Eng./Nep. Translation
Dispatch No.....
D.O.I.....

Civil Aviation Authority of Nepal,

Civil Aviation Regulation, 2058 (2002)

First Amendment- 2070/2/30 (June 13, 2013)

Second Amendment- 2070/9/14 (December 29, 2013)

Third Amendment-2074/4/22 (August 6, 2017)

Whereas expedient to amend Civil Aviation Regulation, 2002,

In exercise of power conferred by Section 34 of the Nepal Civil Aviation Authority Act, 2053 (1996), Civil Aviation Authority of Nepal has framed the following Rules.

Chapter -1

Preliminary

1. Short Title and Commencement:

(1) This Regulation shall be called as "Civil Aviation Authority of Nepal, Civil Aviation Regulation, 2058 (2002)."

(2) This Regulation shall come into force from the date of approval from the Government of Nepal.

(3) This Regulation may be called "Civil Aviation Regulation" in English and "CAR" in the abbreviated form.

2. Definition: Unless the content or context otherwise requires, in this Regulation:

(a) "Act" means the Nepal Civil Aviation Authority Act, 2053 (1996).

(b) "Type Certificate" means the special type of certificate according to the nature of the Aircraft and this term also

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includes the type of Aircraft and the capability acquired by a person.

(c) "Convention" means the Convention on International Civil Aviation opened for signature in Chicago on December 7, 1944 and the term also includes:

(1) Any such amendments, enforced and ratified by the both parties pursuant to Article 94(a) of the Convention, and

(2) To the extent of its enforcement to both parties within the definite period, any Annex or any amendment thereof made pursuant to Article 90 of the Convention.

(d) "Annex" means the International Standards and Recommended Practices prescribed by the International Civil Aviation Organization having affiliation with the Convention on International Civil Aviation.

(e) "Manual" means the Manual, Requirements and Directives enacted by the Authority pursuant to Rule 82 without contradicting with the Act and this Regulation for the implementation of the Rule, Manual and Standards prescribed by the International Civil Aviation Organization.

(f) "Crew" means Pilot, Co-pilot, Flight Engineer, Radio Officer, Flight Navigator, Air-hostess, Cabin attendant and Pursuer having Personal License, Rating and Certificate pursuant to the Act and this Regulation.

(g) "Personal Licensing, Rating and Certificate" means the Personal Licensing, Rating and Certificate to be issued pursuant to Rule 33.

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(h) "Fiscal Year" means the period starting from 1st Shrawan (about Mid July) of each year ending to the end of Ashad (about Mid July) of the next year.

(i) ♦"Service Provider" means airline operator, airport operator, air navigation service provider, aviation training organization, Aircraft repairing and maintenance organization having received Permit and Certificate pursuant to this Regulation.

(j) ♦"Air Navigation Service" means the services provided to air traffic during all phases of operations, including the air traffic management, communication-navigation and surveillance aids, meteorological for air navigation, search and rescue and aeronautical information service as well.

(k) ♦"Psychoactive substance" means the substances defined as "Psychoactive substance" by Annex-1 to the Convention on International Civil Aviation (Chicago), 1944.

(l) ♦"Communication and Navigation Aid Equipment" means the communication equipment, navigation equipment, and surveillance equipment, including the ATC console needed for safe flight operations.

(m) ♦"Inspector" means the person with qualification for the inspection and examination on the concerned subject and authorized by the Director General as per this Regulation.

(n) ♠"Ministry" means the Ministry of Culture, Tourism and Civil Aviation.

♦ Inserted by First Amendment
♠ Inserted by Second Amendment

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Chapter - 2

Provision Relating to Air Service Operation

3. **No Air Service to be operated without Permit and Certificate:** No person shall operate the air service without having the permit and certificate pursuant to Clause (a) of Section 5 of the Act.

4. **Air Service Operation Permit and Certificate:**

(1) Air Service Operating Organization, having a license pursuant to prevailing law, wishes to obtain Air Service Operation Permit and Certificate, it shall submit an application to the Director General in a format prescribed in the ♥Air Operator Certificate Requirements by mentioning necessary details and enclosing fee as prescribed in Schedule -1

(2) Upon receiving an application pursuant to Sub-rule (1), the Director General, after carrying out the necessary examination, may issue the Air Service Operation Permit and Certificate to the applicant in a format prescribed in ♥Air Operator Certificate Requirements and under the prevailing civil aviation law, this Regulation, and other requirements mentioned in the ♥Air Operator Certificate Requirements.

(3) While issuing the Air Service Operation Permit and Certificate pursuant to sub-Rule (2), the Director General may prescribed the necessary terms and conditions for a safe, regular, standard and effective operation of the Air Service.

♥ Amended by First Amendment

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(4) Procedures relating to the submission of an application for Air Service Operation Permit and Certificate, the issuance of the Air Service Operator Permit and Certificate and other procedure regarding the terms and condition thereof pursuant to sub-Rule (1), (2) and (3) shall be as mentioned in the ♥Air Operator Certificate Requirements.

⊕4 a. Change of Ownership to be informed:

(1) Organization having Air Service Permit and Certificate pursuant to Rule 4 if changed its operation and management ownership by more than fifty percent in recent three years, shall inform such to the Director General.

(2) Upon receipt of the information pursuant to sub-Rule (1), the Director General may cause to examine financial status and flight safety of such organization.

5. Provision relating to Term of Permit and Certificate and its Renewal:

(1) Term of the Air Service Operation Permit and Certificate issued pursuant to Rule 4 shall be of maximum •two years unless it is cancelled before the expiry of term pursuant to Rule 6.

(2) An application has to be submitted, •thirty days in advance from the expiry of the term prescribed in sub-Rule (1), to the Director General enclosing the fee mentioned in the Schedule – 1 for renewal of the Permit and Certificate.

♥ Amended by First Amendment
⊕ Inserted by Third Amendment
• Amended by Third Amendment

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⊕(2a) Director General upon examination of application received pursuant to sub-Rule (2), may renew if finds it appropriate.

(3) The format of the application to be submitted pursuant to sub-Rule (2) and other provisions regarding renewal of the Permit and Certificate shall be as prescribed in the Annex and Manual.

6. Suspension or Cancellation of the Air Service Operation Permit and Certificate:

(1) If the Air Service Operating Organization receiving Permit and Certificate pursuant to Rule 4 does not comply with or acts contrary with the provisions of prevailing civil aviation law, this Regulation, Annex and Manual and the terms and conditions mentioned at the time of issuance of Air Service Operation Permit and Certificate, the Director General may issue an order to suspend up to six months or cancel the Air Service Operation Permit and Certificate issued to such Air Service Operating Organization.

⊕(1a) In case of the initiation of the proceeding for suspension or cancellation, the Director General can restrict the flight of such Air Service.

(2) Upon issuance of an order to suspend or cancel the Air Service Operation Permit and Certificate of any Air Service Operation Organization pursuant to sub-Rule (1), the information relating thereto shall have to be given to the licensing or registering office.

⊕ Inserted by Third Amendment

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(3) Before issuance of an order to suspend or cancel the Air Service Operation Permit and Certificate pursuant to sub-Rule (1), such Air Service Operating Organization shall be provided a reasonable opportunity to submit its clarification.

♦6a. Annual Safety Audit to be conducted:

(1) Director General shall be required to conduct the safety audit annually regarding whether or not the airline company receiving the Air Service Operation Certificate pursuant to Rule 4 has complied with this Regulation, Air Operator Certificate Requirements, and terms and conditions prescribed at the time of providing Permit and Certificate, and whether or not the safe service from the technical aspects has been provided.

(2) Sub-Rule (1) shall not be considered to have prevented the Director General to conduct or cause to conduct a safety audit, when deemed necessary.

(3) For the purpose of conducting the safety audit as mentioned in Sub-rule (1) and (2), the Director General shall frame and enforce operating procedure based on the manual and standards relating thereto prepared by the International Civil Aviation Organization.

(4) In course of safety audit as mentioned in sub-Rule (1) and (2), if it is found that the airline company receiving the Air Service Operation Certificate has not complied with this Regulation, Air Operator Certificate Requirements and the terms and conditions prescribed at the time of issuing Permit and Certificate, and has not provided the safe service from the technical aspect, the

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Director General shall issue order to comply with these requirements by specifying a timeframe.

(5) •The concerned Air Service Company not complying with air safety provision within the prescribed time as per the order issued by the Director General as per sub-Rule (4), the Director General may suspend or cancel Air Service Operation Permit or Certificate pursuant to Rule 6.

♦6b. Regarding Obtaining Services from Former Employees of the Authority: Air Service Operation Organization receiving Permit and Certificate pursuant to per Rule 4 shall not employ the following personnel who are retired or have departed from the service of the Authority by any reason, for a period of two years from the date of such retirement or departure:

(a) Those directly involved in the flight safety inspections,

(b) Those directly involved in regulation and monitoring of Air Service Operation Organization.

♦6c. Provision of Flight Safety Oversight of Foreign Aircraft:

(1) Director General shall have the authority to oversight the Air Service Operation Organization, which has been registered in the foreign country but operating the services in Nepal, and the flight safety of the Aircraft.

(2) For the purpose of oversight pursuant to sub-Rule (1), the Director General shall enact and enforce an operating procedure.

• Amended by Third Amendment
♦ Inserted by First Amendment

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Chapter - 3

Provisions Relating to Registration of Aircraft and Marking of National Mark

7. **Unregistered Aircraft shall not make any Flight:** The Aircraft, which has not been registered in any country, shall not make any flight in the airspace of Nepal.

8. **Registration of Aircraft**:

(1) If Air Service Operation Organization receiving Air Service Operation Permit and Certificate pursuant to Rule 4, desires to register its Aircraft, procured or taken in lease, in Nepal for commercial purpose, it shall be required to submit an application to the Director General in a format prescribed in Annex and Manual by mentioning the necessary details and enclosing the fee mentioned in Schedule-1.

(2) If a person or organization wishes to register the Aircraft for private purpose and not for the commercial purpose, such person or organization shall be required to submit an application to the Director General in a format prescribed in Annex and Manual by mentioning necessary details and enclosing the fee mentioned in Schedule-1.

(3) Upon receiving an application pursuant to sub-Rule (1) and (2), the Director General shall be required to carry out necessary assessment of such application and issue an order to register the Aircraft under the provisions mentioned in prevalent civil aviation law, this Regulation, Annex and Manual and the terms

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and conditions of Air Service Operation Permit and Certificate issued to the concerned Air Service Operation Organization. The Aircraft shall be used for the same purpose only, for which purpose it was registered.

(4) Upon the decision to register the Aircraft pursuant to sub-Rule (3), the Director General shall be required to register the Aircraft in the Aircraft Registration Book maintained in a format as prescribed in the Annex and Manual and issue the Aircraft Registration Certificate in a format as prescribed in the Annex and Manual.

(5) The Aircraft registered pursuant to sub-Rule (4) shall be considered as a Nepalese Aircraft.

(6) The ownership of the Aircraft rests with the Aircraft Owner.

(7) Notwithstanding anything contained in this Rule, no any Aircraft shall be registered until dues to the Government of Nepal and Authority are not paid. Further, the new Aircraft of the organization receiving the Air Service Operation Permit and Certificate shall not be registered in its name until it pays its dues to the Government of Nepal and Authority, and the registration of previously registered Aircraft shall be cancelled.

9. Provision relating to taking or providing Lease of Aircraft:

(1) If the Air Service Operation Organization receiving Permit and Certificate pursuant to Rule 4 is required to lease the Aircraft, it shall be required to submit an application to the Director General in a format prescribed in the Annex and Manual by

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mentioning the necessary details and enclosing the fee mentioned in Schedule-1.

(2) While submitting an application pursuant to sub-Rule (1), a copy of the lease agreement of the Aircraft shall also have to be enclosed therewith.

(3) If it is required to change the operation of Aircraft leased under this Rule, an application has to be submitted to the Director General enclosing the fees mentioned in Schedule –1.

(4) Upon receiving the application pursuant to sub-Rule (1) and (3), the Director General shall carry out necessary examination and allow changing the person providing or taking the Aircraft in lease and the ownership and operator of the leased Aircraft. While providing permit in such a way, the Director General may alter or prescribe any other necessary terms and conditions in the agreement.[∝]

(5) Notwithstanding anything contained in sub-Rule (4), such permit shall not be granted until it is proved that the dues to the Government of Nepal and Authority has been settled.

(6) If there is any addition, deletion or amendment in the proceedings and agreements concluded with regards to leasing of Aircraft under this Rule, it shall be required to submit the documents related therewith.

[♠]**9a. Exchange of Regulatory Responsibility through Mutual Understandings: (1)** While operating an aircraft, registered in foreign country, on lease in Nepal or operating an aircraft registered in Nepal,

[∝] Removed by Second Amendment
[♠] Inserted by Second Amendment

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on lease in the foreign country, all or part of responsibilities relating to the operation and technical regulation inherent in the Country of Registry may be exchanged by mutual agreement between the Civil Aviation Authority of Nepal and Aeronautical Authority of the concerned Country.

(2) Other procedures for exchange of operation and technical regulation responsibility pursuant to sub-Rule (1) shall be as prescribed in the Air Operators Certificate Requirements.

(3) Director General shall notify the Ministry, International Civil Aviation Organization and other Countries concerned about the exchange of operation and technical regulation responsibility pursuant to sub-Rule (1).

10. Transfer of Aircraft Registration:

(1) If it is required to transfer the Aircraft registered in the name of any person or organization pursuant to Rule 8 in the name of any other person or organization through sale, purchase or any other means, the registration of such Aircraft has to be transferred.

(2) Any person or organization seeking transfer of registration of the Aircraft pursuant to sub-Rule (1) shall be required to submit an application to the Director General in the format prescribed in Annex and Manual with necessary details and enclosing the fee mentioned in Schedule-1.

(3) While submitting an application pursuant to sub-Rule (2), person seeking to get the Aircraft transferred shall be required to submit the contract, agreement or similar type of documents to the Director General.

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(4) Director General shall carry out necessary examination of the application submitted pursuant to sub-Rule (2) for transfer of Aircraft registration and may issue the order to transfer the registration of Aircraft from one person or organization to another person or organization under provisions of the prevailing civil aviation law, this Regulation, Annex and Manual.

(5) Upon decision to transfer the registration of Aircraft pursuant to sub-Rule (4), name of existing Aircraft owner or Air Service Operation Organization shall have to be deleted and name of the new owner or Air Service Operation Organization shall have to be inserted in the Aircraft Registration Book maintained pursuant to Rule 8 (4).

(6) Upon insertion of name of the Aircraft owner or Air Service Operation Organization pursuant to sub-Rule (5), the certificate of Aircraft registration shall have to be issued to such owner or Air Service Operation Organization in the format prescribed in the Annex and Manual.

(7) Notwithstanding anything contained in this Rule, transfer of Aircraft registration shall not be done until the dues to be paid to the Government of Nepal and the Authority is paid.

⊕10a. Change of Registration of Aircraft:

(1) If it is required to change the registration of Aircraft registered in the name of any person or organization pursuant to sub-Rule (4) of Rule 8, an application shall be submitted to the Director General enclosing the fee mentioned in Schedule-1.

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(2) Upon receiving an application pursuant to sub-Rule (1), the Director General shall order for change in registration if found appropriate after necessary examination of the application.

11. Aircraft not to be Registered: Notwithstanding anything contained in this Regulation, the following Aircraft shall not be registered under this Regulation:-

(a) Aircraft registered in other country,

(b) Aircraft under the ownership of Nepal Army, Nepal Police and Custom,

(c) In the case of Aircraft not having Nepalese Type Certificate or Type Approval, if there is no plan to transfer the technology to the personnel of the concerned Air Service Operation Organization and the Authority.

⊕11a. Provisions Relating to Blockade and Release of Aircraft:

(1) The concerned party shall submit an application along with required fees pursuant to Schedule-1 to the Director General if it is required to block the sale, purchase or transfer of ownership of Aircraft for the purpose of bank guarantee for the loan provided by the bank or financial institution licensed by the Nepal Rastra Bank.

(2) Upon the receipt of the application pursuant to sub-Rule (1), the Director General may order for the blockade with assurance of completion of following conditions:

(a) If written request is received from the bank and financial institution or the owner of the aircraft;

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(b) If the whole Aircraft along with engines has been kept as guarantee for the loan.

(3) The Director General may restrain the flight of such Aircraft being blocked pursuant to sub-Rule (2) if requested by concerned bank or financial institution in a written form. In such situation, bank or financial institution requesting restraint shall bear all the fees related to such Aircraft for such terms of restraint.

(4) Director General may issue an order of release of Aircraft upon receipt of written application of the Aircraft owner along with release paper from the concerned bank and financial institution in presence of authorized representative.

12. Type Certificate:

(1) Aircraft Owner, organization or Aircraft manufacturer itself may submit an application to the Director General in the format prescribed in Annex and Manual containing the necessary details and fee pursuant to Schedule-1 for the Type Certificate of the Aircraft that is not registered in Nepal.

(2) While submitting the application pursuant to sub-Rule (1), the design certificate of the Aircraft shall also have to be enclosed therewith.

(3) Director General shall carry out the necessary examination of the application submitted pursuant to sub-Rule (1) and shall provide the Type Certificate to the applicant in a format prescribed in the Annex and Manual, under the provisions of

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prevailing civil aviation law, this Regulation, Annex and Manual.

(4) If Type Certificate has not been obtained for any Aircraft imported prior to the commencement of this Regulation, the Air Service Operation Organization of such Aircraft shall be required to obtain the Type Certificate at the time of renewal of the Air Service Operation Permit and Certificate.

(5) Other procedures relating to issue the Type Certificate shall be as prescribed in Annex and Manual.

13. •Deregistration of the Aircraft:

(1) Aircraft registered in Nepal shall be deregistered in following conditions:

(a) If the Aircraft got damaged due to accident and no possibility for maintenance.

(b) If the Aircraft is being permanently taken out of the country for any reason or being sold.

(c) If there issued an order for change in registration pursuant to Rule 10a.

(2) The concerned Aircraft owner or the person or organization operating such Aircraft on lease shall apply to the Director General for deregistration of the Aircraft with necessary details in the format prescribed in Annex and Manual along with the Aircraft Registration Certificate and enclosing the fees mentioned in Schedule -1.

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14. Aircraft without National Mark not to be taken of the Flight and not to be Operated: No Aircraft shall make or cause to be made any flight in the airspace of Nepal without having a national mark of the country where the Aircraft is registered.

15. National Mark of the Aircraft:

(1) •Nepalese national mark of the Aircraft Registered in Nepal shall be 9N in the figure and letter and after the national mark there shall be a little hyphen (-) followed by a group of three capital letters or numbers of combined of letters and numbers in Roman character as given below:

(a) There shall be three letters in Roman character in case of the Aircraft and helicopters of commercial flights. There shall be three Roman letters registration mark "9N-AAA" in the first Aircraft and then followed as Roman letters B, C, D subsequently.

(b) In case of the Aircraft of V.V.I.P. flight there shall be a registration mark with letter "R" as 9N-RAA and for the subsequent Aircrafts, letters B, C, D, shall be inserted respectively.

(c) In cases of utltralights and other small aircrafts to be registered, there shall be "U" as first letter amidst three Roman letters in registration mark as 9N-U11 and subsequent aircraft shall be given registration mark as 9N-U followed by Roman numbers 12, 13 respectively.

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(d) In case of Aircrafts imported in the State of Nepal, the registration mark shall be given temporary registration mark being automatically quashed after landing in Nepal. Such registration mark shall be given with Roman letter "T" being the first letter as 9N-T11 and subsequent aircraft shall be given registration mark as 9N-T followed by Roman numbers 12, 13 respectively.

(2) Director General shall have power to assign national mark of the Aircraft pursuant to sub-Rule (1).

(3) ♥Other details relating to the national mark in an Aircraft pursuant to sub-Rule (1) shall be as mentioned in the Nepal Civil Airworthiness Requirement (NCAR) issued by the Authority.

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♥ Amended by First Amendment

Chapter - 4

Provisions Relating to Airworthiness

16. ♥Certificate of Airworthiness:

(1) Aircraft without Certificate of Airworthiness shall not cause to be operated in the airspace of Nepal.

Provided that, the Director General may issue permit to flight on temporary basis in the case of test flight and position flight.

(2) In the event of an Aircraft operating in the airspace of Nepal without Certificate of Airworthiness or with expired Certificate of Airworthiness, such Aircraft shall immediately be controlled by the authorized official and necessary action shall be taken thereof.

17. Standard of Airworthiness:

(1) The standard of airworthiness to be enforced in Nepal shall be as mentioned in Annex and Manual.

(2) Until the airworthiness standard is prescribed pursuant to sub-Rule (1), airworthiness standard to be enforced in Nepal shall be the same standard prevailed in the member country of the International Civil Aviation Organization whose authority has awarded the certificate of airworthiness to the Aircraft.

18. Provision Relating to Airworthiness Certificate:

(1) Director General shall have the power to issue an airworthiness certificate.

♥ Amended by First Amendment

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(2) The format of an application to be submitted for the airworthiness certificate, the format of an airworthiness certificate and other procedures and details relating thereof, shall be as prescribed in Annex and Manual.

(3) While submitting an application pursuant to sub-Rule (2) airworthiness certificate fee shall be paid pursuant to Schedule-1.

19. Provision Relating to Term and Renewal of Airworthiness Certificate:

(1) The airworthiness certificate provided pursuant to this Regulation shall be valid up to •two years except otherwise order is being issued by the Director General on the ground that the Aircraft was found not in a good condition to fly for safety reasons in the routine examination of the Aircraft pursuant to this Regulation.

(2) An application shall be submitted to the Director General by enclosing the renewal fees pursuant to Schedule-1 for the renewal of airworthiness certificate before the date of expiry of the term pursuant to sub-Rule (1).

(3) The format of the application to be submitted pursuant to sub-Rule (2) and other procedure relating to renewal of airworthiness certificate shall be as prescribed in Annex and Manual.

20. Cancellation or Suspension of Airworthiness Certificate:

(1) Director General may issue an order to cancel the airworthiness certificate of such Aircraft or to suspend it for the period mentioned in the same order in case an Aircraft is flown in

• Amended by Third Amendment

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contrary to the terms and conditions mentioned in the airworthiness certificate provided to any Aircraft and the prevailing law related to Civil Aviation, these Rules, Annex and Manual.

(2) A reasonable opportunity shall be provided to the concerned organization to submit the clarification before issuing the order of cancellation or suspension of the airworthiness certificate pursuant to sub-Rule (1).

21. Export Certificate of Airworthiness:

(1) In a case, if, the Aircraft registered in the name of a person or an organization or operated through lease deal within Nepal, has to be sent outside the country permanently with view of not flying or operating within Nepal or in a condition that the registration of the Aircraft has been cancelled pursuant to Rule 13, the owner or lessee whether a person or an organization, except in a condition that the Aircraft has become defunct due to destruction, has to apply for Export Certificate of Airworthiness before the Director General by mentioning all particulars in the format prescribed in the Annex and Manual along with the fee mentioned in Schedule-1.

(2) Upon receiving the application pursuant to sub-Rule (1), the Director General, after necessary examination, shall provide Export Certificate of Airworthiness in the format mentioned in Annex and Manual, if it is revealed that dues of the Government of Nepal and the Authority have already been paid.

(3) Other procedures relating to Export Certificate of Airworthiness shall be as mentioned in Annex and Manual.

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Chapter -5

Provision Relating to Repair and Maintenance of the Aircraft

22. ♦No Flight or Operation of Aircraft without Repair and Maintenance:

(1) No Aircraft shall make any flight or operate without the regular repair and maintenance of the Aircraft or engine of the Aircraft and other parts at the period prescribed by the Authority as mentioned in the Certificate of Airworthiness issued pursuant to Rule 18.

(2) While carrying out repair and maintenance of the Aircraft pursuant to sub-Rule (1), the parts and equipment less qualitative than the standard prescribed by the concerned manufacturer company for the similar type of Aircraft shall not be used.

23. Repair and Maintenance of Aircraft:

(1) If the Director General deems necessary to carry out the urgent repair and maintenance of any Aircraft or to replace any parts thereof from the point of view of safety except in a situation of regular repair and maintenance of the Aircraft pursuant to Rule 22, the Director General may give necessary order to the concerned Aircraft Owner, Air Service Operation Organization or the concerned repair and maintenance Engineer.

♦ The original provision is stated as sub-Rule (1) and sub-Rule (2) is inserted by First Amendment

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(2) The Aircraft shall not make a flight without repair and maintenance or replacement of the parts pursuant to the order as sub-Rule (1).

(3) The method of repair and maintenance of the Aircraft pursuant to sub-Rule (1) and (2) shall be as prescribed in Annex and Manual.

24. Repair and Maintenance from Licensed or Recognized Organization:

(1) While doing the regular or urgent repair and maintenance of the Aircraft or engine and other parts of the Aircraft pursuant to Rule 22 or 23, the repair and maintenance of the engine and parts of the Nepalese Aircraft shall be done from the organization receiving permit pursuant to Rule 28(2) or recognized pursuant to Rule 49 (2).

(2) Other provisions relating to overhauling of the Aircraft and certification thereof shall be as prescribed in Annex and Manual.

25. *Record of Repair and Maintenance of Aircraft:

(1) Upon carrying out the regular or urgent repair and maintenance of the Aircraft pursuant to Rule 22 and 23, the concerned organization shall be required to certify the same with update in the format mentioned in the Requirements Directives and Manual.

(2) Any person or organization if keeps fake record or alter the details or forge the details related to regular or urgent repair

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and maintenance affecting the safety of the flight or caused to be done so, the Director General may issue an order to suspend or cancel the license, permit or certificate of such person or the organization.

26. Regular Inspection:

(1) No Aircraft shall make a flight unless it is certified by the technician receiving Aircraft Maintenance Certificate pursuant to♥ clause (u) of Rule 32 or the person (♥technician) receiving the recognized Aircraft Maintenance Certificate pursuant to Rule 49 (2) that all the necessary equipment and materials are installed properly before making a flight by the Aircraft.

(2) ♥Other provisions relating to the regular inspection of the Aircraft pursuant to Sub-rule (1) shall be as prescribed in Flight Operation Requirements (FOR), Nepal Civil Air worthiness Requirement (NCAR), Airline Operator Certificate Requirement (AOCR) and Annex and Manual.

27. Log Book:

(1) Each Aircraft registered in Nepal, shall maintain an updated log book as follows:-

(a) Journey log-book,

(b) Aircraft log-book,

(c) Single engine log-book for a single engine Aircraft and separate engine log-book for each engine in the Aircraft having more than one engine,

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(d) One pitch propeller log book for one pitch propeller Aircraft, separate pitch propeller log books for each pitch propeller in the Aircraft having more than one pitch propeller,

(e) Radio parts log book for the Aircraft having the ratio parts.

(2) The power to issue log books pursuant to sub-Rule (1) shall rest upon the Director General.

(3) Other procedures and particulars relating to maintain the updated log book pursuant to sub-Rule (2) shall be as prescribed in Annex and Manual.

28. Provision Relating to Organization Carrying out Production, Repair and Overhaul of Aircraft and its Parts:

(1) Organization having received the permit pursuant to prevailing law, willing to produce, repair and overhaul the Aircraft or its parts, shall be required to submit an application to the Director General in a format mentioned in Annex and Manual by mentioning the necessary details and enclosing the fee mentioned in the Schedule-1 for obtaining the permit to carry out such works.

(2) Upon receiving of an application pursuant to sub-Rule (1), the Director General shall make necessary inquiry and may issue permit for production, repair and overhauling of the Aircraft and its parts under the prevalent civil aviation law, this Regulation and other provisions mentioned in the Annex and Manual.

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(3) •Term of the permit issued pursuant to sub-Rule (2) shall be for two years and before expiry of the term, it shall be required to submit an application 30 days in advance to the Director General for renewal by enclosing the fee mentioned in Schedule-1.

(4) The format of the application to be submitted pursuant to sub-Rule (3) and the other procedures relating to renewal of permit shall be as mentioned in Annex and Manual.

29. Suspension or Cancellation of Permit of Organization Carrying out Production, Repair and Overhauling of Aircraft and its Parts:

(1) Director General may issue an order to suspend the permit of the organization up to the period mentioned in the same order or cancel the permit pursuant to Rule 28 if the organization so permitted does not comply with or acts contrary to the provisions mentioned in the prevailing civil aviation law, this Regulation, Annex and Manual.

(2) Upon issuance of an order of suspension or cancellation pursuant to sub-Rule (1), the information thereof shall be provided to the office which issued the license and registered the organization pursuant to prevailing law.

(3) The organization should be provided a reasonable opportunity to submit clarification before suspension or cancellation pursuant to sub-Rule (1).

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30. Provision Relating to Organization or Agent Carrying out Import, Export, Store or Sale of Parts of Aircraft:

(1) Any person or organization willing to carry out business as an organization or agent thereof to import, export, store or sale parts of the Aircraft shall be required to submit an application to the Director General for obtaining the permit for such work.

♦(1a) Notwithstanding anything contained in sub-Rule (1), permission as mentioned in sub-Rule (1) is not required for the import and storage of Aircraft or parts thereof by the organization which has received the certificate as mentioned in Rule 4 and Rule 28.

(2) Upon receiving application pursuant to sub-Rule (1), the Director General shall make necessary inquiry and may provide permit to the applicant to carry out the business of import, export storage and selling of the parts of Aircraft or to carry out the business as agent of such organization, in the format mentioned in Annex and Manual by levying the fees mentioned in Schedule-1.

♦2a. The concerned organization or its agent receiving permission pursuant to sub-Rule (2) shall not import, store or sale the parts and equipment less qualitative than the standard prescribed by the concerned Aircraft manufacturing company for the similar type of Aircraft.

(3) •Term of the permit issued pursuant to sub-Rule (2) shall be of two years and before expiry of the term, it shall be required to

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submit an application 30 days in advance to the Director General enclosing the fees mentioned in Schedule-1, for the renewal.

(4) The format of the application to be submitted to the Director General pursuant to sub-Rule (1) and (3) and the other particulars and procedure relating thereto shall be as mentioned in Annex and Manual.

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Chapter -6

Provisions Relating to Personal License, Rating and Certificate

31. ▾Not to Work without receiving the Personal License, Rating and Certificate:

(1) No person shall work or caused to work the following nature of works without obtaining the Personal License, Rating and Certificate or recognition pursuant to Rule 51:

(a) Aircraft flight operation,

(b) Aircraft repair and maintenance,

(c) Flight dispatching,

(d) Air Traffic Control,

(e) Acceptance/certification, installation, repair and maintenance of communication and navigation equipment

But,

(1) Director General may authorize a person having necessary qualifications to participate in the work of specific nature under the supervision of a person having license for a period of not more than one year even if the former does not have personnel license, rating and certificate.

(2) Director General may authorize the experts invited for specific purpose and for limited period from the country of Aircraft and other equipments manufacture and training, to work remaining within other prevailing laws.

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▾ Amended by first Amendment

32. ▾**Personal Licensing, Rating and Certificate Issuing Official:** Director General shall have power to issue Personal license, Rating and Certificate as follows:

(a) Student Pilot •Certificate,

(b) Private Pilot License,

(c) Commercial Pilot License,

(d) Airline Transport Pilot License,

(e) Instrument Rating,

(f) Flight Instructor Rating,

(g) Ground Instructor Certificate

(h) Glider Pilot License,

(i) ×……..,

(j) Student Flight Operation (Flight Dispatcher)• Certificate,

(k) Flight Operation Officer or Aircraft Dispatcher License,

(l) Flight Engineer License,

(m) Flight Radio Telephone Operator License,

(n) Radio Navigation Operation License,

(o) •Student Air Traffic Controller Certificate,

(p) Air Traffic Controller License/Rating,

(q) Multi type Aircraft Rating,

(r) Flight Inspection Certificate,

(s) Air Traffic Safety Electronics License/Rating,

(t) ×……..,

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• Amended by Third Amendment
× Removed from Third Amendment

(u) ♣Aircraft Maintenance Technician/ Engineer License (A.M.T.L./A.M.E.L),

(v) ×……,

(w) Ground Radio Operation Certificate,

(x) ×……,

(y) Balloon Pilot License.

(z) •Trainer Certificate,

(aa) ⊕Examiner Certificate

⊕32a. Issuance of Certificate by Service Provider Organization:

(1) Air Service Operator, Airport Operator, Air Navigation Service Provider and Aircraft Repair and Maintenance Organization may issue necessary certificates to maintain standard of service to human resources working under it in special work area except to those provided with Personal License, Rating and Certificate pursuant to Rule 32.

(2) In issuance of Certificate pursuant to sub-Rule (1), it shall be enforced determining educational qualification, training, health qualification and other required qualifications and upon approval of the procedure from the Director General.

(3) Director General shall make arrangements for monitoring of activities of the human resource having Certificates pursuant to sub-Rule (2)

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× Removed from Third Amendment
× Removed from Third Amendment
• Amended by Third Amendment
⊕ Inserted by Third Amendment
⊕ Inserted by Third Amendment

33. Qualification for Obtaining Personal License, Rating and Certificate:

The following qualification shall be required to obtain Personal License, Rating and Certificate:

(a) Having educational qualification, age and other qualification as mentioned in Annex and Manual,

(b) Having health qualification pursuant to Rule 34.

34. Having passed the qualification examination conducted by the Authority pursuant to Rule 36.

35. ♥Provision Regarding Medical Fitness: Medical fitness requirements for Personal License shall be as mentioned in the Aviation Medical Requirements issued by the Authority.

36. ♥Medical Examination and Assessment:

(1) ♣Director General, on the recommendation from the sub-committee formed under coordination of the Board member and including expert, shall appoint a senior physician as 'Civil Aviation Medical Assessor' in order to certify the medical fitness required for obtaining Personal License.

(2) Civil Aviation Medical Assessor shall be appointed pursuant to Sub-rule (1) by advertising, through public notice, and selecting suitable candidate among those who possess the qualification to analyze and assess the health conditions that may affect to the civil aviation, aviation medicine and flight safety.

(3) Director General shall designate required Civil Aviation Medical Examiners for the examination of the physical and mental fitness required for obtaining Personal License on the recommendation of Civil Aviation Medical Assessor.

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(4) While designating the Civil Aviation Medical Examiners, it shall be designated pursuant to sub-Rule (3) as recommended by the *Civil Aviation Medical Assessor from among the candidates having practical knowledge and experience in the aviation medicine and aviation environment by vacancy announcement through the means of public notice.

(5) The responsibility of evaluation of the medical report received from the Civil Aviation Medical Examiners and certifying the medical fitness required pursuant to Rule 34 shall be rested on the Civil Aviation Medical Assessor.

(6) Term of Civil Aviation Medical Assessor and Civil Aviation Medical Examiner shall generally be of two years. The Director General may reappoint and re-designate them by evaluating their skill, capacity and conduct.

(7) The medical examination fee to be charged by the Civil Aviation Medical Examiners shall be as specified by the Director General on the recommendation of the Aviation Medical Assessor.

(8) The remuneration and other facilities of the Civil Aviation Medical Assessor shall be as specified by the Director General.

(9) The duty, responsibility and authority along with the *qualification, training and experience of the Civil Aviation Medical Assessors and the Civil Aviation Medical Examiners shall be as specified by the Authority.

(10) Other procedures relating to the medical examination, assessment and certification shall be as prescribed in the Aviation Medical Requirements issued by the Authority.

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* Amendment by Second Amendment

(11) *In case the Civil Aviation Medical Assessor made any recommendation regarding lack of performance or misdemeanor of the Civil Aviation Medical Examiner, the Director General of CAAN may expel him/her from his/her duty as the Civil Aviation Medical Examiner.

(12) *In case the sub-committee formed under coordination of the Board member including the expert made any recommendation regarding lack of performance or misdemeanor of the Civil Aviation Medical Assessor, the Director General of CAAN may terminate him/her from his/her duty as the Civil Aviation Medical Assessor.

(13) *Civil Aviation Medical Examiner and Civil Aviation Medical Assessor shall be provided with reasonable opportunity for giving their clarification before issuing the termination order pursuant to sub-Rule (11) and (12).

36. Examination and its Procedure :

(1) Personal License, Rating and Certificate shall not be provided to such person who has not passed the examination conducted by the Authority.

(2) The Authority shall constitute an Examination Committee to fix the curriculum and credit hours and to conduct the examination pursuant to sub-Rule (1).

(3) The functions, duties and powers along with other procedures relating to Examination Committee constituted pursuant to sub-Rule (2) shall be as mentioned in the Annex and Manual.

(4) Examination relating to flight safety shall be taken through one or more of the following examination process:

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(a) Written, (b) Oral, (c) Practical, (d) Check ride, (e) Simulation,

(f) Miscellaneous

(5) Examination fee to be collected pursuant to sub-Rule (1) shall be as prescribed in Schedule-1. One has to pay separate examination fee for each and every subject of examination.

(6) ⊕Other provisions related to examination for the Personal License shall be as mentioned in the Personal Licensing Requirements.

37. License, Rating and Other Certificates and Fees:

(1) An application shall be submitted to the Director-General to obtain the Personal License, Rating and Certificate. While submitting the application, it shall be required to deposit the fee as per the Schedule –1 towards the Personal License, Rating and Certificate.

(2) The format of the application to be submitted pursuant to Sub-rule (1) and other matters relating to providing of Personal License, Rating and Certificate shall be as mentioned in Annex and Manual.

♦**37a. Authority to Pay the Fees of its Existing Employees:** The fee to be paid as per Rule 36 and Rule 37 shall be borne by the Authority for the existing employees of the Authority.

38. •Term of License, Rating and Certificate:

(1) Term of Personal License issued pursuant to Rule 32 shall be of five years in maximum.

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♦ Inserted by First Amendment
• Amended by Third Amendment

(2) Other provisions relating to License, Rating and Certificate shall be as mentioned in the Personal Licensing Requirements issued by the Director General.

39. Provision Relating to Renewal of Personal License, Rating and Certificate:

(1) It shall be required to submit an application to the Director General to renew the Personal License, Rating and Certificate upon expiry of the term as prescribed in Rule 38.

(2) While submitting the application pursuant to sub-Rule (1), it shall be required to pay the fee for renewal of the Personal License, Rating and Certificate as prescribed in Schedule-1.

(3) The format of an application to be submitted pursuant to sub-Rule (1) and other procedures relating to the renewal of Personal License, Rating and Certificate shall be as prescribed in Annex and Manual.

40. ▾Provision Regarding Suspension or Cancellation of the Personal License, Rating and Certificate:

(1) If the holder of a Personnel License, Rating and Certificate violates the provision of prevailing law related to Civil Aviation, these Rules, Annex and Manual or uses the Personnel License, Rating and Certificate against such provisions, the Director General may cancel Personal License, Rating and Certificate of such holder or may issue an order to suspend these for a period as mentioned in the same order.

(2) Before issuing the order of cancellation or suspension of the Personnel License, Rating and Certificate pursuant to sub-Rule (1), a reasonable opportunity shall be provided to the concerned

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holder of the Personal License, Rating and Certificate to submit a clarification.

(3) In the context of investigation of any accident or incident, the Director General may suspend, one or more time, the right of a person under the Personal License, Rating and Certificate for a maximum period of six months.

(4) It shall be required to maintain updated record of actions taken by the Director General pursuant to sub-Rule (1).

♦**40a. Provision Relating to Copy of the License and Certificate:** If the license or certificate is lost or destroyed and if an application has been submitted to the Director General enclosing half of the renewal fee to be applicable for renewal of the license or certificate as mentioned in Schedule– 1 and necessary evidences for obtaining copy of the original, the Director General shall issue an order to provide the copy of the original.

♦**40b. Not to Assign Duty in a State of Fatigue**:

(1) A licensed pilot and air traffic controller shall not be mobilized to perform his duty in a state of fatigue.

(2) Other provisions relating to the fatigue as mentioned in sub-Rule (1) shall be as specified by the Director General.

41. ♣Exemption in Qualification regarding Personal License/Rating or Certificate may be granted:

(1) Notwithstanding anything contained in this Regulation, considering the technical knowledge and capability of any pilot who has obtained membership of the military flight crew or who has experience relating to the flight having government recognition in the civil flights or technical knowledge relating to

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♣ Amendment by Second Amendment

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the flight, or who has satisfactorily passed the special exam prescribed by the Director General, the Director General may provide exemption to such person in certain qualifications for the Personal License, Rating and Certificate.

(2) Notwithstanding anything contained in this Regulation, the Director General, if deemed necessary, may provide exemption in the qualification relating to the experience needed for the license to be issued as per Rule 32 by ensuring that the flight safety is not impaired. However, such exemption may be granted only once to a person.

(3) Director General shall be required to maintain the record of the exemptions provided pursuant to sub-Rule (2).

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Chapter -7

Provision Relating to Flying Training School, Aircraft Simulator and Ground Class on Various Subjects of Civil Aviation

42. ♥Submission of Application for Permit and Certificate of Operation of Flying Training School:

(1) Flying Training School receiving ♥license pursuant to the prevailing law shall be required to submit an application to the Director General in a format prescribed in the Annex and Manual along with necessary particulars for obtaining a Permit and Certificate to conduct trainings relating to the flights.

(2) While submitting an application pursuant to sub-Rule (1), it shall be required to pay the fee as prescribed in Schedule -1 for the permit and certificate ♥to conduct trainings relating to the flight operations.

(3) Upon submission of an application pursuant to sub-Rule (1), the Director General, after carrying out the necessary examination, may issue a ♥permit and certificate to the Flying Training School in accordance with the request of the applicant or with necessary amendment, in the format as prescribed in Annex and Manual.

Provided that the content and credit hours to be operated by such institutes shall be as permitted by the Director General or the expert designated by him/her.

(4) Other procedures relating to the submission of an application for the ♥permit and certificate to operate the Flying Training School

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and providing ▾the permit and certificate shall be as prescribed in Annex and Manual.

⊕42a. Provisions Regarding Approval of Foreign Flying related Training School:

(1) A Flying related Training School approved by the Country which is a member of the International Civil Aviation Organization shall submit an application to the Director General with details in the specified format and fees in accordance with Schedule-1 for approval.

(2) Upon necessary examination of the application pursuant to sub-Rule (1), Director General shall provide approval to the foreign flying related Training School in a specified format and such approval shall be valid for two years.

(3) Director General may cancel or suspend the approval for certain specific time period if the institution approved pursuant to sub-Rule (2) does not comply with the provisions of prevailing civil aviation law, this Regulation or Requirements, Directives and Manual enacted pursuant to this Regulation or acted in contrary to such provisions.

(4) Other provisions relating to approval of the foreign Flying Training School shall be as mentioned in the Requirements.

43. ▾Provision Regarding Conduction of Ground Class on Various Subjects Relating to the Civil Aviation:

(1) The Air Service and organization licensed pursuant to prevailing law to conduct the ground classes on various subjects relating to the civil aviation shall be required to submit an application to the Director General in a format prescribed in the Annex and

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Manual for obtaining necessary permits by enclosing the fee mentioned in Schedule -1.

(2) Upon receiving the application pursuant to sub-Rule (1), the Director General carrying out necessary assessment may issue the permit and certificate to the applicant in the format as specified in Annex and Manual to conduct the ground classes on various subjects relating to civil aviation.

(3) The Air Service or organization receiving Permit and Certificate pursuant to sub-Rule (1) shall be required to submit the subject matter, syllabus , credit and qualification of the instructors to be involved in the training, and training manual and amendment required thereto from time to time, to the Director General for approval.

(4) Other procedures for submission of application, issuing the permit and certificate pursuant to sub-Rule (1) shall be as specified in the Annex and Manual.

♦43a. Prior Approval to be obtained before Taking Flying Training:

(1) Any person willing to take training from the Flying School approved pursuant to Rule 42 and whose syllabus and training manual have been approved pursuant to Rule 43, shall be required to get prior approval from the Director General.

(2) The fee applicable for getting approval pursuant to sub-Rule (1) shall be as prescribed in Schedule-1.

44. ∝...Cancellation or Suspension of Permit to Operate Training School:

(1) If the Flying Training School ...∝ receiving permit pursuant to Rule 42 and 43 does not comply with or acts contrary with the

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provisions contained in prevailing civil aviation law, this regulation, Annex and Manual, the Director General may cancel such permit to conduct trainings [∝]... or suspend thereof for a period mentioned in such order.

(2) Upon issuance of order of cancellation or suspension pursuant to sub-Rule (1), it shall be required to give that information to the office registering that organization under the prevailing law.

(3) Before issuance of an order of cancellation or suspension pursuant to sub-Rule (1), a reasonable opportunity shall have to be provided to the concerned Training conducting Organization ...[∝] to submit the clarification.

[♦]44a. Provision Regarding Term and Renewal of Permit and Certificate:

(1) [•]Term of the permit and certificate issued pursuant to Rule 42, 43 and 45(1) shall be maximum of two years except it is cancelled before the expiry of term pursuant to Rule 44.

(2) For renewal of certificate of permit of Flight Training School, Training Simulator and other conducting ground classes, an application shall be submitted in a format and procedure prescribed in the Requirements, Directives and Manual along with the renewal fee as prescribed in Schedule – 1, 30 days in advance to the expiry of the term as per sub-Rule (1).

45. [•]Training School and Simulator Permit:

(1) Simulator: Flight Service Operator, willing to operate simulator for the purpose of conducting capacity building training for members of the flight crew, trial and examination in a country, shall submit an application to the Director General in a format and required details as prescribed in the Requirements,

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Directives and Manual enclosing the fee for operation permit as prescribed in Schedule – 1.

(2) Upon receiving an application pursuant to sub-Rule (1), the Director General shall conduct necessary examination and issue the Simulator operation permit to such Air Service Operating organization in a format prescribed in the Requirements, Directives and Manual.

(3) If Air Service Operator willing to use foreign based Simulator for the purpose of conducting capacity building training for members of the flight crew, trial and examination, the Director General may provide approval for the Simulator Training in the organizational approved by the member Country of the International Civil Aviation Organization.

(4) For approval of the Simulator Training pursuant to sub-Rule (3), an application shall be submitted to the Director General enclosing fees as prescribed in the Schedule-1.

(5) Term of the approval provided pursuant to sub-Rule (4) shall be of two years.

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Chapter -8

Provision Relating to Providing or Withdrawal of Recognition

46. Recognition of Type Certificate:

(1) The Aircraft Owner or Air Service Operation Organization willing to get the recognition of the Type Certificate issued in relation to any Aircraft by a member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country, shall submit an application along with necessary details to the Director General in a format mentioned in the Annex and Manual enclosing the fee mentioned in Schedule-1.

(2) Aircraft Design Certificate shall also be submitted with the application pursuant to sub-Rule (1).

(3) Upon receiving such application pursuant to sub-Rule (1), the Director General shall conduct necessary inquiries and provide Type Certificate recognition of that Aircraft in the format mentioned in the Annex and Manual.

(4) Recognition provided pursuant to sub-Rule (3) shall be the integral part of the concerned Type Certificate.

(5) Other procedures relating to provide the recognition pursuant sub-Rule (3), shall be as mentioned in the Annex and Manual.

47. Recognition of Airworthiness Certificate:

(1) Any Aircraft receiving the airworthiness certificate from a member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country, willing to make flight in Nepal, shall be required to submit an application to the Director General in a format mentioned in the

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Annex and Manual along with necessary details and enclosing the fee as mentioned in Schedule-1.

(2) Upon receiving such application pursuant to sub-Rule (1), the Director General shall conduct necessary inquiries and may provide recognition to such certificate with or without specifying any terms and conditions in the format mentioned in the Annex and Manual.

(3) Recognition provided pursuant to sub-Rule (2) shall be the integral part of the airworthiness certificate.

(4) Other procedures relating to recognition pursuant sub-Rule (2) shall be as mentioned in the Annex and Manual.

48. Recognition of Airworthiness Certificate May be Withdrawn:

(1) Aircraft receiving the airworthiness certificate pursuant to Rule 47 makes flight in contrary to the terms and conditions prescribe at the time of providing recognition, the prevailing civil aviation law, this Regulation, the terms and conditions mentioned in the Annex and Manual, the Director General may withdraw the recognition of the airworthiness certificate provided to such Aircraft.

(2) A reasonable opportunity shall be provided to the owner or operator of the concerned Aircraft to submit a clarification before the withdrawal of the recognition of airworthiness certificate pursuant to sub-Rule (1).

49. Recognition of Aircraft Repair and Maintenance Organization:

(1) An Aircraft Repair and Maintenance Organization, established under the License issued by member country of the International Civil Aviation Organization or the person or organization duly authorized by the said Country to operate the industry or business relating to Aircraft Repair and Maintenance, willing to do the repair and maintenance of the Nepalese Aircraft, shall be required to

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submit an application to the Director General in format prescribed in the Annex and Manual along with necessary particulars and enclosing the fee mentioned in Schedule-1.

(2) Upon receiving such application pursuant to sub-Rule (1), the Director General shall conduct necessary inquiries and may provide recognition for repair and maintenance and overhauling of the Nepalese Aircraft by specifying any terms and condition in the format mentioned in the Annex and Manual.

(3) Other procedures relating to recognition pursuant sub-Rule (1) shall be as mentioned in the Annex and Manual.

50. Recognition of Aircraft Repair and Maintenance may be Withdrawn:

(1) In course of repairing and maintenance or overhauling of the Nepalese Aircraft by the Aircraft Repair and Maintenance Organization receiving recognition pursuant to Rule 49, is found not complying with the provisions of the prevailing civil aviation law, this Regulation, Annex and Manual or any act has been done in contrary to those provisions, the Director General may withdraw the recognition of such Aircraft Repair and Maintenance Organization.

(2) A reasonable opportunity shall be provided to the concerned Aircraft Repair and Maintenance Organization to submit a clarification before withdrawing the recognition pursuant to sub-Rule (1).

51. Recognition of Personal License, Rating and Certificate:

(1) If the person having the License, Rating and Certificate issued by the member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country desires to receive recognition for the use of such License, Rating and Certificate in the aircraft registered in Nepal*

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for a period mentioned in the License, Rating and Certificate, he/she shall be required to submit an application to the Director General in a format prescribed in the Annex and Manual along with the necessary details and enclosing the fee mentioned in Schedule -1.

(2) Upon receiving application pursuant to sub-Rule (1) the Director General shall conduct necessary inquiries and may provide recognition to such certificate with or without specifying any terms and conditions in the format mentioned in the Annex and Manual.

(3) Recognition provided pursuant to sub-Rule (2) shall be the integral part of the related Personal License, Rating and Certificate.

(4) Other procedures relating to provide the recognition pursuant sub-Rule (2) shall be as mentioned in the Annex and Manual.

(5) ♠Notwithstanding anything contained in the sub-Rule (1), the Director General may refuse to grant recognition to personnel license and competency certificate of the Nepalese Nationals provided by other member Country of the International Civil Aviation Organization for the purpose of flying in Nepal.

52. Recognition of Personal License, Rating and Certificate may be Withdrawn:

(1) If the person having recognition granted for Personal License, Rating and Certificate, pursuant to Rule 51, uses the Personal License, Rating and Certificate in contrary to the terms and conditions prescribed at the time of providing recognition, prevailing civil aviation law, this Regulation, Annex and Manual, the Director General may withdraw the recognition of such Personal License, Rating and Certificate.

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(2) A reasonable opportunity shall be provided to the concerned person having Personal License, Rating and Certificate to submit a clarification before issuing an order of withdrawal of the recognition of the Personal License, Rating and Certificate pursuant to sub-Rule (1).

53. Recognition of Certificate to Export, Import, Store, Overhaul and Selling and Distribution of Aircraft and its Parts:

(1) The export, import, storage, overhaul and selling and distribution organization, established under the license issued by the member country of the International Civil Aviation Organization or the person or organization duly authorized by said country to operate the industry and business relating to the export import, storage, overhaul and selling and distribution of parts of the Aircraft, shall be required to submit an application to the Director-General along with necessary details by enclosing the fee mentioned in Schedule-1.

(2) Upon receiving application pursuant to Sub-rule (1), the Director General shall make necessary inquiry and may provide recognition to such organization in the format mentioned in Annex or Manual to import, storage, overhaul and selling and distribution of the Nepalese Aircraft with or without specifying any terms and conditions.

(3) Other procedures relating to providing recognition pursuant to sub-Rule (2) shall be as mentioned in the Annex and Manual.

54. The fees for the recognition of the certificate to be issued pursuant to Rule 46, 47, 49, 51, and 53 of this Regulation shall be equal to the fees applicable for issuing permit and certificate thereof.

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Chapter- 9

Provisions Relating to Flight, Landing, Use of Airdrome and Route Sector Permit

55. No Aircraft shall Make any Flight without Receiving the Flight Permit: No one shall make or cause to make any flight operation in the air space of Nepal without receiving flight permit pursuant to Rule 56.

56. Flight Permit shall be taken:

(1) The concerned owner of an Aircraft or Air Service Operation Organization shall submit an application to the Director General in the format prescribed in the Annex and Manual along with the necessary details to obtain a permit to make any flight of an Aircraft in the airspace of Nepal or to fly or to land in the runway of any Airdrome or helipad.

(2) Upon receiving such application pursuant to sub-Rule (1), the Director General, considering the technical aspects of the Aircraft for which the permit is to be granted, Airdrome and runway of the Airdrome as well, may provide the flight and landing permit to the applicant as per the request of the applicant or by specifying the necessary terms and conditions as well.

(3) •Subject to the provisions mentioned in sub-Rule (2), the Director General may provide the flight and landing permit as follows:-

(a) Schedule d domestic and international flights ,

(b) Non Scheduled and domestic and international and chartered flights,

(c) Emergency flight (Example:- Rescue, Ambulance etc.),

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(d) Diplomatic flight,

(e) Test flight,

(f) Experimental flight,

(g) Aerial Survey and Agriculture related flight,

(h) Glider, Balloon, human less aircraft,

(i) Private flight and all other types of flights.

(4) Flight permit pursuant to clause (c) of sub-Rule (3) may be requested and provided verbally as required. The permit given in such a way shall be recorded.

(5) •Flight permit fee pursuant to clause (b), (e), (f) and (g) of sub-Rule (3) shall be as prescribed in Schedule -1.

(6) National and International Airlines shall have to submit their flight Schedule to the Director General in the format mentioned in Annex and Manual for the schedule flight and the flight shall be operated only after the approval from the Director General.

(7) Director General may specify necessary terms and conditions while providing flight permit for the operation of the International Charter Flight.

(8) ⊕Director General shall monitor the scheduled flights pursuant to sub-Rule (3) and the Director General may restrict the flights if found not followed the approved flight schedules during such monitoring.

Explanation: For the purpose of this Rule "Experimental flight" means flight operated in air space of Nepal with permission to show capacity of any Aircraft or its examination.

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♦**56a. Special Terms and Conditions required for flight:** Director General may prescribed the special terms and conditions for operation of Aircrafts in the Airdromes on the basis of geographical remoteness in a view of the flight safety.

57. Provision Relating to Airdrome Operation and Flight Permit:

(1) The air operations service shall be provided by opening Airdrome as mentioned in the Annex, Manual and Directives.

(2) If the air operations service is required making Airdrome open beyond the time prescribed in the Annex, Manual and Directives, the concerned Aircraft Owner or Air Service Operation Organization shall be required to submit an application to the Director General by mentioning necessary details.

(3) Upon receiving application pursuant to sub-Rule (2), the Director General, considering the technical aspects of the Aircraft, Airdrome and facilities of the Airdrome as well, may provide operation permit by specifying the necessary terms and conditions and also the cost recovery fee of the Airport in addition to the fee as per the prevailing law.

(4) Route sector and frequency for the national air service operator operating in a regular basis under the bilateral and multilateral air service agreement shall be as specified by the Authority from time to time.

♦**57a. Provision Regarding Air Traffic Service:**

(1) Air Traffic Service to be provided in Nepal shall be in accordance with the standards specified in the Civil Aviation Requirements issued by the Authority.

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(2) The responsibility of ensuring the service in accordance with the standard pursuant to sub-Rule (1) shall be that of the chief of the concerned airport.

(3) All pilots shall follow the instruction of the Air Traffic Controller during the flights.

(4) •If any situation arises for not being able to comply with the instruction given by the Air Traffic Controller pursuant to sub-Rule(3) in light of the flight safety, the pilot shall inform the same to the Air Traffic Controller and request for alternative order or permission.

(5) Any incident relating to the air traffic service or any notice or information affecting or cause to affect the air safety shall be provided to the Director General without any delay.

♦57b. Provision Regarding Aeronautical Information Service:

(1) Notice and information relating to the civil aviation shall be published regularly through aeronautical information service in a format prescribed in the Annex and Manual.

♦57c. Provision Regarding Air Routes:

(1) Air routes to be used in Nepalese airspace and the Instrument Flight Procedures and the Visual Flight Procedures to be used for arrival and departure at different Airdromes shall be as prescribed by the Director General.

(2) The work pursuant to sub-Rule (1) shall be performed only by the persons or organization receiving permission from the Authority.

(3) For receiving the permission pursuant to sub-Rule (2), an application has to be submitted in a format and procedures prescribed in the Annex and Manual by enclosing the fee mentioned in Schedule -1.

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(4) The validity period of the permission to be issued pursuant to this rule shall be of two years.

•57d. Monitoring of Airfare:

(1) Director General shall monitor whether the domestic airlines in operation in Nepal have followed the prescribed airfare or not.

(2) While carry out the monitoring pursuant to sub-Rule (1), if it is found that the prescribed airfare has not been followed, the Director General shall take necessary action against such Air Service Operation Organization.

58. No Flight Permit to be Provided: The Aircraft not fulfilling the following requirements shall not be provided any flight permit pursuant to Rule 56:

(a) Not having the marking of national mark,

Provided that, the Director General may provide a flight permit to the flight pursuant to clause (h) of sub-Rule (3) of the Rule 56, although having the terms and condition under this clause has not been fulfilled.

(b) Not having Airworthiness Certificate,

(c) Not having Personal License, Rating and Certificate or not having crew member in required number,

(d) Not having other documents required for the flight.

59. No Other Flight shall be Made Except the Permitted Flight: No other type of flight shall be made or cause to be made except the flight to which the permit is provided pursuant to Rule 56.

60. Aircraft Manufactured for One Purpose Shall not Make a Flight for Another Purpose: No one shall make the flight of an Aircraft for

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the purpose other than the purpose for which it was manufactured by the Aircraft manufacturer.

♦60a. Provision Relating to Equipment to be installed in Aircraft:

(1) The Aircraft operating in the Nepalese airspace shall be equipped with instruments and equipment as specified by the Director General taking into consideration the safety of the flight.

(2) If it is found that the equipment and instruments have not been installed in the Aircraft pursuant to sub-Rule (1) or the equipment and instruments installed in the Aircraft have not been brought into the use, the Director General may restrict the operation of such Aircraft.

61. ♥The Documents Relating to Flight and Aircraft should be kept in Possession: No one shall conduct flight of ♣Nepalese registered aircraft without having the following documents relating to flight and Aircraft in possession:-

(a) Certificate of Registration of the Aircraft,

(b) Certificate of Airworthiness of the Aircraft,

(c) Personal Licenses for each member of the crew,

(d) Journey Log Book,

(e) If the Aircraft is equipped with Radio apparatus, the Aircraft Radio Station License,

(f) If the Air craft carries passengers, a document listing their names, nationalities and places of embarkation and destination thereof,

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(g) If it carries cargo, a manifest and detailed declarations of the cargo.

*61(a) **To Comply with Interception Order:** Nepalese registered aircraft or aircraft on lease being operated by the Nepalese person or the airlines, while operating in the air space of foreign country, shall comply with the interception order issued by the authorized entity of such foreign country.

62. **No Aircraft to make Flight in Prohibited Zone:** No one shall operate the flight in the airspace where the Government of Nepal and Authority have completely prohibited operating the flight and in the conditions and time other than such conditions and time prescribed in the context of airspace where flight shall be operated under the prescribed conditions and time.

63. **No Aircraft to Enter, Depart or Make Flight from any other Place Except the Specified Place:** No person shall enter, depart, make flight and land the Aircraft from the places other than prescribed by the permit received pursuant to Rule 56.

64. **Flight of Aircraft to be stopped Immediately:** Government of Nepal or the Authority if consider that making a flight of the Aircraft in any area or place is not appropriate due to the security or any other reason, it may issue an order as to prohibit any Aircraft to enter, depart, make a flight or land from such area or place.

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Chapter -10

Provision Relating to Safety of Air Flight Operation

65. ♥**Pilot-in-Command to be assured:** No Aircraft shall be flown unless the Pilot-in-command is assured of the following:

(a) Air worthiness Certificate of Aircraft is valid,

(b) Flight path of Aircraft and weather at destination airport is favorable for landing,

(c) Total weight of Aircraft is safe for the proposed flight,

(d) Articles in Aircraft are loaded with balance and safely for safe flight,

(e) Essential quantity of fuel for the proposed flight with necessary reserve fuel is on board,

(f) Aircraft is safe for the flight from other aspects.

66. **No Flight without having Rescue Materials:** Aircraft and flight shall not be operated in the absence of rescue materials mentioned in the Annex and Manual and such other type of equipment for rescue of life of the passengers in the exigency and emergency situation.

67. **No Flight without Having Fire Extinguishing Materials and Equipment:** Aircraft and flight shall not be operated in the absence of fire extinguishing materials mentioned in the Annex and Manual and other similar type of equipment for safety of passenger, Aircraft, Airdrome and other matters.

68. ♣ **Permission for transport of Inflammable and Dangerous Goods and Substance:** (1) Inflammable and dangerous goods and substance more than the quantity as prescribed by the Government of Nepal or

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Civil Aviation Authority of Nepal or by any other method except as prescribed shall not be transported by aircraft.

(2) For the permission to transport the inflammable and dangerous goods and substance pursuant to sub-Rule (1), an application shall be submitted to the Director General enclosing fee pursuant to Schedule- 1.

(3) Upon receiving the application submitted pursuant to sub-Rule (2), the Director General may grant permission with necessary examination.

(4) Other provisions regarding transport of the inflammable and dangerous goods and substance shall be in accordance with the Dangerous Goods and Handling Requirements issued by the Director General.

•68a. Instruction of flight crew to be followed:

(1) Instruction given by the flight crew during flight shall be followed by passengers boarded in the Aircraft.

(2) If instruction given pursuant to sub-Rule (1) is not followed, the Pilot-in-Command shall report thereof to the chief of the destination Airdrome.

(3) Upon receiving the report pursuant to sub-Rule (2), chief of the concerned Airdrome finds that the passenger has violated the instruction after necessary inquiry, may impose the punishment pursuant to Section 25(4) of the Act.

69. Crew shall not take Alcoholic Drink: Crew shall not operate the flight by having alcoholic drink as to affect adversely in the flying capacity.

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•69a. Licensee not to Work under the Influence of Psychoactive Substance:

(1) Member of a flight crew shall not involve in the operation of Aircraft while under the influence of any psychoactive substance.

(2) Person receiving Personal Permit and Certificate shall not use the rights given by the license while under the influence of any psychoactive substance.

(3) If any act has been done against sub-Rule (1) and (2), the action shall be initiated to suspend or cancel his/her Personal Permit and Certificate immediately.

(4) The Director General may issue an order to do or cause to do the medical examination of the person receiving the Permit and Certificate at any time.

⊕69b. Not to use Laser beam like equipments:

(1) No one shall use or caused to be used laser light, laser beam and similar other substance or equipments in Airdrome, aircraft flying and landing area, runway like zone creating threat to flight safety.

(2) Action shall be taken in accordance with law related to civil aviation over the person performing or caused to be performed any act contrary to sub-Rule (1).

70. •Not to Smoke: No one shall smoke e in Aircraft, hangar, apron and places designated by the Authority.

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71. **Passenger and Goods not to be boarded in Unauthorized Place:** Passenger and goods shall not be boarded in other place of the Aircraft except in the designated place for the passengers and the goods.

72. **Person not to be boarded in Aircraft during Flight Time:** Unless otherwise ordered by the Director General, no one shall operate the Aircraft by knowingly boarding following person:

(a) Mentally ill person or lunatic person,

(b) Person bearing the punishment of imprisonment under prevailing law,

(c) person in judicial custody for being accused in grievous nature of criminal offence.

73. **Animals, Birds etc. not to be Carried in Aircraft during Flight Time:** Unless otherwise directed by the Director General, no animal, bird etc. shall be carried in an Aircraft during the flight time.

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Chapter-11

Provision Relating to Communication and Aerodrome Security

74. No one shall manage Light and Symbol except the Authority:

(1) No other person shall manage any type of light to create confusion to the pilot by erecting things like shed, tower, pillar or tree at the aerodrome, airport area and specified place for the departure and landing of the Aircraft.

(2) Other technical terms and restrictions to be adopted for the managing of the light by the Authority pursuant to sub-Rule (1) shall be as mentioned in the Annex and Manual.

75. ♥Provision Relating to the Communication and Navigation Aids

(1) •While installing and operating the equipment relating to the air communication, navigation aid and surveillance in Nepal, only equipment having type approval from the country of manufacture shall be installed and operated.

(2) Director General shall provide approval for the installation and operation of •communication, navigation aid and surveillance equipment in accordance with the provisions specified by the Country of manufacture and the Annex. The Director General may specify additional conditions as required.

(3) Communication, navigation aids and surveillance equipment approved pursuant to sub-Rule (2) shall be certified by a licensed technician, pursuant to clause (s) of Rule 32 of this Regulation, stating it as fit for installation and operation.

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(4) Chief of the concerned Airdrome shall have the responsibility to install and operate the •communication, navigation aid and surveillance equipment approved pursuant to sub-Rule (2) and (3).

(5) Chief of the concerned Airdrome shall have the responsibility to keep the record of the repair and maintenance of the •communication, navigation aid and surveillance equipment updated in the prescribed format.

(6) Flight inspection of the •communication, navigation aid and surveillance equipments shall be carried out as per the manufacturer or the procedure mentioned in the Annex. Such inspection shall be carried out by the organization having flight inspection permission from the concerned country.

(7) Any obstruction in the operation of the •communication, navigation aids and surveillance equipment that may impair flight safety shall immediately be reported to the Director General.

♦75a. Provision regarding Light and Visual Aid Equipments to be installed at Airdromes and Other Places:

(1) Light and visual aid equipments to be installed at Airdromes and other places shall have type approval from the country of manufacture.

(2) For the installation and operation of the equipments as mentioned in sub-Rule (1), prior approval shall be obtained from the Director General.

(3) While providing approval pursuant to sub-Rule (2), the Director General may specify additional terms and conditions for

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operation as per the necessity after ensuring that the operation and repair and maintenance of such equipments are conducted as prescribed by the equipment manufacturer as well as the provision mentioned in the Annex.

(4) Technician receiving permission from the Director General shall only do the repair and maintenance of the light and visual aids equipments used for the purpose of landing and take-off of Aircraft and shall maintain the record thereof updated in the prescribed format for specified period.

(5) Flight inspection of the light and visual aids equipments used for the purpose of landing and take-off of Aircraft shall be carried out as prescribed by the equipment manufacturer. Such inspection shall be carried out only by the organization having flight inspection approval from the concerned country.

(6) Any obstruction in the operation of light and visual aid equipments that may impair flight safety shall immediately be reported to the Director General in a prescribed format.

76. Not to Enter into the Restricted Area of the Airdrome without Permission:

(1) No one shall enter into the restricted area designated by the chief of concerned Airdrome.

(2) Airdrome Office may give entry permit to the passengers having valid documents and air tickets for air travel and flight to reach to the Aircraft through the specified path.

77. No Slaughter House be Established: No one shall establish an open slaughter house within three kilometers from the perimeter of the Airdrome area.

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78. Not to Pollute Environment:

(1) No one shall discharge any solid waste haphazardly within the perimeter of the Airdrome area.

(2) Any person or organization discharging the solid waste haphazardly may be punished by the Authority as prescribed from time to time.

(3) No one shall deposit or discharge solid waste etc. openly that create pollution to environment in the area at least three kilometer from the perimeter of the Airdrome.

(4) For the purpose of minimization of pollution to cultural heritage, air and environment, no one shall fly or operate the Aircraft as to cross the pollution tolerance limit fixed by the Authority.

(5) Authority may determine separate fee from time to time to each landing and takeoff for maintaining the sustainable environment in the Airdrome.

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Chapter -12

Miscellaneous

79. Provision Relating to Establishment and Operation of Remote Area Air Service Fund:

(1) Government of Nepal may establish the Remote Area Air Service Fund to provide grant for some amount for the deficit amount to the Aircraft making the flight with lower price on those remote area airports as prescribed by the Government of Nepal where the road transportation has not been reached.

(2) Air Operators who operate flight collecting tourist fare (dollar fare) from the foreign tourists in the domestic flight sector as determined by the Government of Nepal shall deposit the following amounts in the Fund if such Fund is established pursuant to sub-Rule (1) :

(a) At the rate of Four U.S dollar per foreign passenger in mountain flight.

(b) At the rate of two U.S. Dollar per foreign passenger in other sectors.

(c) The charter Aircraft and Helicopter shall have to deposit at the rate of two percent of the amount received from the charter party.

(3) The amount pursuant to sub-Rule (2) shall have to deposit within twenty one days from the date of flight. If it is deposited within thirty days thereafter, ten percent fine shall be levied and the Air Service Operation Permit and Certificate of the Air Service Operation Organization shall be suspended for not depositing the amount within the said date.

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(4) The operation of Fund under this Rule shall be done by Authority under the procedures prescribed by the Government of Nepal.

♦**79a. To buy Insurance including Third Party Liability:** Air Service Operation Organization receiving Air Service Operation Certificate shall buy insurance including third party liability as prescribed by the Authority.

80. Order and Instruction be Issued:

(1) Subject to the provisions of the Civil Aviation Act, Civil Aviation Authority Act and other prevailing Act and this Regulation, the Authority may issue necessary order or instruction to the concerned body, organization and persons to make them complied with the Annex and Manual.

(2) While issuing an order and instruction pursuant to sub-Rule (1), it may be issued particularly in the following matters:

(a) Related to registration and marking of the Aircraft,

(b) Related to inspection of Aircraft and providing certificate,

(c) Related to equipment, and other physical objects to be installed in Aerodrome and Aircraft,

(d) Related to functions to be performed by the Personal License holder in relation to Crew, Aircraft Repairing and Maintenance and Air Traffic Controller,

(e) Related to operation of visual and instrument flight,

(f) Related to establishment and operation of Air Traffic Control, Flight Information and Alerting Service,

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♦ Inserted by First Amendment

(g) Related to adoption of safety measures as determined,

(h) Related to providing information of incident, accident, making technical investigation and dissemination of information relating to it,

(i) Related to dissemination of information about Weather for the Air Flight operation,

(j) Related to providing information of air traffic controller and navigation,

(k) Related to installation of standard communication equipment in air navigation and determining the processes for the operation of those equipments,

(l) Related to collection of information and dissemination for the flight and operation of the Aircraft,

(m) Related to improvement of aviation security,

(n) Related to maintaining clean and sustainable environment,

(o) Related to construction of a dumping site,

(p) Related to enhancement of flight safety,

(q) Related to improvement of Airport facility,

(r) Related to arrangement for protection of the parts of the Aircraft for the purpose of investigation of incident and accident,

(s) Related to implementation of flight safety audit recommendation,

(t) Related to execution of recommendations of the Aircraft incident and accident investigation report ,

(u) Related to other matters as mentioned in this Regulation.

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81. Annex and Manual may be Enforced: The Authority may enforce the Annex or any part of it, Manual and Documents or any part of such Manual and Document issued by the International Civil Aviation Organization on the basis of necessity and rationality with a view to make the flight safe, regular and systematic.

82. •Requirements, Directives and Manual may be Issued:

(1) The Authority may issue Requirements, Directives, Manual, Order and Circular on the matters mentioned in Schedule-3 by considering the national or international principles as well, but without out contradicting to the prevailing civil law, Act and this Regulation for implementation of the rule, annex, manual and standards prescribed by the International Organizations in relation to air service operation.

(2) Provisions in the Requirements, Directives, Manual and Circular pursuant to sub-Rule (1) shall be applicable to all parties involved in air service operation.

▲82a. Exemption granted in Regulation and the Requirements framed thereunder:

(1) Director General may grant exemptions/exceptions/concessions on the provisions made on Requirements enacted under this Regulation regarding operation of aircraft, aircraft maintenance, aviation training organization, airport operation, air navigation services operation or operation of any service and facility related

(2) While granting any exemptions pursuant to sub-rule (1), the Director General shall ensure through safety risk assessment that the no adverse effect will be incurred on aviation safety.

• Amended by Third Amendment
▲ Inserted by Second Amendment

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(3) Any exemption/exception granted pursuant to sub-Rule (1), the exempted organization, subject of exemption, time limit of the exemption, and the details regarding no adverse effect being incurred on aviation safety, shall be notified to all concerned.

83. Recognition may be granted: Until the Requirements, Directives and Manual are enacted pursuant to Rule 82, the Authority may recognize and execute the Regulation and standards prescribed by the Government of Nepal and International Organizations in relation to flight and air service operation.

♦83a. Provision Relating to the Safety Management:

(1) While operating the service by the Service Provider Organization receiving permit and certificate under this Regulation, it shall be required to enforce and implement the prescribed civil aviation security management system.

(2) Other provisions regarding the safety management system shall be as prescribed by Safety Management Requirements issued by the Authority.

♦83b. Investigation of Incident and Accident:

(1) If there occur any incident or accident relating to the civil aviation, the Director General shall carry out self investigation of such incident or accident in addition to the investigation to be done in accordance with the prevailing law.

(2) Investigation to be carried out pursuant to sub-Rule (1) shall be related to whether the civil aviation safety provisions are complied with or not, and the Authority shall maintain the updated record of the proceedings thereof.

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♦ Inserted by First Amendment
♦ Inserted by First Amendment

♦83c. Incident and Information Relating to Flight Safety to be Reported:

(1) Director General shall implement voluntary information reporting system and mandatory information reporting system for the purpose of collecting the incident and information relating to the flight safety.

(2) Identity of the person providing information and the confidentiality of the information collected through the voluntary information reporting system pursuant to sub-Rule (1) shall be maintained. The informant shall not be asked to incur any liability only for the reason of having provided such information.

84. ♥Flight Safety Inspection, Investigation and Action:

(1) •It shall be responsibility of Director General to monitor, investigate and take action or cause to monitor, investigate and take action with regards to the matter whether the safety provisions have been maintained as per the provisions of the Act, this Regulation, Requirements, Directives, Manual, order and Circular enacted under this Regulation while performing the works mentioned in the License, Rating and Certificate by the person or institution receiving the License, Rating and Certificate issued or recognized pursuant to this Regulation.

(2) Director General may designate an expert in the relevant field as an Inspector by delegating the necessary authority for the inspection and investigation pursuant to sub-Rule (1).

(3) ♣Inspector designated pursuant to sub-Rule (2) shall have the authority to enter into the aircraft, airport or the structure or area relating to the aviation services or facility for inspection, to

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♦ Inserted by First Amendment
♥ Amended by First Amendment
• Amended by Third Amendment
♣ Amended by Second Amendment

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conduct enquiry to the concerned person and entity, to take written or oral statement, to scrutiny or seizure of documents, to collect evidences etc.

(4) ♣During the inspection pursuant to sub-Rule (3) if it is deemed that the operation of aircraft, equipment, service, or facility is unsafe in view of flight safety, the inspector may stop such operation of aircraft, equipment, service, or facility or immediately forbid or prevent the person or operator involved in such operation from exercising the privilege obtained by means of license, certificate, or any other document issued under this Regulation.

⊕Provided that details of such forbidden or restriction imposed shall be informed to the Director General without delay.

(5) The concerned service provider shall provide the cost or expenses incurred during the inspection in accordance with this regulation to the Nepal Civil Aviation Authority.

(6) ♠Other provisions regarding action pursuant to sub-Rule (1) shall be as prescribed in the Enforcement Manual issued by the Director General.

♦84a. Regular Inspection Authority may be delegated:

(1) Director General, if deemed necessary, may delegate some authority to the concerned airline operator for the regular inspection of the flight operation of Aircraft and repair and maintenance for a specified interval prescribing the certain terms and conditions.

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♣ Amended by Second Amendment
⊕ Inserted by Third Amendment
♠ Inserted by Second Amendment
♦ Inserted by First Amendment

♦**84b. Code of conduct:** Director General shall prepare and implement a code of conduct for the employees involved in safety oversight function.

85. Permit to be obtained for Providing Consultancy and General Sales Agent Services:

(1) Organization, having a license pursuant to the prevailing law, willing to provide consultancy or general sales agent service shall submit an application to the Director-General for providing such service.

(2) Upon receiving application pursuant to sub-Rule (1), the Director General may issue permit to provide the consultancy and general sales agent service to such person or organization with or without specifying any terms and conditions.

(3) Fees for the permit to be issued pursuant to sub-Rule (2) shall be as mentioned in Schedule-1.

(4) Organization in operation prior to the commencement of this Regulation shall take the permit within six months of the commencement of this Regulation.

86. Renewal of Certificate and Application Fee:

(1) The validity of License, Permit and Certificate shall remain up to the period as mentioned in this Regulation, if it is mentioned, and if it is not mentioned, it shall be valid up to end of *Ashad* (mid July) of every fiscal year. Every person or organization shall renew the license, Permit and Certificate by depositing fee pursuant to this Rule, thirty days in advance from the expiry date.

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♦ Inserted by First Amendment

(2) •If the License, Permit and Certificate issued pursuant to Rule 32, has not been renewed within the period pursuant to sub-Rule (1), following additional late charge shall be levied on the basis of the following time frame:

(a) Twenty-five percent for within thirty-five days from date of expiry,

(b) Fifty percent for within ninety days from the date of expiry,

(c) Seventy-five percent for within one hundred eighty-days from the date of expiry.

(3) If no renewal is made within the time frame prescribed in sub-Rule (2), such License, Permit and Certificate shall be cancelled automatically. If wants to obtain the License, Permit and Certificate again, the procedures of this Regulation shall be fulfilled.

⊕**86a. Radio Telephony Designator to be made available**:

(1) Director General may make radio telephony designator available to the Air Service Organization for the purpose of domestic flights by collecting fees pursuant to Schedule-1.

(2) Other provisions related to determination of radio telephony designator pursuant to sub-Rule (1) shall be as prescribed by the Director General.

87. Delegation of Power: The powers entrusted to the Director General pursuant to this Regulation may be delegated by the Director General to his subordinate officials partially.

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• Amended by Third Amendment
⊕ Inserted by Third Amendment

88. Alteration or Change in the Schedule: The Authority may make alteration or change in Schedule as per the necessity.

89. Saving:

(1) Unless otherwise mentioned in this Regulation, all types of License, Rating and Certificate issued under Civil Aviation Regulation, 2052 (1996) shall be considered to have issued under this Regulation. This Regulation shall apply in the matters contained herein, and in other matters, it shall be in accordance with the Annex and Manual.

(2) The Annex and Manual enforced before the commencement of these Rules shall be the integral part of these Rules.

Note: *The modification of the word "Kingdom of Nepal" as "Nepal", the word "His Majesty's Government" as "Government of Nepal" and the word "Royal Nepalese Army" as "Nepal Army" has been done.*

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*Schedule-1

(Relating to Rule 4 (1), 5 (2), 8 (1) and (2), 9 (1) and (3), 10 (2), 10a(1), 11a(1), 12 (1), 13 (1) and (2), 18 (3), 19 (2), 21 (1), 28 (1) and (3), 30 (2) and (3), 36 (5), 37 (1), 39 (2), 42 (2), 42a(1), 43 (1), 44a(2), 45 (1) and (4), 53(5), 56 (5) 85 (3), 86(1) and 86a(1))

Fees (In US Dollar)

1. **Air Service Operation Permit and Certificate (AOC): This fee shall be levied on the basis of operation of maximum weight of the aircraft by the concerned Air Service.**

Type of Aircraft	Permit and Certificate	Renewal
(a) For International Flight:		
Up to first 5700 Kg		
(1) Scheduled, Non-Scheduled, Charter and Freighter each	25,000/-	10,000/-
(2) Then after for each 10,000 Kg. additional fee	2,000/-	1,000/-
(b) For Domestic Flight:		
(1) Scheduled, Passenger, Cargo, Non-Scheduled ,Charter and Freighter each	10,000/-	5,000/-
(2) Then after for each 10,000 Kg. additional fee	1,000/-	500/-
(3) General Aviation (flight like Glider, Balloon etc.)	2,500/-	500/-
(4) Other flights like Agriculture Survey etc.	2,500/-	500/-

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* Amended by Third Amendment

(c) Additional Aircraft Fleet Half of Certificate fee

2. <u>Aircraft Registration Fee</u>:

(a) For the Aircraft or Helicopter having flight weight up to first 5700 Kg	400/-
(b) Then after for each 10,000 Kg. additional	200/-
(c) For Glider and Balloon	200/-
(d) For temporary registration of the Aircraft or Helicopter having flight weight up to first 5700 Kg	100/-
(e) Then after for each 10,000 Kg. for temporary registration additional	50/-

3. Transfer of Ownership of Aircraft fee:

(a) For the Aircraft or Helicopter having flight weight up to first 5,700 Kg	Half of the registration fee
(b) Then after for each 10,000 Kg. additional	Half of the registration fee
(c) For Glider and Balloon	Half of the registration fee
3a. <u>Aircraft Blockade fee:</u>	100/-
3b. <u>Aircraft Registration Change fee:</u>	Half of the Aircraft registration fee

4. Type Certificate Recognition Fee:

(a) For Glider and Balloon up to 5,700 kg	625/-
(b) Type Certificate fee of other Aircraft above 5,700 Kg.	1,250/-

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(c) Recognition fee of Type Certificate pursuant to clause (b) 1,250/-

(d) Recognition fee of Type Certificate of Glider and Balloon 625/-

5. <u>Aircraft Lease related Fee:</u>

(a) Aircraft operation by taking on lease or providing on lease 1,225/-

(b) Change of ownership and operation of leased Aircraft 300/-

6. Aircraft De-registration:

(a) For Aircraft or Helicopter having flight weight up to 5,700 Kg. 300/-

(b) For Aircraft or Helicopter having flight weight less than 5,700 Kg. 125/-

(c) For Glider and Balloon 100/-

7. <u>Airworthiness Certificate and Renewal Fee:</u>

	Certificate	Renewal
(a) For Aircraft or Helicopter having flight weight up to first 5,700 Kg.	2,500/-	Half of Certificate fee
(b) Then after for each 10,000 Kg. additional	500/-	Half of Certificate fee
(c) For Glider and Balloon	200/-	Half of Certificate fee

8. <u>Aircraft Radio, Mobile or License for other purpose or Renewal Fee (per frequency):</u>

	<u>Certificate fee</u>	<u>Renewal fee</u>

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(a) For Aircraft or Helicopter having flight weight up to first 5,700 Kg. or other purpose	150/-	75/-
(b) For Aircraft or Helicopter having flight weight more than 5,700 Kg. or other purpose	320/-	160/-
(c) Other purpose	100/-	50/-

9. <u>Export Certificate of Airworthiness Fee:</u>

(a) For Aircraft or Helicopter having flight weight up to first 5,700 Kg.	625/-
(b) Then after for each 10,000 Kg. additional	125/-
(c) For Glider and Balloon	50/-

10. <u>Aircraft Repair and Maintenance Organization Permit and Renewal Fee:</u>

Permit fee of Aircraft repair and maintenance organization	2,500/-
Renewal fee of Aircraft repair and maintenance organization.	1,250/-
Recognition fee of Certificate of Aircraft repair and maintenance organization	1,250/-
Renewal fee of Recognition Certificate of Aircraft repair and maintenance organization	625/-

11. <u>Permit fee to Import, Store and Sale of Aircraft and Accessories of Aircraft:</u>

Permit fee for import, store and sale of accessories of the Aircraft	2,500/-
Renewal fee of the Permit for import, store and sale of accessories of the Aircraft	1,250/-
Recognition fee of Certificate of the same	1,250/-
Recognition fee of Certificate of the organization for import, store and sale of accessories of the Aircraft	625/-

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12. Permit Fee for Import, Export of Aircraft and Parts thereof by a Foreigner or Consultancy Service Relating to Civil Aviation	1,250/-
Renewal fee of the same	100/-

13. <u>Personal License, Rating and Examination Fee:</u>

(a) For each subject of Basic Examination of the Pilot	100/-
(b) For Aircraft crew examination pursuant Rule 33 (each technical subject)	50/-
(c) Basic examination of Aircraft Maintenance Technician Certificate(A.M.T) (for reach technical subject)	15/-
(d) For each examination as per each category, Rating and the nature of use of the Aircraft and Aircraft maintenance technical examination	5/-
(e) For other each technical examination except the examination pursuant to clause (a), (b), (c) and (d)	50/-
(f) Application form fee of technical examination to be conducted by the Authority	5/-

14. <u>Personal License, Rating and Certificate Fee</u> :

	License, Rating and Certificate fee	Renewal fee
(a) Student Pilot License	15/-	8/-
(b) Private Pilot License	125/-	70/-
(c)Test , Provisional or Restrictive Pilot License	125/-	70/-

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(d) Commercial Pilot License	350/-	175/-
(e) Airline Transport Pilot License	500/-	250/-
(e1) Multiple Pilot License	500/-	250/-
(f) Instrument Rating	30/-	15/-
(g) Flight Instructor Rating	40/-	20/-
(g1) Type Rating Instructor (TRI) Certificate	100/-	50/-
(g2) Type Rating Examiner (TRE) Certificate	100/-	50/-
(g3) Synthetic Flight Instructor (SFI) Certificate	100/-	50/-
(g4) Synthetic Flight Examiner(SFE) Certificate	100/-	50/-
(h) Ground Instructor Certificate	150/-	75/-
(i) Glider Balloon Pilot License	100/-	50/-
(j) Flight Operation officer or each type of Aircraft Dispatcher License	75/-	40/-
(k) Flight Engineer License	250/-	125/-
(l) Flight Radio Telephone Operator License	125/-	70/-
(m) Flight Radio Operator License	125/-	70/-
(n) Aircraft Radio Mobile License	125/-	70/-
(o) Ground Radio License, for each frequency	125/-	70/-
(p) Radio Navigation Operator License	125/-	70/-
(q) Air Traffic Controller License	50/-	25/-
(r) More than one type of Aircraft Rating for each type of Rating	125/-	70/-
(s) Flight Inspector Certificate	75/-	40/-
(t) Check Pilot Examiner Certificate	125/-	75/-
(u) Training Pilot Authority Letter	125/-	75/-
(v) Student Air Traffic Controller License	15/-	8/-
(w) Each Air Traffic Controller License/Rating	50/-	25/-
(x) Aircraft Maintenance Technician or Aircraft maintenance Engineer License	150/-	70/-
(y) Aeronautical Station Operator and Flight Service	50/-	25/-

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Operator License and Rating

(z) Ground Ratio Operation Certificate 50/- 25/-

(aa) Each Air Traffic Safety Electronics License/Rating 50/- 25/-

(bb) Inspector Certificate 75/- 40/-

(cc) Fee for the Validation Certificate/Validation Letter shall be similar the fee applicable for License/Rating which is being validated.

(dd) Half of the issuance fee shall be applicable for the copy of the License or Certificate.

15. <u>Permit and Renewal Fee of approved Training School related to Civil Aviation and conduction of Ground classes related to Various subjects of Civil Aviation and Consultancy and Agency :</u>

(a) Fee for Permit of operation of approved Training School related to Civil Aviation 2,500/-

Renewal fee for Permit of operation of approved Training School related to Civil Aviation 1,250/-

(b) Fee for Consultancy and General Sales Agent Permit related to aviation activities 250/-

Renewal fee 100/-

(c) Fee for Permit for conduction of Ground Classes related to Civil Aviation 1,000/-

Renewal fee 250/-

(d) Recognition fee for foreign Training Centre or Flying School 500/-

16. <u>Aircraft Simulator Permit Fee:</u>

(a) Aircraft Training Simulator Operation Permit 1,200/-

(b) Aircraft Training Simulator Operation Permit Renewal 600/-

(c) Aircraft Training Simulator Recognition fee 500/-

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17. <u>Flight Permit Fee:</u>

(a) For each flight of International Chartered flight	50/-
(b) Drone flight permit fee	10/-
(c) Experimental flight	10,000/-
(d) Flight permit fee for first fifteen days of General Aviation (Glider and Balloon)	50/-
Then after for each Additional fifteen days	25/-

18. <u>Fee for the License to Transport Inflammable and Dangerous Goods and Substance</u>

(a) License Fee- International Air Service	2,000/-
License Renewal fee	1,000/-
(b) License Fee- Domestic Air Service	1,000/-
License Renewal fee	500/-
(c) License fee for Fretter Organization and others	500/-
Renewal fee	250/-

19. Radio Telephony Designator fee: 200/-

Note: The Air Service which is entitled to pay in Nepalese rupees, may pay the aforementioned dollar fee in Nepalese rupees as per the selling rate of money exchange published by Nepal Rastra Bank on the day of the flight operation.

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[×] Removed by Third Amendment

Schedule-3

(Relating to Rule 82)

Manual, Requirements and Directives

1. Flight Operations Manual
2. Air Traffic Control Manual and Requirements
3. Flight Service Manual
4. Communication Manual
5. Aeronautical Information Publication
6. Fire control and Life rescue Manual
7. Search and Rescue Manual
8. Air Operators Certificate Requirements (AOCR)
9. Training Manual
10. Airport Manual
11. Airworthiness Manual
12. Airport Emergency Planning Manual
13. Aeronautical Information Services Manual
14. Air Transport Manual
15. Aviation Security Manual
16. Airways Engineering Manual
17. Flight Operations Requirements (FOR)
18. Nepalese Civil Airworthiness Requirements (NCAR)
19. Flight Standard Directives
20. Airworthiness Directives

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21. Aeronautical Circulars

22. NOTAM (Notice to Airmen)

23. Flight Inspection System Directives or procedures to be operated by the Authority

24. Bird Control and Sustainable Environment at the periphery of the Airport Manual

25. Flight Safety Inspection related Manual.

26. Airport/Helipad Manual

27. Manual prescribed by Director-General from time to time.

Note: - Manual, Requirements and Directives other than Security shall be purchased paying the cost as determined by the Director General.

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