1) remove, displace, damage, deface, or alter any building, structure or other property, whether real or personal (including any notice), forming part of or provided for or in connection with the airport;
  - (2) dig soil or cut or remove turf;
  - (3) sell or distribute anything, or offer anything for hire or sale, or make any offer of service;
  - (4) post, distribute or display any signs, advertisements, circulars or printed or written matter;
  - (5) leave a motor vehicle in the airport longer than is reasonably necessary for the transaction of the business for the purpose of which it was brought there;
  - (6) drive a motor vehicle elsewhere than in a place provided for the passage or accommodation of such vehicles;

- (7) fill or discharge from any container (including any part of a vehicle) liquid or gaseous fuel elsewhere than in a place approved for that purpose;
  - (8) light a fire elsewhere than in a place constructed for that purpose;
  - (9) remove, pick or otherwise damage any tree, shrub or plant;
  - (10) walk on or otherwise damage any flower bed or anything growing therein;
  - (11) operate any type of vehicle for the disposal of garbage, ashes or other waste material;
  - (12) operate any radio transmitting equipment except when such equipment is installed in an aircraft;
  - (13) hold any public meeting or public function;
  - (14) for commercial purposes take still or motion pictures or operate a television camera.
- (b) Any permission under this Rule may be given so as to apply to any persons, equipment or vehicles either absolutely or subject to such conditions as the Authority thinks fit.

#### 18.5 CONTROL OF VESSELS

- (a) The Authority may by posting signs specify the places at which vessels may be moored or docked, the purpose for which such places may be used and the periods for which such places may be used.
- (b) Every person operating a vessel shall comply with the specifications of any sign so posted by the Authority.

#### 18.6 VEHICLES

- (a) No person, having obtained permission of the Authority shall take any motor vehicle on to the area of the airport used by aircraft, unless a sticker or card issued by the Authority evidencing the Authority's permission is displayed on the vehicle.
- (b) No person shall operate any motor vehicle or mechanically propelled equipment on any taxiway, runway, strip or parking apron in an airport except in the course of his lawful duties and in accordance with any instructions which may be given to him by the appropriate air traffic services unit.

#### 18.7 STRAY ANIMALS AND LIVE STOCK

It shall be lawful for the Authority or any authorised person, where in the opinion of the Authority or such person such action is necessary to ensure the safety of aircraft, to shoot, destroy or trap any livestock or animal found trespassing or straying on the airport.

#### 18.8 ENTRY TO DESIGNATED AREAS

- (a) No person shall enter or remain within the precincts of any airport or any building or area therein in which are operated technical facilities or services for civil aviation except those areas specifically set aside for public use, in circumstances in which the safety of any aircraft or its passengers or crew is likely to be imperilled or the proper functioning of the airport impeded.
- (b) Notwithstanding the provisions of paragraph (a) the Authority or any authorised person shall be

entitled to control or prohibit access to any part of any such airport or any building, or area within any such airport used for providing technical facilities or services for civil aviation.

- (c) No person shall enter or be in any place at any such airport which is a designated area, without the general or specific permission of the Authority.
- (d) Any permission granted under paragraph (c) may be in such form as the Authority may determine and may be signified by document (hereinafter called an Airport Identity Card) issued by the Authority.
- (e) An Airport Identity Card shall remain the property of the Authority and shall be returned to it on demand.
- (f) It shall be an offence for any person falsely to represent himself to be the holder of an Airport Identity Card issued under this Regulation.
- (g) In the event of conflict between these Rules and any provision of Part 19, the provision of Part 19 shall prevail; accordingly a person authorized under Part 19 to enter any part of an airport may do so provided that he is in compliance with the provisions of that Part and notwithstanding that he is not in compliance with the provisions of these Rules.

#### 18.9 REMOVAL OF PERSON ETC. FROM AIRPORT

An authorized person with such assistance as he requires may remove from the airport or any accident site:-

- (1) any person who, in contravention of any of these Rules, fails or refuses to leave the airport or accident site after being so requested by that authorized person;
- (2) any vessel, animal, or thing brought or left in the airport or accident site in contravention of any of the Rules or any vehicle, vessel or thing likely to cause danger or obstruction.

#### 18.10 RESTRAINT OF PERSONS

An authorized person may place under restraint a person within an airport:-

- (1) if he has reasonable cause to believe that the person has contravened any of these Rules; or
- (2) if that person, in contravention of any of these Rules, fails or refuses to leave the airport or any particular part of it after being requested by the authorized person to do so.

#### 18.11 STARTING ENGINES

It shall be an offence:-

- (1) for any person to start or run any engine in any aircraft in an airport unless such a person is the holder of a pilot's or aircraft maintenance engineer's licence;
- (2) for any person to leave unattended in any such airport any aircraft with any engine thereof running;
- (3) to start any engine in any aircraft in any such airport unless the aircraft is either provided with adequate parking brakes and use is made of such brakes or chocks have first been appropriately placed.

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**AVIATION SECURITY**

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## PART 19

# AVIATION SECURITY

### DIVISION 1 - GENERAL

#### 19.1 INTERPRETATION

In this Division;

“**Air navigation facility**” means any building, or other structure or installation or equipment that is provided for use in connection with the navigation of aircraft or for the purpose of air traffic service.

“**Airport**” means an aerodrome certified under these Regulations with facilities for the embarkation and disembarkation of passengers or cargo;

“**Aerodrome operator**” means Maldives Airports Company Ltd, and any other certified aerodrome operator to which this regulation applies;

“**Goods**” means anything taken on an aircraft as personal belongings, baggage or cargo;

#### 19.2 NATIONAL SECURITY SERVICE AND MALDIVES POLICE SERVICE

The provisions of this Part are without prejudice to the powers of the National Security Service, Maldives Police Service and, in particular, a member of the National Security Service or Maldives Police Service while on duty has the power of an airport security officer.

### DIVISION 2 - AIRPORT SECURITY

#### 19.3 APPLICATION

This Division applies to airports serving international civil aviation in the Republic of Maldives or to such other certified aerodrome as the Director may specify.

#### 19.4 AIRPORT SECURITY SERVICE

There may be established by aerodrome operator a service to be called Airport Security Service, (the officers of which are to be entitled Airport Security Officers) under the direction and administration of aerodrome operator.

## **19.5 FUNCTIONS OF AIRPORT SECURITY SERVICE**

The Airport Security Service shall:-

- (a) carry out screening of persons and baggage and, where necessary, search of persons, baggage, cargo, aircraft, airports and air navigation facilities
- (b) carry out airport security patrols and patrol of air navigation facilities;
- (c) review, inquire into, and keep itself informed on, security techniques, systems, devices, practices and procedures relating to the protection of civil aviation and persons employed or using it;
- (d) co-operate with the National Security Service and Maldives Police Service, Government Departments, airline operators and the airport security service of other states and with appropriate international organizations;
- (e) keep under review, and make recommendations for the acceptance of standards and recommended practices concerning aviation security adopted under International Convention; and
- (f) perform any other function conferred upon it by any other law.

## **19.6 DESIGNATION OF AIRPORTS AND FACILITIES**

The Director may designate an airport or an air navigation facility as a security airport or a security facility respectively, and may revoke any such designation.

## **19.7 POWER OF ENTRY OF AIRPORT SECURITY OFFICER**

An Airport Security Officer may enter any designated airport or designated facility or any aircraft or vehicle or vessel (including any vessel in the vicinity of the airport or facility) or place in any designated airport or designated facility for the purpose of exercising his functions.

## **19.8 DECLARATION OF SECURITY AREAS IN AIRPORTS**

Aerodrome operator may for security reasons declare, by means of prominently displayed signs, that an area within a designated airport or a designated facility is a security area.

## **19.9 LIMITATION OF ACCESS TO SECURITY AREAS**

No person except an Airport Security Officer may enter or remain in a security area unless authorized by aerodrome operator or by a person authorized by aerodrome operator to grant such authority.

## **19.10 IDENTIFICATION OF PERSONS WITHIN A SECURITY AREA**

On the request of an Airport Security Officer a person within a security area shall state his name and his address (and produce satisfactory evidence thereof), the purpose of his presence and his authority to be there.

**19.11 DIRECTION TO PERSONS TO LEAVE SECURITY AREA**

An Airport Security Officer may order a person to leave a security area who has failed or refused to give satisfactory evidence of his name and address under Regulation 19.10 or who has failed to satisfy the Airport Security Officer of his authority to be there.

**19.12 REMOVAL OF PERSONS FROM SECURITY AREA**

If a person fails to comply immediately with an order under Regulation 19.11 the airport security officer may remove that person from the security area.

**19.13 OFFENCES**

A person commits an offence, who being found in a security area:-

- (a) does not comply with Regulation 19.10; or
- (b) fails or refuses to leave the area immediately on being ordered to do so under Regulation 19.11.

**19.14 DETENTION OF PERSONS FOUND IN SECURITY AREAS**

A person who commits an offence against Regulation 19.13 and after being so warned, persists in the commission of the offence may be detained by an Airport Security Officer who shall as soon as practicable deliver the person to a member of the Maldives Police Service.

**19.15 PASSENGERS PASSING THROUGH SECURITY AREAS**

A person embarking or disembarking directly through gateways or through areas (approved for the purpose by aerodrome operator) shall be deemed to be authorized to pass through any security areas in which the gateways and through areas are situated.

**19.16 DETENTION OF PERSONS COMMITTING CRIMES**

An Airport Security Officer may detain any person on or in the vicinity of any designated airport or designated facility if he has reasonable grounds to believe that an offence has been, is about to be, or is being, committed against Penal Code of Maldives and he shall, as soon as may be practicable, deliver any person whom he has detained to a member of the Maldives Police Service.

**19.17 IMPERSONATION OR OBSTRUCTION OF AIRPORT SECURITY OFFICERS**

A person commits an offence who:-

- (a) not being an Airport Security Officer, by any means, or in any fashion, holds himself out as an Airport Security Officer;
- (b) intentionally obstructs, or incites or encourages any person to obstruct, an Airport Security Officer in the execution of his duty.

### **19.18 SCREENING OF PASSENGERS AND BAGGAGE**

A person who, before embarking on an aircraft is required by an Airport Security Officer to submit to a search of his person or to permit a search to be made of goods that he intends to place, or have placed, on board the aircraft shall not embark on the aircraft unless he submits to the search or permits the search to be carried out, as the case may be.

### **19.19 SEARCH OF GOODS**

A person who, having been required by an Airport Security Officer to permit a search of goods that he intends to have transported on an aircraft, refuses to permit the search to be carried out shall not place or attempt to place the goods or cause the goods to be placed on the aircraft.

### **19.20 UNACCOMPANIED GOODS**

Where goods are received at an aerodrome for transport on an aircraft and are not accompanied by a person who may give the permission referred to in Regulation 19.19 an Airport Security Officer may make a search of the goods and, in making the search, may use such force as is reasonably necessary to gain access to the goods.

### **19.21 SEARCH OF FEMALES**

No female shall be searched except by a female unless the search is made by means of any mechanical or electrical or electronic or other similar device.

## **DIVISION 3 - ADDITIONAL MEASURES FOR THE SECURITY OF CIVIL AVIATION**

### **19.22 DIRECTIONS TO OPERATORS OF AIRCRAFT AND AERODROMES**

The Director may by direction in writing require the operator of an aircraft or the operator of an aerodrome, as appropriate, to take any measures which he considers desirable for the purpose of protecting civil aviation from illegal interference, including, but not limited to measures:-

- (a) for screening persons and goods to be embarked on aircraft;
- (b) for guarding aircraft and aerodromes.
- (c) for ensuring that where a person purporting to be a passenger places goods, or causes goods to be placed on, an aircraft that person travels on that aircraft;
- (d) for ensuring that any passenger disembarking from an aircraft removes or has removed all goods and articles which he placed, or caused to be placed, on the aircraft;
- (e) for the installation of equipment on Maldivian aircraft; and
- (f) for giving effect to any standard or recommended practice relating to security adopted under applicable International Convention.

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**19.23 COMPLIANCE WITH DIRECTIONS**

An operator to whom direction under Regulation 19.22 is addressed shall comply with the requirements of the direction until it expires or is revoked and any operator who refuses, or without reasonable cause, fails to comply with any requirement of a direction commits an offence.

**19.24 MEASURES UNDER REGULATION 19.22**

Any measures under Regulation 19.22 may be in addition to, supersede, or amend any of the provisions of this Regulation.

**DIVISION 4- MINIMUM SECURITY STANDARDS AT ALL AIRPORTS**

**19.25 PURPOSE**

- a) To assure the protection and safety of passengers, crew, ground personnel, general public, aircraft and facilities of the airport against acts of unlawful interference perpetrated on the ground or in flight through a combination of measures and the marshalling of various human and material resources at national and airport level.
- b) This Division of these regulations stipulates the minimum security standards at all airports of the Maldives.

**19.26 ACCESS TO AIRPORT**

- (a) Appropriate access control points shall be provided at all entrances to the airport;
- (b) Access control points to the airport shall be staffed and operated by security guards;
- (c) General surveillance of passengers, visitors and staff at access points shall be conducted;
- (d) Random inspection of airport permits/identification and travel documents shall be conducted.

**19.27 TERMINAL BUILDING**

- (a) Entrances to the terminal building shall be staffed and controlled by security guards;
- (b) Surveillance of passengers and authorised persons entering the terminal shall be conducted;
- (c) 100 percent inspection of airport permits/identification and travel documents at entrance shall be conducted;
- (d) Only checked-in passengers and/or authorized persons shall be permitted to the restricted areas;
- (e) All exits to apron shall be controlled or locked;
- (f) Random screening shall be done at exits to apron.

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- (g) Random patrols in public and restricted areas shall be conducted
- (h) Unattended bags/parcels at terminal building shall be subjected to security control;
  - (i) All persons and all items accessing sterile area shall be screened.

#### **9.28 ACCESS TO AIR SIDE AND OTHER RESTRICTED AREAS**

- (a) Appropriate security barriers and access control points shall be provided to protect restricted areas;
- (b) Access points to restricted areas shall be staffed and operated by airport security guards;
- (c) General surveillance of authorised persons and vehicles shall be conducted;
- (d) Authorised visitors shall be properly identified and escorted by security staff;
- (e) Access to vulnerable points including, ATS facilities shall be restricted and controlled only to operating persons;
- (f) Navigational/Landing Aids and Installations, Fuel Farm, Power House, and Airport Fire and Rescue Services shall be restricted only to operating personnel.

#### **19.29 SECURITY WITHIN AIR SIDE AND OTHER RESTRICTED AREAS**

- (a) Random security patrols at air side and other restricted areas shall be conducted;
- (b) 100 percent checks of persons and vehicles at air side and other restricted areas shall be conducted;
- (c) Random security patrolling of the airfield shall be conducted;
- (d) Navigational installations shall be locked or otherwise controlled and access restricted only to operating personnel;
- (e) Vulnerable and important facilities shall be inspected by operating personnel for suspicious activities and objects before and after working hours.

#### **19.30 SECURITY MANAGEMENT**

- (a) All security personnel, airport staff and those working at the airport shall follow standard procedures;
- (b) General awareness on security shall be maintained among all airport staff.

#### **19.31 AIRCRAFT OPERATOR**

- (a) Unattended aircraft:-
  - (1) Such aircraft shall be parked in a secure area;

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- (2) General surveillance of vicinity shall be conducted;
  - (3) Stairs, loaders and other equipment shall be removed;
  - (4) Doors and hatches shall be closed and secured.
- (b) Aircraft in service:-
- (1) Such aircraft shall be parked in a secure area;
  - (2) General surveillance and random patrolling of vicinity shall be conducted;
  - (3) Airline is required to control access to aircraft;
  - (4) 100 percent screening of crew members and carry-on and checked baggage shall be conducted;
  - (5) Random inspection of identity cards of crew members shall be conducted by security staff;

#### 19.32 PASSENGERS AND HAND BAGGAGE

- (a) 100 percent checks of photo identification on all passengers shall be done;
- (b) There shall be a limitation of hand baggage carried by passengers as approved by the airline;
- (c) 100 per cent screening of passengers and hand baggage;
- (d) 100 per cent screening of transit/transfer passengers and hand baggage;
- (e) All passengers shall be directed to sterile area with hand baggage after screening.

#### 19.33 CHECKED BAGGAGE

- (a) 100 per cent inspection of checked baggage at entrance to terminal shall be done;
- (b) Baggage shall be accepted only from ticketed passengers and by authorised airline staff;
- (c) Questions shall be asked about contents of baggage;
- (d) Baggage shall be escorted from check-in position to aircraft by approved persons;
- (e) 100 per cent passenger and baggage reconciliation shall be maintained for each flight;

- (f) Baggage of no-show passengers shall be subject to off-loading and additional controls.

#### **19.34 CARGO, EXPRESS PARCELS AND COURIER SHIPMENT**

- (a) Cargo shall be transported to airport under security supervision and escort;
- (b) Express parcels and courier shipments shall be accepted from established agencies and subject to random inspection at airport;
- (c) The identity and address of the consignor and the person who delivers the consignment shall be established;
- (d) The person who delivers the consignment shall be the consignor or his authorized agent;
- (e) The consignor shall deliver a complete description of contents of consignments and certify security of them;
- (f) Consignments shall be safeguarded after acceptance and access to make-up and storage areas shall be controlled;
- (g) Consignments shall be escorted by airline personnel up to the aircraft.

#### **19.35 MAIL**

Security of mail shall be certified by Maldives Post Limited and delivered sealed and under escort to carriers.

#### **19.36 CATERING AND PROVISIONS**

- (a) Control must be maintained of access to catering containers and bar trolleys at facility;
- (b) Catering supplies shall be inspected and containers sealed by supervisory staff at the time of uplift;
- (c) Seals shall be verified and contents shall be inspected by cabin crew at aircraft;
- (d) Supervisory staff shall accompany all catering supplies up to the aircraft and monitor loading process.

#### **19.37 RESTRICTED AREA**

In this Division, the term “restricted area” implies all airside operational areas within a domestic airport in Maldives where access is restricted to authorized personnel holding airport identification cards issued by the airport operator.

### **DIVISION - 5 SECURITY TRAINING AND FLIGHT CREW COMPARTMENT DOOR**

#### **19.38 INTRODUCTION**

This Division of the regulation prescribes the requirement for all Air Operator’s Certificateholders to maintain an approved security training program for crew members to act most appropriately

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in the event of suspicion of unlawful interference; and require aircraft of maximum take off mass in excess of 45,500kg or with passenger capacity over 60 to install enhanced flight crew compartment doors.

**19.39 TRAINING PROGRAM**

- (a) All air operators shall maintain an approved security training programme which ensures crew members to act in the most appropriate manner to minimize the consequences of acts of unlawful interference. This programme shall include the following elements as a minimum;
- (1) determination of seriousness of any occurrence;
  - (2) crew communication and coordination;
  - (3) appropriate self defense and coordination;
  - (4) use of non-lethal protective devices assigned to crew members whose use is authorized by the laws and regulations of the Maldives.
  - (5) understanding of behavior of terrorists so as to facilitate the ability of crew members to cope with hijacker behavior and passenger responses;
  - (6) live situational training exercises regarding various threat conditions;
  - (7) flight deck procedures to protect the aircraft; and
  - (8) aircraft search procedures and guidance on least-risk bomb location where applicable
- (b) All operators shall also establish and maintain a training programme to appropriate employees with preventive measures and techniques in relation to passengers, baggage, cargo, mail equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

**19.40 AIRCRAFT SEARCH PROCEDURE CHECKLIST**

All operators shall ensure that there is on board an approved checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aircraft for concealed weapons, explosives or other dangerous devices when a well founded suspicion exist that the aircraft may be the object of an act of unlawful interference. The checklist shall be supported by guidance on the appropriate course of action to be taken should a bomb or suspicious object be found and information on the least-risk bomb location specific to the aircraft, where appropriate.

**19.41 SECURITY OF THE FLIGHT CREW COMPARTMENT**

All public transport aircraft with a Maximum Take Off Mass in excess of 45,500kg or with a passenger seating capacity more than 60, shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms fire and grenade shrapnel, and to resist forcible intrusion by unauthorized persons. This door must also be able

to resist the introduction of a weapon into the flight crew compartment even if the person cannot actually enter.

- (a) This door shall be capable of being locked and unlocked from either pilot's station.
- (b) In all aircraft which are equipped with a flight crew compartment door in accordance with this regulation;
  - (1) the door shall be closed and locked from the time all external doors are closed following embarkation until any such door is open for disembarkation, except when necessary to permit access and egress by authorized persons, (those members of flight and cabin crew authorized to enter the flight crew compartment; in-flight security personnel; and inspectors approved by the Civil Aviation Department with proper identification and documents); and;
  - (2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behavior or potential threat.

#### **19.42 REPORTING OF EVENTS OF UNLAWFUL INTERFERENCE**

Following an act of unlawful interference, the pilot in command shall inform, without delay, a notification of such act to the Air Traffic Control and a complete report of the act to the Director of Civil Aviation as soon as practicable.

#### **DIVISION 6 - PHOTO IDENTIFICATION**

#### **19.43 REQUIREMENT TO INTRODUCE PHOTO IDENTIFICATION**

To ensure the security of passengers, crew and aircraft by maintain and pursuing every opportunity to enhance security, this Division of the regulation stipulates the requirement to carry photo identification at the time of check-in or boarding for domestic air transport.

- (a) All domestic adult passenger ( passenger over 18 years of age) traveling to airports or floating platforms of Maldives via scheduled air transportation services are required to provide genuine photo identification for all flights at the time of check-in or boarding. ( genuine photo identification includes, national identity card, driving licence, work permit, office identification card or any other photo identification.) Passangers under 18 years of age may provide non-photo identification , or may confirm identification by an identified passenger or official, and passengers under age 10 shall be identified by an identified passangers.
- (b) Non-scheduled air transportation service operators shall make arrangements to ensure that passengers are identified before check-in or boarding the aircraft.
- (c) In the event a passenger fails to provide the identification as required under this regulation, the air carrier shall not allow the passenger to board the aircraft irrespective of having issued a valid ticket to that passenger, or having made a confirmed reservation.

**DIVISION 7 – AIR CARRIER SECURITY PROGRAMME****19.44 INTRODUCTION**

- (a) In order to prevent weapons, explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized from being introduced by any means what so ever, on board an aircraft engaged in civil aviation;
- (b) Given the increase in traffic, to and through the international gateway of the Maldives, and the ever increasing domestic traffic; and
- (c) additional measures need to be taken by the handling agent and/or the airline.

**19.45 APPLICABILITY**

The provision of this Division is applicable to all Maldivian Air Operators Certificate holders engaged in international Civil Aviation and to all airlines operating to/from Maldives.

**19.46 COMPLIANCE**

- (a) All operators are required to prepare and submit an Air Carrier Security Programme, for approval by the Civil Aviation Department. The programme shall take into consideration the preventive measures stated in Annex 17 to Convention on International Civil Aviation, and the carrier's specific needs in relation to its perceived threat level. This programme must be regularly updated and security level must be enhanced when the threat level so desires.
- (b) On all international flights, the carrier or its designated handling agent under agreement; shall institute a programme of security searches of the aircraft prior to departure.
- (c) All Operators or their designated handling agent, by agreement, shall ensure that all transit and transfer passengers departing an aircraft take all of The search shall be conducted by personnel with adequate training for the purpose.
- (d) A record of each of these preflight searches must be maintained and must be made available for review by an authorised person or the Department.
- (e) All arriving and departing passengers shall be segregated at all times on the ramp, and escorted when necessary, to ensure that potentially unscreened and screened passengers are not mixed.
- (f) All arriving and departing passengers carry their carry-on goods with them.
- (g) In those instances where some passengers remain on the aircraft, they must be required to identify their carry-on goods during the preflight security search of the aircraft.
- (h) All unidentified items found by the search team shall be reconciled with a passenger or crew member or removed prior to continuation of the flight.

## **DIVISION - 8 REGULATED AIR CARGO AGENT**

### **19.47 PURPOSE**

This Division of the regulation prescribes the operation of organizations providing the service of a regulated air cargo agent in respect of cargo, mail, courier and express that is intended to be carried by air on;

- a) an aircraft conducting an international air transport operation carrying passengers; and
- b) any other air transport operation as the Director may specify.

### **19.48 INTERPRETATION**

In this Division;

**“cargo”** includes mail, courier and express items and stores other than goods intended for sale or use on the aircraft on which they are carried

**“declaration of security”** means a written declaration made by an authorized person in respect of a consignment of cargo consisting of one or more items, that the consignment does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference.

**“known customer”** means a shipper of cargo who has an established association with a regulated air cargo agent for the carriage of the shipper’s cargo by air and who has appropriate persons, systems, and procedures in place to ensure that the statement of content provided to the regulated air cargo agent provides an accurate description of the cargo in each consignment that is delivered to the regulated air cargo agent for the carriage by air, and who shall have a written standard Operating Procedure.

**“regulated air cargo agent”** means an air cargo agent who holds an air cargo agent certificate issued in accordance with these regulations.

**“statement of content”** means an accurate description of the items that are contained within a consignment of cargo that is delivered to a regulated air cargo agent by a known customer for the carriage by air

### **19.49 REQUIREMENT FOR CERTIFICATION**

- (a) Personnel Requirements
  - (1) An applicant for an air cargo agent certificate must employ;
    - (i) a senior person, identified as the “Cargo Security Manager” who is responsible for ensuring that the organization complies with the requirements of these regulations; and
    - (ii) sufficient personnel to implement the cargo security procedures detailed in the applicant’s cargo security program and training program.

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- (2) An applicant for an air cargo agent certificate must establish procedures to;
- (i) assess and maintain the competence of those personnel who are authorized to carry out the cargo security procedures detailed in the applicant's cargo security program;
  - (ii) ensure that authorized personnel are provided with written evidence of their authorization.
- (b) Facility and Requirements
- (1) An applicant for an air cargo agent certificate shall provide facilities that are appropriate for the activities prescribed in these regulations for the provision of air cargo agent services that are to be provided by the applicant.
- (2) Receiving, checking and screening cargo from unknown customers.
- (i) All cargo that is accepted by the air cargo agent for carriage by air, other than cargo from known customers who are registered with the air cargo agent, shall be checked and screened to ensure that the consignment of cargo does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference.
- (3) Receiving and checking consignments of cargo and statements of content received from known customers;
- (i) Each consignment of cargo that is accepted by the air cargo agent for the carriage from a known customer who is registered with the air cargo agent shall be;
    - (aa) accompanied by a Statement of Content; and
    - (bb) checked to ensure that the consignment has not been tampered with.
  - (ii) The Statement of Content for each consignment of cargo that is accepted by the air cargo agent for carriage by air from a known customer who is registered with the air cargo agent shall be checked to ensure that;
    - (aa) the consignment of cargo does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference;
    - (bb) the Statement of Content has been certified by a person who has been appropriately authorized by the known customer to sign such statements.

- (4) Providing access control storage for consignments of cargo that have been checked and screened to ensure that the consignments are not tampered with; and
- (5) Delivering consignments of cargo from the air cargo agent's access controlled storage to the air cargo operator including a means to ensure that the consignments are not tampered with.
- (6) Each consignment of cargo that is delivered to an air operator for carriage on the operator's aircraft shall be;
  - (i) accompanied by a Declaration of Security that is signed by a person who is authorized to sign Declarations of Security in accordance with the regulation; and
  - (ii) protected from any act of tampering from the time the consignment leaves the cargo agent's access controlled area until the time the consignment is accepted by the operator.
- (7) The Declaration of Security that is required under these regulations for each consignment of cargo that is delivered to an air operator for carriage by air must;
  - (i) be identifiable to the particular consignment; and
  - (ii) identify the air operator to whom the consignment is delivered; and
  - (iii) state the date that the consignment is delivered to the air operator; and
  - (iv) confirm that the consignment does not contain any weapon, explosive or other dangerous device that may be used to commit an act of unlawful interference; and
  - (v) identify the regulated air cargo agent under whose certificate the declaration is issued; and
  - (vi) identify the person by name and signature who issued the declaration.
- (8) For the procedures required under this regulation, the Statement of Content and Declaration of Security shall only be issued by a person who;
  - (i) has been subjected to a security background check; and
  - (ii) has been appropriately trained in accordance with the air cargo agent's training program; and
  - (iii) has been assessed as competent to carry out the functions the person is charged with.

**19.50 CARGO SECURITY PROGRAMME**

- (a) An applicant for an air cargo agent certificate must provide the Director with a cargo security program containing a statement signed by the Cargo Security Manager on behalf of the applicant's organization confirming that;
- (1) the cargo security programme defines the organization and demonstrates its means and methods of ensuring ongoing compliance with these regulations; and
  - (2) the cargo security programme, and all associated manuals, operating security procedures are complied with, by the organization's personnel at all times.

**19.51 KNOWN CUSTOMER PROCEDURES AND REGISTER**

- (a) An applicant for an air cargo agent certificate who intends to accept cargo by air from a known customer must establish procedures to ensure that;
- (1) the known customer has an understanding of security matters that relate to the carriage of the known customer's cargo by air; and
  - (2) the known customer has appropriate systems and procedures in place to ensure that only the intended items of cargo are contained in the customer's consignment of cargo; and
  - (3) each consignment of cargo that is forwarded to the air cargo agent is accompanied by a Statement of Content that is certified by a person who is authorized by the known customer to certify such statements.
- (b) An applicant for an air cargo agent certificate who intends to accept cargo for carriage by air from a known customer in accordance with the procedures laid down in these regulations, must establish a register that contains the current name and details of each of the certificate holder's known customers.

**19.52 TRAINING OF PERSONNEL**

- (a) An applicant for an air cargo agent certificate must establish a training programme to ensure that;
- (1) each person who has access to consignments of cargo or mail that have been accepted by the air cargo agent for carriage by air is trained with basic awareness of the security requirements for the storage and transportation of cargo that is intended for carriage by air; and
  - (2) the training that is detailed in the training program must be conducted by a person or persons who are considered competent by the Cargo Security Manager to provide the training.

### 19.53 CARGO SECURITY INCIDENTS

- (a) An applicant for an air cargo certificate must establish procedures;
  - (1) to notify, investigate and report to the Director, any cargo security breach that is associated with the air cargo agent's activities; and
  - (2) to implement corrective action to eliminate the cause of a cargo security breach and prevent its recurrence.

### 19.54 RECORDS

- (a) An applicant for an air cargo agent certificate must store records that are necessary to provide an accurate record for;
  - (1) each item or consignment of cargo that is accepted by the air cargo agent;
  - (2) each consignment of cargo that is delivered under the authority of a Declaration of Security to an air operator for carriage by air, including a copy of the declaration;
  - (3) each cargo security incident investigation carried out under these regulations;
  - (4) The records required under these regulations must be legible and for a permanent nature and retained for a period of not less than 2 years.
  - (5) each person who is issued with an authorization under these regulations including details of their training and competency assessment, aviation security check and authorization; and
  - (6) each known customer who is entered in the known customer register required under these regulations, including details of the training provided for the known customer.

### 19.55 INTERNAL AUDIT

An applicant for an air operator agent certificate must establish an internal audit program for the applicant's organization to ensure conformity with the procedures and goals in the applicant's cargo security program.

### 19.56 CONTINUED COMPLIANCE

The holder of an air cargo agent certificate must;

- (a) continue to meet the standards and comply with the requirements prescribed for certification under these regulations;
- (b) comply with all procedures referred to in the certificate holder's security programme;
- (c) maintain the register of known customers with current information for each of the certificate holder's known customers; and



- (d) remove the name of a known customer from the register if requested in writing by the Director.

**19.57 PERSONS BY WHOM A DECLARATION OF SECURITY MAY BE ISSUED**

- (a) No person may issue a declaration of security to an air operator for a consignment of cargo to which these regulations apply unless;
  - (1) the person holds a valid authorization from the holder of an air cargo agent certificate to issue such declarations; and
  - (2) the consignment of cargo has been subjected to the cargo security procedures detailed in the certificate holder's security program.

**19.58 RIGHT OF ACCESS**

The Director or any of his officials may enter the premises of the air cargo agent and premises of any of the known customers of the air cargo agent for the purposes of carrying out his duties under the Civil Aviation Regulations, to undertake inspections and to ensure that the air cargo agent and known customers are in compliance with these regulations.

**19.59 ISSUE OF REGULATED CARGO AGENT CERTIFICATE**

- (a) The Director may grant to any person applying thereof a Regulated Air Cargo Agent Certificate if he is satisfied that the applicant is competent to having regard in particular to his previous conduct, facilities, organization, staffing and training and other arrangements to undertake the functions prescribed under this regulation.
- (b) The Regulated Air Cargo Agent Certificate will initially be issued to a period of 6 months and thereafter will be issued annually. Applications may be made through Form No: CAD/CAR-19.

## PART 20

### AVIATION CHARGES

With effective from 1 January 2008, aviation charges shall be in accordance with MCAR - 187 Aviation Charges. MCAR - 187 specifies the services provided by Civil Aviation Department for which charges are due, the amount of those charges and the way in which they are to be paid.

## **PART 21**

### **SAFETY MANAGEMENT SYSTEMS**

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	<b>PART 21 Safety Mangement System</b>
	Safety Management System shall be carried out as per ASC 00-2, Safety Management System.

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