

**Airport Certification Regulation,
2004**

The Civil Aviation Authority of Nepal,

Airport Certification Regulation 2061 (2004)

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

Chapter 1

Preliminary

1. Short title and commencement:

- (1) These rules may be cited as the "Civil Aviation Authority of Nepal, Airport Certificate Regulation, 2061 (2004)".
- (2) This Regulation shall come into force from the date when it has been approved by His Majesty's Government.

2. Definition: Unless the subject or contest otherwise requires, in this Regulation:

- (a) "Act" means the Civil Aviation Authority of Nepal Act, 2053 (1996).
- (b) "Regulation" means the Civil Aviation Authority of Nepal, Airport Certificate Regulation, 2061 (2004).
- (c) "Rule" means the rule of the Civil Aviation Authority of Nepal, Airport Certificate Regulation, 2061 (2004).
- (d) "Authority" means the Civil Aviation Authority of Nepal established pursuant to Section 2(b) of the Civil Aviation Authority of Nepal Act, 2053 (1996).
- (e) "Director General" means the Director General appointed, pursuant to Section 2 (n) of the Civil Aviation Authority of Nepal Act, 2053 (1996).
- (f) "Airport Operation Organization" means a corporation, company, agent, firm or person incorporated pursuant to the prevailing laws to operate the airports presently existing and to be constructed in the future in the Kingdom of Nepal with a view to having safe operation and control in the Kingdom of Nepal of the flights of the aircraft brought into use to operate airlines by the national or international airlines operating organizations and to operate in connection with performing their functions by other governmental or non-governmental organizations or with a view to exchanging necessary information pertaining to the same. The terms also include the Tribhuvan International Airport Civil

Aviation Office and other airports and civil aviation offices under the Civil Aviation Authority of Nepal.

- (g) "Airport Certificate" means the Airport Certificate granting permission to operate airport pursuant to Rule 6 and the terms also include the Interim Airport Certificate granted pursuant to Rule 12. For the purpose of this Regulation, the "Airport Certificate" shall be construed as the "Aerodrome Certificate" as defined by ICAO.
- (h) "Airport Facility and Equipment" means the entire facilities and equipment to be used and utilized to guide the flight, landings, and grounded arrival and departure of aircraft, in or out of the airport area within the specified four boundaries.
- (i) "Airport Manual" means the Airport Manual to be attached with the application for Airport Certificate by the Airport Operator interested to obtain Airport Certificate pursuant to Rule 6.
- (j) "Airport Operator" the airport operation organization which has obtained Airport Certification to operate airport pursuant to Rule 6 and which has been registered pursuant to the prevailing Nepal laws.
- (k) "Airport Inspector" means an employee of the Authority nominated to carry out typical duties such as to carry out verification of the date of airport and the method of airport operation to be carried out in the airports by the Authority, to carry out field verification and examination of airport facilities and equipment and inspection form the flying aircraft and to carry out other flight study.
- (l) "Apron" means a certain land within the airport to be used to take or get passengers on or off the board aircraft and load or unload postal goods or cargo on or from the board aircraft, to fuel, park or repair and maintain the aircraft.
- (m) "Airport Having Certificate" means the airport having Airport Certificate pursuant to Rule 6.
- (n) "Maneuvering Area" means the land of airport except Apron to be used in taking off, landing and plying the aircraft.
- (o) "Marker" means any obstruction above the surface of airport or symbolic or any other sing or thing displayed to show the boundary of the airport.
- (p) "Marking" means any one symbol or group symbols placed to make known the aeronautical information in the estate of movement area of the airport.
- (q) "Maximum Payload Capacity" means the capacity of maximum number of passenger or maximum payload that may be taken on or loaded on board the

aircraft for flight by the aircraft as approved in the Type Approval Certificate of the aircraft.

- (r) "Maximum Passenger Taking Capacity" means the number of seats for passengers as they may be taken on board the aircraft as approved in the Type Approval Certificate of the aircraft.
- (s) "Movement Area" means the estate of airport to be used for the movement of aircraft in the apron of the airport and for getting off and landing at the airport.
- (t) "Obstacle" means all fixed or movable goods permanently or temporarily placed in the area specified for the playing of aircraft remained in flight or at airport.
- (u) "Obstacle Free Zone" means the low land, inner transitional surface except the obstacles lightly placed for display of air route and air surface above the high landing surface.
- (v) "Obstacle Limited Area" means the airport and air surface around the airport to be kept free from obstacles with a view to making possible to safely complete the operation of aircraft and to prevent the airport from being invalid owing to the obstacles existing around it.
- (w) "Air-strip" means the air strip determined in a manner that the following objectives shall be accomplished while taking off and landing aircraft.
 - (i) To minimize the risk of possible loss and damage while making flight in air-strip, and
 - (ii) To secure the aircraft taking off and landing at the airport.
- (x) "Safety Arrangement System" means system of structure, obligations procedures as well as provisions of an authority situated at airport to be adopted for undertaking airport safety policy by taking into account aviation safety by the Airport Operator for making arrangement as be safety used by controlling the safety of the airport.
- (y) "Taxi Way Strip" means the estate of airport separated with a views to minimizing the loss and damage as the aircraft may suffer if it suddenly leaves the taxi way and to securing the aircraft under the operation of the Taxi Way Trip.
- (z) "Service disqualified Area" means an estate of the airport that may not be provided and may not be used for operation of aircraft within the Movement Area.
- (aa) "Working Area" means an estate within the airport where repair work or construction work is being carried out.

(ab) "Prescribed" or "as prescribed" means prescribed or as prescribed in the rules framed under this Regulation.

3. Observation of Standards and Recommended Practice of ICAO:

Any matter pertaining to the setting standards of the airport as mentioned herein shall be deemed to be remained as the part of the Standards and Recommended Practice as mentioned in Schedule 14 of the Convention on International Civil Aviation (as Amended). These matter shall remain as the parts of the national rules and practices enforced in Nepal and amended from time to time.

Chapter 2

Airport Certificate

4. Airport Certificate must be obtained.

- (1) The operator of the airport that may be used for public purpose as per the national need must obtain the Airport Certificate.
- (2) The Airport Certificate must be obtained to operate international public air transportation service at any airport of the Kingdom of Nepal.
- (3) An application may submitted for the Airport Certificate to operate domestic airport also except as referred to in sub-rule (2).

5. Submission of Application for Airport Certificate:

- (1) An applicant of the Airport Certificate must fill up an application from as prescribed and submit it to the Director General.
- (2) The Aerodrome Manual must be submitted in the format as prescribed by the authority along with the application from to be submitted pursuant to sub-rule (1).

6. Provision of Airport Certificate:

- (1) The Director General may, if he/she considers that conditions as referred to in sub-rule (2) are met, issue the Airport Certificate in the circumstance where the application for Airport Certificate is submitted pursuant to Rule 5.
- (2) Qualification, capacity, efficiency and experience required for the applicant of the Airport Certificate must be as follows:

- (a) The applicant of the Airport Certificate as well as the employees to be engaged by him/her in the act of airport operation and repair and maintenance are competent and experienced to operate and maintain the airport.
- (b) The Aerodrome Manual submitted along with the application contains all the concerned information.
- (c) The facilities, service and equipment made available at the airport are in line with the standards and practices as prescribed.
- (d) The satisfactory measures have been taken for safety of aircraft in the process of operation of the airport.
- (e) The satisfactory measures have been taken for safety management system in the airport.

7. Information must be given if the Airport Certificate can not be granted:

If this Certificate can not be granted to the applicant of any Airport Certificate, the Director General must give information in writing to him/her setting out reason thereof within sixty days after submission of the application.

8. Conditions may be specified in the Airport Certificate:

The Director General shall have the powers to specify the conditions for the purpose of operation of the airport while issuing the Airport Certificate.

9. Period of validity of the Airport Certificate:

- (1) As far as the period of validity of the Airport Certificate is concerned, it shall remain valid upto the final date when this Certificate will be suspended or cancelled or when it expires, which occurs earlier.
- (2) The Airport Certificate shall generally remain valid for a period of five years unless it is suspended or cancelled pursuant to Rule 16. This Certificate must be got renewed as prescribed in every five years. The computation of every year shall be made on the basis of A.D. for the purpose of this sub-rule.
- (3) Internal safety audit of the airport obtaining Certificate pursuant to Rule 6 must be carried out pursuant to Rule 29.
- (4) If the situation of the airport operation is not found satisfactory as per the internal safety audit as referred to in sub-rule (3) and the report thereof, the Director

General may partly impose restriction in operation of the said airport until the situation has been improved.

- (5) The Airport Operator must take necessary step immediately to improve the situation of airport operation as referred to in sub-rule (4); and the report thereof immediately after improving the situation must be submitted to the Director General.
- (6) If the situation of airport operation is found satisfactory on the basis of the report submitted pursuant to sub-rule (5), the Director General may revoke the restriction partly imposed on operation of the airport pursuant to sub-rule (5) authorizing to operate the airport as usual.

10. Withdrawal of the Airport Certificate:

If a person having Airport Certificate wishes to withdraw the said Certificate, he/she must give at least 60 (sixty) days notice in advance to the Director General from the date when he/she wishes to withdraw the Certificate. The Director General shall take appropriate action in this regard and cancel the said Certificate with effect from the said date.

11. Transfer of entitlement of the Airport Certificate:

- (1) The Director General may issue notice for the process of providing or transferring entitlement of the Airport Certificate to another applicant in the following circumstances.
 - (a) If a person currently having Airport Certificate gives a notice in writing to the Director General indicating that he/she will give up the act of airport operation, prior to 60 (sixty) days of expiry of this Certificate.
 - (b) If a person having the Airport Certificate gives a notice in writing to the Director General about the person or agency interested to obtain the said Certificate after having transferred the entitlement of the same,
 - (c) If a person interested to obtain the Certificate from the person currently having Airport Certificate by having transferred the entitlement of the same submits an application to the Director General prior to 60 (sixty) days of the date of expiry of this Certificate for permission to obtain the Certificate by having transferred the entitlement of the same, and
 - (d) If the process of transfer of the entitlement of the Airport Certificate is completed pursuant to sub-rule (2) of Rule 4.
- (2) The Director General shall have all power relating to granting permission to transfer the entitlement of the Airport Certificate pursuant to sub-rule (1).

12. Interim Airport Certificate:

- (1) If the Director General considers that the act of granting Interim Airport Certificate is consistent with the public interest but not prejudicial to aviation safety and if the application for Interim Airport Certificate is found satisfactory, the Director General may grant the Interim Airport Certificate with authorization to operate airport to the applicant interested to obtain the Airport Certificate pursuant to Rule 5 or to the applicant interested to obtained the Airport Certificate by having transferred the entitlement of the same pursuant to sub-rule (1) of Rule 11.
- (2) The Interim Airport Certificate granted pursuant to sub-rule (1) shall ipso facto be cancelled in the following circumstances:
 - (a) On the date when the Airport Certificate is granted pursuant to Rule 5 or when transfer of entitlement is made pursuant to Rule 11, or
 - (b) The period of validity as referred to in the Interim Airport Certificate has expired, or
 - (c) On the date out of the dates as referred to in clauses (a) and (b), which ever occurs earlier.
- (3) The Interim Airport Certificate shall also be applicable on the same manner as the Airport Certificate is applied pursuant to Rule 5.

13. Amendment to the Airport Certificate:

If the need as specified in Rules 6, 22 and 23 is met and if the following changes take place in the operation of the airport, the Director General shall make amendment to the Airport Certificate:

- (a) I the person having Airport Certificate or the management of the Airport is changed,
- (b) If change takes place in operation or use of the airport.
- (c) If the boundary of the airport is changed, or
- (d) If the person having Airport Certificate requests for amendment. The person having Airport Certificate must give information to the Authority on the change made or to be made in operation of the airport.

14. Airport without Airport Certificate:

The Director General may, taking into account the nature of operation, grant permission to operate the airport without Airport Certificate.

15. Aerodrome Manual:

All Airports Operators having Airport Certificate must have made arrangement of Aerodrome Manual.

16. Airport Certificate may be suspended or cancelled:

(1) If the following circumstances are found in operation of the airport, the Director General shall have the powers to suspend or cancel Airport Certificate:-

(a) If the terms and conditions as mentioned in the Airport Certificate have not been observed, or

(b) If the standard of facilities available in the Airport operation of the airport and the act of repair are not consistent with the safety of aviation service.

(2) If there is any solid and reasonable ground which does not allow to suspend or cancel the Airport Certificate, the Director General may give time not exceeding 35 days to the person having Airport Certificate to submit justification in writing including the ground; and the justification shall be seriously taken into consideration prior to deciding to suspend or cancel the Airport Certificate. The written information of suspension or cancellation of the Airport Certificate must be given to the person having Airport Certificate through prompt means.

17. Fee:

Fee for the Airport Certificate or Interim Airport Certificate and the renewal there of shall be as prescribed in Schedule 2 in this Regulation.

Chapter 3

Aerodrome Manual

18. The Aerodrome Manual is Compulsory:

(1) It is compulsory to the Aerodrome Manual as referred to in Rule 15 by the person having Airport Certificate for the operation of the airport.

(2) The Aerodrome Manual must be as follows:-

- (a) It has been typed or printed and signed by the Airport Operator,
- (b) It has been kept in the format so that it can be amended easily,
- (c) Separate page for the records of date of entry into force of each page of the Manual and date of amendment and the records of revision has been arranged,
- (d) Convenient arrangement has been made to undertake the proceedings of drafting, reviewing, approving and adopting the Manual, and
- (c) List of each point and each page of the Manual has been made.

19. Place of Aerodrome Manual:

- (1) The Airport Operator must compulsorily furnish to the Director General a completely updated copy of the Aerodrome Manual where nothing is omitted.
- (2) The Airport Operator must compulsorily place a complete updated copy of the Aerodrome Manual at the airport and place such copy at the Headquarters also if the Headquarters carrying out the business is situated outside the airport.
- (3) The copies of the Aerodrome Manual as referred to in sub-rule (2) must be placed in a manner that the authorized employee of the Authority can inspect the same:

20. Notices to be included in Aerodrome Manual:

- (1) The Airport Operator having Airport Certificate must include in the following parts in the Aerodrome Manual the following particulars to the extent that may be used at the airport:
 - (a) Part 1: General notice as referred to in Part 1 of this Regulation based on the term of reference and the objectives of the Aerodrome Manual, legal requirements of the Airport Certificate and Aerodrome Manual as specified in the National Regulations, arrangements required for the use of the airport, available aeronautical notices and services, process of their application, system of maintaining records of movements of the aircraft as prescribed in chapter 4 of this Regulation and the obligations of the Airport Operators.
 - (b) Part 2: The particulars of the airport and the related area as referred to in Part 2 of Schedule 1 of this Regulation.
 - (c) Part 3: Necessary particulars of airport pertaining to aeronautical information to in Part 3 of Schedule 1 of this Regulation.

- (d) Part 4: Methods on operation of airport as referred to in Part 4 of Schedule 1 of this Regulation and the measures on airport safety. The air traffic methods relating to operation of airport to be made in low visibility may be included. The methods on air traffic management and air traffic services generally be published in the Manual by showing cross reference with the Aerodrome Manual.
 - (e) Part 5: Comprehensive description of the system of airport administration and safety as referred to in Part 5 of Schedule 1 of this Regulation.
 - (f) Part 6: Provisions as may be exempted.
- (2) If the Airport Operator is exempted from fulfilling any requirement as referred to in sub-rule (2) of Rule 6, the Director General must mention in the Aerodrome Manual the serial number of such exemption, date of entry into force of such exemption and any conditions or methods of granting exemption so that the necessity of such exemption identified.
 - (3) If any special particulars is not included for the reason of non-application to the airport, the Airport Operator must compulsorily record in the Manual the reason of non-application of these particulars.

21. Amendment to the Aerodrome Manual

- (1) If the Airport Operator deems it necessary to amend the Aerodrome Manual, he/she must give prior information thereof setting out the subject matter.
- (2) The Airport Operator must submit an application to the Director General alongwith the draft of amendment as referred to in sub-rule (1).
- (3) If it is found necessary to amend the Aerodrome Manual in other subject in addition to the subject as referred to in sub-rule (2), the Director General may issue an order to the Airport Operator to submit the Aerodrome Manual amended accordingly.

22. Approval of Aerodrome Manual by the Director General:

- (1) The Airport Operator must submit the Aerodrome Manual to the Director General for approval alongwith application for Airport Certificate.
- (2) The Airport Operator must submit to the Director General the draft of amendment as referred to in sub-rule (1) of Rule 2 for approval. The amended Manual shall enter into force only upon approval by the Director General.

- (3) The Director General shall hold study and field inspection pursuant to this Regulation in respect of the Aerodrome Manual submitted pursuant to sub-rules (1) and (2) and grant approval on the basis of the presented reports for its entry into force.

23. Provision of supervisor of the Airport Operator:

The Airport Operator having Certificate must make arrangement of qualified and efficient airport supervisor in the number as required. The obligations of the supervisor shall be as follows:-

- (a) To keep records of each holder of the Manual.
- (b) To provide all amendments to the holders in due time.
- (c) To monitor as to whether the act is carried out or not as per the Manual and submit to the Airport Operator the report thereof.
- (d) To assist the Airport Inspector deputed by the Authority for the airport inspection.

Chapter 4

Obligation of the Airport Operator

24. It must be consistent with the Standards and Recommended Practices of ICAO:

The Airport Operator must operate the airport pursuant to Rule 3 and observe condition as laid down in the Certificate as referred to in Rule 8.

25. Capacity of the employees carrying out the act of airport operation and its repair and maintenance:

- (1) The Airport Operator must appoint sufficient qualified and efficient employees to carry out all critical acts pertaining to the act of airport operation and its repair and maintenance.
- (2) If the Director General specifies that any special qualification is necessary for employees as referred to in sub-rule (1), the Airport Operator must appoint those employees possessing such qualification.
- (3) The Airport Operator shall implement appropriate programme for capacity building of the employees as referred to in sub-rule (1).

26. Airport Operation and its repair and maintenance:

- (1) The Airport Operator must carry out or cause to be carried out, the act of airport operation and its repair and maintenance as per the methods as referred to in the Aerodrome Manual subject to the direction issued by the Director General.
- (2) The Director General may give direction to make appropriate amendment to the methods as referred to in the Aerodrome Manual the Airport Operator for the guarantee of safety of aircraft.
- (3) The Airport Operator shall make arrangement for carrying out proper and efficient repair and maintenance of the facilities available in the airport.
- (4) The person having the Airport Certificate must maintain coordination with the body providing air traffic service for providing standard air traffic service satisfactorily for safety of the aircraft in the air space pertaining to the airport. Upon maintaining such coordination, the other acts pertaining to air safety including, aviation information service, air traffic services, concerned seasonal body and air security must be included.

27. Safety system of the Airport Operation:

- (1) The Airport Operator shall establish and operate airport safety system required for the airport. Arrangement must be made for the safety of this system in a manner that the act of operation of safety measure can be directly controlled and the improvement can be made setting out the functions, duties, powers and obligation as well.
- (2) The Airport Operator shall cause all the airport users including service operator at the airport, the ground handling agencies having fixed base at the airport and the bodies carrying out flight or aircraft operation independently at the airport to carry out the act pursuant to Aerodrome Manual to maintain safety at the airport. The Airport Operator shall supervise as to whether the act mentioned herein are carried out as prescribed or not.
- (3) Various service operator and ground handling agencies remained at the airport must assist in the act of safety measures of airport as referred to in sub-rule (2) and must immediately notify the Airport Operator on various accident, event or shortcomings that may cause adverse effect on the act of safe operation of the airport.

28. Internal safety, audit and report of the Airport Operator:

- (1) The Airport Operator must take arrangement for carrying out internal audit of safety system of the airport including for carrying out inspection into the facilities and equipment available at the airport. The acts of the Airport Operator must also be subjected to the audit. Upon carrying out such audit, the Airport Operator shall also make arrangement for getting carried out the external safety audit of airline and airport service operators situated at the airport, ground handling agencies and airport users including bodies working at the airport as referred to in sub-rule (2) of Rule 28.
- (2) The safety audit as referred to in sub-rule (1) must be carried out once a year.
- (3) The Airport Operator shall get the safety audit report of facilities services and equipment available at the airport prepared from the appropriate qualified specialist.
- (4) The Airport Operator shall generally retain a copy of safety and report as referred to in sub-rule (3) for a period of two years. The Director General may require the copy of the reports for review and other purpose.
- (5) All person carrying out safety audit and inspection must sign the reports as referred to sub-rule (3).

29. Airport access:

- (1) Employee deputed by the Authority pursuant to this Regulation may inspect and audit the facilities, service and equipment available at the airport and may inspect documents and records possessed by the Airport Operator prior to granting the Airport Certificate or making renewal thereof and may audit the airport safety system. The Authority may inspect, audit and inquiry at any time a view to confirming the airport security arrangement.
- (2) The Airport Operator must allow the employees deputed by the Authority pursuant to sub-rule (1) to access any part of the airport or any place, where any facilities including equipment records documents, any employee of the Airport Operator are set up for the purpose of sub-rule (1).
- (3) The Airport Operator must assist the employees deputed by the Authority in carrying out the activities as referred to in sub-rule (1).

30. Information and Report:

- (1) The Airport Operator shall give information in writing to the Authority, Civil Aviation Controller and pilot in due time on the matter to be informed and reported pursuant to this Rule.
- (2) The Airport Operator shall study the aviation information publications, supplementary aviation information publications, amendments to aviation information publications information to be given to aviation person, prior flight information publications, aviation information circular distributed by aviation information service immediately after receipt and if there is any wrong information in above mentioned information in respect of the airport, the Airport Operator must immediately give information thereof to the aviation information service.
- (3) If the standard of facilities, equipment and service is to be change in the publication pertaining to aviation information service as referred to in sub-rule (2) pursuant annex 15 of International Civil Aviation Organization and if it may have impact on accuracy of the standard of the previously scheduled facilities, equipment and service of the airport, the Airport Operator must give information thereof to the aviation information service and the Authority in writing.
- (4) The Airport Operator must immediately inform the aviation information service, civil aviation flight controller and the bodies pertaining to flight operation on any of the following circumstances which the Airport Operator comes to know subject to sub-rule (5) :-
 - (a) Obstacles, obstruction and hazards:
 - (i) If any things causes hindrance in obstacle limitation surface pertaining to the airport,
 - (ii) If any obstruction or hazard is found that may undermine the aviation safety at the airport or near the airport.
 - (b) Standard of service:- If there is reduction in the standard of service of the airport as referred to in publication on aviation information service pursuant to sub-rule (2).
 - (c) Movement Area: If any part of the Movement Area of the airport is closed.
 - (d) To inform the pilot immediately:- If precaution is to be taken on the matters which any undermine aviation safety of the airport.

- (5) If it is not possible to give information to the air traffic control and flight operating body on the event as referred to in sub-rule (4), the Airport Operator must make arrangement for providing information immediately to the aircraft pilot.

31. Special Inspection:

The Airport Operator must carry out special inspection of the airport as follows to ensure the aviation safety as required by the circumstance:-

- (a) After crash of aircraft or event as specified in Annex 13 of International Civil Aviation Organization.
- (b) At the construction, installed or repair and maintenance of the facilities and equipment installed at the airport that may be sensitive for safe operation of aircraft,
- (c) At any time when aviation safety at the airport may be undermined.

32. To remove obstruction from the surface of airport:

The Airport Operator must immediately remove from the airport surface the motor vehicles or any other obstruction that may be dangerous for aviation service.

33. Warning:

If it appears to be hazard for the general people or transport vehicles while operation flight of any aircraft flying in low height at the airport or near the airport, the Airport Operator must carry out the acts as follows:-

- (a) To issue information post to warn on the hazard after the operation of flight in public road adjacent to maneuvering area,
- (b) To inform the authorized authority of such public road for issuance of information that there is hazard in the said road if the Airport Operator has not control over the road.

34. To specify the time for opening and closing airport for aviation operation:

- (1) The Airport Operator shall keep the airport open and provide aviation operation service on the basis of Flight permission Description as referred to Annex, Aviation Information Publication Nepal, Aerodrome Manual, Directives and inform all the concerned thereof.
- (2) If the airport is to be kept open for the additional time more than the time to be kept open as referred to in sub-rule (1), the Airport Operator may, on the approval

of the Director General, collect additional change to cover only the operational cost.

Chapter 5

Exemptions

35. The Director General may grant exemption:
- (1) The Director General may exempt the Airport Operator by specifying period of time and conditions as well from some provisions to be observed pursuant to this Regulation taking into account the necessity and rationality.
 - (2) Prior to deciding to exempt as above, the matter that shall not have adverse effect on all the aspects pertaining to safety must be taken into consideration.
 - (3) Such exemption may be granted only on the ground that it shall be consistent with the methods and situations as referred to in the Airport Certificate realizing necessary from the safety point of view.
36. The matters to be carried out if the standards and practices as referred to in Rule 3 have not been observed or have been deviated:
- (1) If the airport fails to observe the standards and the recommended practices as referred to in Rule 3, the Director General may make arrangements for safety equivalent to the expectation of such standards and practices only to the extent consistent with the standards and the recommended practices upon getting carried out technical study.
 - (2) The matters deviated from the standards and the recommended practices as referred to in Rule 3 must be mentioned in the Airport Certificate.
37. The special flight must be given priority:
- The special flight engaged in transportation of rescue materials, medicine, treatment, doctor engaged in the act of generosity, machine and equipment, etc. relating to medicine to search and rescue the life at the time of internal and external divine and natural disasters, accident, epidemic or other emergency must be given special priority subject to the guidelines of the Director General. Such types of flight may be exempted from various fees in manner that it shall not exceed two third of the scheduled flight fee.

Chapter 6

Conditions and Facilities to be Observed for Safety Aviation Operation

38. Prohibition on breach of law pertaining to civil aviation:

- (1) Any aircraft operator or pilot and crew members shall not breach this Regulation. If any person breaches the Regulation, the Airport Operator must submit the report thereof to the Director General.
- (2) The Director General may cause to take action as follows on the report submitted by the Airport Operator pursuant to sun-rule (1).
 - (a) To cause to be carried out inquiry and investigation on the matters.
 - (b) To take action and punish as follows on the basis of the inquiry report and recommendation:-
 - (i) To suspend the aviation license of the concerned pilot for the three months in maximum or to impose a fine upto ten thousand rupees or to punish with both.
 - (ii) To suspend the airline operator license of the concerned airline operator for three months in maximum or to impose a fine upto one hundred thousand rupees or to punish with both.

39. Material and equipment of life rescue and fire brigade must be made available:

Materials of life rescue service and other types of equipment as specified in the Annex, AIP and Manual must be made available for the rescue and safety of passengers, aircraft, airport, all the people, service and facilities existing at the airport under the unexpected and emergency conditions.

40. Inflammable and hazard goods and substances shall neither be allowed to be transported nor shall smoking be also allowed:

The inflammable and hazard goods and substances shall neither be allowed to be transported in excessive of the amount so specified by His Majesty's Government or the Authority and through other manner except as specified non shall any person be allowed to smoke in other place of the airport or airport area except the areas specified for smoking.

41. Passengers, goods, living things, birds, etc. shall not be allowed to be transported to the unauthorized place:

The passengers, goods, living things, birds, etc. shall not be allowed to be transported to other place except as specified at the airport.

Chapter 7

Miscellaneous

42. Powers to frame manual, procedures, requirements and directives:

- (1) The Director General may frame and enforce, or cause to be framed and enforced, manual, procedures, requirements and directives bearing in mind the national and international norms for implementation of Annex, manual and standards set by the International Civil Aviation Organization on operation of airport and airport area from the viewpoint of making airport safe in a manner that the same shall not be inconsistent with the prevailing laws pertaining to civil aviation and this Regulation.
- (2) Provision laid down in the manual, procedures, requirements and directives framed pursuant to sub-rule (1) shall be applied to all the parties concerning with the airport operation.

43. To operate training on the matter of airport operation and civil aviation and to assist therefor:

- (1) In order to prepare qualified and efficient employees required for airport operation, repair and maintenance and safety and security of the airport and in order to have the qualification if it is specified that the special qualification is required for such employees pursuant to sub-rule (2) of Rule 26, the Airport Operator may submit to the Director General appropriate and timely suggestions in respect of operating training and instruction necessary therefor or getting the same done from a training organization licensed pursuant to the prevailing laws.
- (2) The Airport Operator must give necessary assistance from the airport area to operate various training and instruction relating to civil aviation except airport operation and the airport operator may collect fee by completing the procedures of sub-rule (3) for rendering such assistance.
- (3) The Airport Operator must frame manual relating to preparing curriculum necessary for operation of training and instruction as referred to in sub-rule (1), and fixation of fee chargeable for assistance rendered to operate training and

instruction as referred to in sub-rule (2) and submit the same to the Director General for approval and carry out the same as approved by the Director General.

44. Description of flight permission must be given to the Airport Operator:

- (1) All the descriptions of flight permission provided pursuant to Rule 56 of the Civil Aviation Regulation, 2058 (2001), of the Civil Aviation Authority of Nepal must also be given to the Airport Operator in time.
- (2) The Airport Operator shall have the power not to allow other flight except those having flights permission pursuant sub-rule (1) and the flight operated for emergency situation.

45. No one shall be allowed to enter into prohibited area of the airport without permission:

- (1) No one shall be allowed to enter into the prohibited area specified by the Airport Operator or the person authorized by him/her without permission.
- (2) The Airport Operator may grant entry permission to the passengers holding valid document on travelling and aviation and air ticket through path specified by him/her to reach the aircraft scheduled to travel by the passengers.

46. Powers to give order and instruction:

The Director General may, pursuant to Act and Regulation, issue order and instruction, as and when so required, from time to time to observe, or cause to be observed, Annex and Manual pertaining to civil aviation on the following subjects to all the concerned including the Airport Operator:-

- (a) In respect of equipment to be installed at the airport and other physical construction and goods,
- (b) In respect of equipment of visual aids necessary for the operation of visual and instrumental flight,
- (c) In respect of adoption of specified safety measures,
- (d) In respect of giving information on event and accident to be taken place at the airport, carrying out technical inquiry and the flow of information thereof,
- (e) In respect of making arrangements for runway visual range equipment,
- (f) In respect of promoting aviation security,
- (g) In respect of keeping sustainable and fresh environment,
- (h) In respect of dumping and landfill site,
- (i) In respect of keeping aircraft and spare parts safe for inquiry of event or accident of aircraft,
- (j) In respect of carrying out flight safety audit and implementing recommendation of the audit team,

- (k) In respect of implementing recommendations pertaining to airport operation of event and accident audit report of aircraft,
- (l) In respect of other matters as referred to in this Regulation.

47. Recognition may be granted:

The Authority may enforce recognizing the requirements specified pursuant to laws and rules and standards set by His Majesty's Government or International Organization on operation of the airport and airport area until the manual, procedures, requirements and directives have been framed pursuant to Rule 42.

48. Delegation of Powers:

The Director General may delegate some of the powers given to the Director General as per the Regulation to its subordinate officer employees.

49. Alteration to the Schedule:

The Director General may amend or alter the Schedule to this Regulation as and when so required.

50. Saving:

- (1) All the activities carried out prior to entry into force of this Regulation on the operation of the airports including the Tribhuvan International Airport shall be deemed to have been carried out pursuant to this Regulation.
- (2) Annex and Manual enforced upon being approved prior to commencement of this Regulation shall be deemed be the integral part of this Regulation.

Schedule 1

Points to be included in Aerodrome Manual

Part 1 General

- Purpose and term of the Aerodrome Manual
- Legal requirement
- Conditions specified for the use of the airport
- Aeronautical information
- Retention of records of aircraft transportation
- Obligations of the Airport Operator

Part 2 Detailed description of the place of airport

- Plan marking with line showing main facilities of the airport.
- Plan marking with line showing border of the airport.
- Design of the place of the airport.
- Designated name of the sites of the airport.

Part 3 Description of the airport necessary for A.I.S.

3.1 General

- Name of the airport
- Geographical situation of the airport.
- Symbolic latitude of the airport.
- Assessment of symbolic latitude of the airport and the measurement of geographical height.
- Measurement of thresholds and geographical height.
- Symbolic temperature of the airport.
- Bicon of the airport.
- Name of the airport Operator
- Name of the role of the employees.

3.2 Circle of the airport and relevant information.

- Runway route
- Security zone at the end of runway route
- Route to ply aircraft.
- Type of rest area and the rest area if the aircraft.

- Clear way and the description of the aircraft.
- Visual aids placed for the landing of the aircraft.
- V.O.R. check point.
- Actual route to ply.
- Latitude of thresholds.
- Latitude of points of the middle line of plying route
- latitude of aircraft stands
- Latitude of obstruction
- Type of pavement surface
- Check points of altimeter
- Declared distance
- Plan to remove disabled aircraft
- Life-rescue and fire brigade service.

Part 4 Methods of operation of airport and safety measures

4.1 To report to the airport

4.2 To enter into ground handling area

- Role of involved agencies
- Name and role of the employees
- Restriction on entrance

4.3 Emergency plan of the airport

- Emergency plan of the airport
- Audit of facilities and equipment
- Practices to be made for trail
- Records of the concerned units
- Airport emergency committee
- Site commander, etc.
- Name and role of the employees

4.4 Life-rescue and fir brigade service and facilities

- Description of facilities
- Manpower and training
- Proceedings
- Equipment
- Responsibility

4.5 Airport inspection (ground handling area and OLS)

- Arrangement of inspection
- Coordination with ATC
- Log books
- Time schedule
- Records of the matters to audited
- To give report
- Name and role of the employees

4.6 Visual aids and aerodrome electrical system

- Table of inspection and records of audit
- Relation of records of results
- Regular repair and emergency repair
- Ancillary electricity supply systems
- Name and role of the employees

4.7 Repair and maintenance of ground handling area

- Arrangement made for repair and maintenance – concrete area
- Arrangement made for repair and maintenance – muddy area
- Arrangement made for repair and maintenance – strips of runway route and plying route
- Arrangement made for repair and maintenance – sewerage
- Name and role of the employees

4.8 Activities to be carried out in the airport-safety

- Contact with ATC
- Name and role of persons of the unit carrying out repair
- Name and role of the persons of other units
- Records of distribution (plan)

4.9 Management of the rest area

- Arrangement made with ATC
- Arrangement of parking area
- To start engine and push back
- Marshalling
- Escorting service
- Name and role of the employees

4.10 Management of the safety of the rest area

- To protect from jet blast
- Caution to be taken while filling fuel
- To sweep
- To clean
- To report on normal event and accident
- To carry out audit on the matter as to whether safety is consistent with safety provision or not.
- Name and role of the employees

4.11 Control over motor vehicle within the airport

- Applicable rules on control of vehicle
- Proceeding of granting license
- Name and role of the employees

4.12 Management of danger from wildlife

- Evaluation of hazard
- Implementation of plans of control
- Name and role of the employees

4.13 Control of obstruction

- Surveillance of surface to carry out flight
- To control obstructions
- To inspect the height of the physical structures
- To inspect the development of the physical Structures
- To give information to the Civil Aviation Authority of Nepal
- Name and role of the employees.

4.14 To remove disabled aircraft

- Role of aircraft operator and pilot
- To give information to aircraft owner
- To keep contact with A.T.C.
- Equipment and working employees
- Name and role of the employees

4.15 Management of hazardous substances

- Storing area
- Proceedings of management
- Name of management

4.16 Minimum visual operation

- Equipment relating to run way visual range
- Responsibility
- Name and role of the employees

4.17 Safety of Radar and NAVAIS area

- Control on activities
- Ground repairing
- Radiation of hazard micro-wave
- Repairing activities and places of removal
- Name and role of the employees

Part 5 Airport administration and safety arrangement system

- Organizational chart of the airport (including inspector Engaged on behalf of the Airport Operator)
- Name and role of the employees
- Safety arrangement system
- Safety policy
- Organization of safety arrangement system
- Strategy and plan of safety arrangement system
- Implementation of safety arrangement system
- Implementation system
- Measures to promote safety
- Internal safety audit
- To draw up formal documents
- Training and competency of the employees
- To recognize the matters on the methods of safety and to cause to be observed the same
- Committee, manual, and plan circulation

Schedule 2

(Related with Rules 5, 6, 7, 8, 10, 11, 12, 13 and 31)

<u>Fee</u>	<u>Rs.</u>
1. Sale of application Form	5,000/-
2. Registration of application	10,000/-
3. Transfer of entitlement of the Airport Certificate	10,000/-
4. Application of Interim Airport Certificate	10,000/-
5. Special inspection fee	15,000/-