

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)

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

Chapter -1

Preliminary

1. Short Title and Commencement:

- (1) This Regulation may be called the "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:

- (1) "**Act**" means the Civil Aviation Authority of Nepal Act, 2053 (1996).
- (2) "**Type Certificate**" means the special type of certificate according to the nature of the Aircraft and this term also includes the type of Aircraft and also the efficiency acquired by a person.
- (3) "**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.

- (4) **"Annex"** means the International Standards and Recommended Practices prescribed by the International Civil Aviation Organization having affiliation with the Convention on International Civil Aviation.
- (5) **"Manual"** means the Manual, Requirements and Directives framed 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.
- (6) **"Crew"** means Pilot, Co-pilot, Flight Engineer, Radio Officer, Flight Navigator, Air-hostess, Cabin attendant and Pursuer having the Personal License, Rating and Certificate pursuant to the Act and this Regulation.
- (7) **"Personnel Licensing, Rating and Certificate"** means the Personnel Licensing, Rating and Certificate to be issued pursuant to Rule 33.
- (8) **"Fiscal Year"** means the period starting from 1st Shrawan (about Mid July) of each year ending to the end of Aashad (about Mid July) of the next year.
- (9) **"Service Provider"** means airline operator, airport operator, air navigation service provider, aviation training organization, Aircraft repairing and maintenance organization that has received Permit and Certificate as per this Regulation.
- (10) **"Air Navigation Service"** means the services provided to air traffic during all phases of operations, including the air traffic management, communication-navigation and surveillance, meteorological for air navigation, search and rescue and aeronautical information service as well.
- (11) **"Psychoactive substance"** means the substances defined as "Psychoactive substance" by Annex-1 to the Convention on International Civil Aviation (Chicago), 1944.
- (12) **"Communication and Navigation Aid Equipment"** means the communication equipment, navigation equipment, and surveillance equipment, including the ATC console needed for safe flight operations.

*Inserted by the First Amendment

- (11) *"**Inspector**" means the person authorized by the Director General and having qualification for the inspection and examination on the concerned subject pursuant to this Regulation.
- (12) #"**Ministry**" means the Ministry of Culture, Tourism and Civil Aviation.

*Inserted by the First Amendment

Inserted by the Second Amendment

Chapter - 2

Provision Relating to Airlines Operation

3. No Airline to be Operated without Obtaining the Permit and Certificate:

No person shall operate an airline without obtaining the permit and certificate pursuant to Clause (a) of Section 5 of the Act.

4. Airline Operating Permit and Certificate:

(1) The Airline Operator Organization having a license pursuant to the prevailing law shall submit an application to the Director General in a format prescribed in the ^Air Operator Certificate Requirements including necessary details and enclosing the fee as specified in Schedule -1 for obtaining the Air Operator Permit and Certificate.

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

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

(4) Other procedures relating to the submission of an application for Air Operator Permit and Certificate, the issuance of the Air Operator Permit and Certificate and the terms and condition thereof pursuant to Sub-rule (1), (2) and (3) shall be as specified in the ^Air Operator Certificate requirements.

[^]Amended by the First Amendment

5. Provision Relating to the Validity and Renewal of Permit and Certificate:

- (1) The Air Operator Permit and Certificate issued pursuant to Rule 4 shall be valid for one year unless it is cancelled beforehand pursuant to Rule 6.
- (2) Prior to the expiry pursuant to Sub-rule (1), an application for renewal of the permit and certificate shall be submitted to the Director General along with the fee as specified in the Schedule – 1.
- (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 Operator Permit and Certificate:

- (1) If the Airline Operating Agency obtaining Permit and Certificate pursuant to Sub-rule (4) does not comply with or performs against the provisions of the prevailing civil aviation law, this Regulation, Annex and Manual and the terms and conditions as specified at the time of issuance of Air Operator Permit and Certificate, the Director General may issue an order to suspend up to six months or cancel the Air Service Operator Permit and Certificate issued to such Airline Operating Agency.
- (2) The information of suspension or cancellation of Air Operator Permit and Certificate pursuant to Sub-rule (1), relating thereto shall be forwarded to the licensing office or office of company registration.
- (3) Before issuance of an order to suspend or cancel the Air Operator Permit and Certificate pursuant to Sub-rule (1), such Airline Operating Agency should be provided a reasonable opportunity to submit its clarification.

[^]Amended by the First Amendment

***6a. Annual Safety Audit to be conducted:**

- (1) The Director General shall conduct the safety audit annually regarding whether or not the Airline Operating Agency receiving the Air Operator Certificate pursuant to Rule 4 has complied with this Regulation, the Air Operator Certificate Requirements, and terms and conditions specified at the time of providing the Permit and Certificate, and whether or not the service provided is safe from technical point of view.
- (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 may develop and enforce operating procedures in accordance to the provisions of concerned International Civil Aviation Organization (ICAO) Manuals and Standards.
- (4) If it is found, during the course of safety audit as mentioned in Sub-rule (1) and (2), that the airline operating agency receiving the Air Operator Certificate has not complied with this Regulation, the Air Operator Certificate Requirements and the terms and conditions specified at the time of issuance of the Permit and Certificate, and has not provided service that is safe from technical point of view, the Director General may issue orders to comply with those within specified timeframe.
- (5) The concerned Airline Operating Agency shall be required to abide by the order issued by the Director General pursuant to Sub-rule (4).

***6b. Regarding Services from Former Employees of the Authority:**

The Airline Operating Agency possessing the Permit and Certificate pursuant to Rule 4 shall not employ the following personnel who are retired or have exited from the service of the Authority by any reason, for a period of two years from the date of such retirement or exit:

- (a) Those directly involved in the flight safety inspections,
- (b) Those directly involved in the regulation and monitoring of the Airline Operating Agency.

*Inserted by the First Amendment

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

- (1) The Director General shall have the authority for the oversight of the flight safety of the aircraft as well as the Airline Operating Agency operating in Nepal and registered in foreign State.
- (2) For the purpose of oversight pursuant to Sub-rule (1), the Director General may develop and enforce an operating procedure.

*Inserted by the First Amendment

Chapter - 3

Provisions Relating to Aircraft not to be Flown and National Mark

7. No Aircraft shall Fly Without Registration:

Aircraft not registered in any country, shall not fly in the airspace of Nepal.

8. Registration of Aircraft:

- (1) If the Airline Operating Agency possessing the Air Operation Permit and Certificate pursuant to Rule 4, needs to register in Nepal its Aircraft, bought or leased for commercial purpose, it shall submit an application to the Director General in a format as prescribed in Annex and Manual by including necessary details and enclosing the fee as specified in Schedule-1.
- (2) If a person or organization wants to register the Aircraft for private purpose except for commercial purpose, such person or organization shall submit an application to the Director General in a format as prescribed in Annex and Manual by including necessary details and enclosing the fee as specified in Schedule-1.
- (3) Upon receiving the application pursuant to Sub-rule (1) and (2), the Director General shall carry out necessary examination of such application and issue an order to register the Aircraft under the provisions of prevalent civil aviation law, this Regulation, Annex and Manual and the terms and conditions specified in the Air Operator Permit and Certificate issued to the concerned Airline Operating Agency. The Aircraft shall be used only for that purpose for which it was registered.
- (4) After having decided to register the Aircraft pursuant to Sub-rule (3), the Director General shall 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 Nepalese Aircraft.
- (6) The ownership of the Aircraft shall rest with the Aircraft Owner.
- (7) Notwithstanding anything contained in this Rule, no Aircraft shall be registered until the dues of the Government of Nepal and the Authority are paid. Further, until an Airline Operating Agency possessing Air Operator Permit and Certificate pays all the dues of the Government of Nepal and the Authority, new Aircraft of such Agency shall not be registered, and the registration of its already registered Aircraft shall be cancelled.

9. Provision Relating to Leasing of Aircraft:

- (1) If the Airline Operating Agency possessing Permit and Certificate pursuant to Rule 4 needs to lease an Aircraft, it shall submit an application to the Director General in a format as prescribed in the Annex and Manual by including the necessary details and enclosing the fee as specified in Schedule-1.
- (2) While submitting an application pursuant to Sub-rule (1), a copy of the lease agreement of the Aircraft shall also be enclosed therein.
- (3) If under this Rule the operation of Aircraft leased needs to be changed, an application has to be submitted to the Director General including the fees as specified in Schedule –1.
- (4) Upon receiving the application pursuant to Sub-rule (1) and (3), the Director General shall carry out necessary examination and issue permission to change the ownership and operator of the aircraft so leased. While providing the permit in such a way, the Director General may specify any other necessary terms and conditions.
- (5) Notwithstanding anything contained in Sub-rule (4), such permit shall not be granted until it is proved that the dues of the Government of Nepal and the Authority have been paid.

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

9 a. #Exchange of Regulatory Responsibility through Mutual Understandings

(1) While operating a foreign registered aircraft on lease in Nepal or operating a Nepalese registered aircraft on lease in the foreign country, all or part of responsibilities relating to the operation and technical regulation inherent in the State of Registry may be exchanged by mutual agreement between the Civil Aviation Authority of Nepal and Aeronautical Authority of the concerned State.

(2) The 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) The Director General shall notify the Ministry, ICAO and other States concerned about the exchange of operation and technical regulation responsibility pursuant to Sub-Rule (1).”

10. Transfer of Aircraft Registration:

(1) If the registration of an aircraft registered in the name of any person or organization pursuant to Rule 8 needs to be transferred to any other person or organization through purchase-sale or any other method, the registration of such aircraft shall be transferred.

(2) The person or organization seeking the transfer of registration of the Aircraft pursuant to Sub-rule (1) shall submit an application to the Director General in the format as prescribed in Annex and Manual including necessary details and enclosing the fee as specified in Schedule-1.

(3) While submitting an application pursuant to Sub-rule (2), the contract, the agreement or similar type of document shall be submitted to the Director General.

Inserted by the Second Amendment

- (4) The Director General shall carry out necessary examination of the application submitted pursuant to Sub-rule (2) for transfer of Aircraft registration and may issue an order to transfer the registration of Aircraft from one person or organization to another person or organization under the provisions of the prevalent civil aviation law, this Regulation, Annex and Manual.
- (5) Having decided to transfer the registration of Aircraft pursuant to Sub-rule (4), the Director General shall delete name of existing Aircraft owner or Airline Operating Agency and insert the name of new owner or Airline Operating Agency in the Aircraft Registration Book maintained pursuant to Rule 8 (4).
- (6) Upon insertion of name of the Aircraft owner or Airline Operating Agency pursuant to Sub-rule (5), the certificate of Aircraft registration shall be issued to such owner or Airline Operating Agency in the format as prescribed in the Annex and Manual.
- (7) Notwithstanding anything contained in this Rule, the transfer of Aircraft registration shall not be done until the dues to be paid to the Government of Nepal and the Authority is paid.

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 Nepalese Army, Nepal Police and Custom,
- (c) In the case of Aircraft not having Nepalese Type Certificate or Type Approval, aircraft having no plan of transfer of technology to the personnel of the concerned Airline Operating Agency and the Authority.

12. Type Certificate:

- (1) The aircraft owner, organization or aircraft manufacturer that need to obtain Type Certificate of the Aircraft that is not registered in Nepal shall submit an application to the Director General in the format as prescribed in Annex and Manual including necessary details and enclosing fees as specified in Schedule-1.
- (2) While submitting the application pursuant to Sub-rule (1), the design certificate of the aircraft shall also be enclosed therewith.
- (3) The 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 as prescribed in the Annex and Manual, under the provisions of the prevalent 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 operating agency of such aircraft shall obtain the Type Certificate at the time of renewal of the Air Operator Permit and Certificate.
- (5) Other procedures relating to the issuance of Type Certificate shall be as prescribed in Annex and Manual.

13. Deregistration of the Aircraft:

If the Aircraft, registered in the name of a person or organization or operated in lease in Nepal, gets damaged with no scope of its operation or is being permanently taken out of the country so as not to operate in Nepal for any reason or being sold, the owner of such Aircraft or the person or organization operating such Aircraft on lease should apply to the Director General for deregistration of the Aircraft with necessary details in the format as prescribed in Annex and Manual along with the Aircraft Registration Certificate and enclosing fees as specified in Schedule -1.

^Amended by first amendment

14. Aircraft without Nationality Mark not to be Operated:

An Aircraft without nationality mark of the country where it is registered shall not be flown in the airspace of Nepal.

15. Nationality Mark of the Aircraft:

- (1) Nepalese nationality mark of the Aircraft Registered in Nepal shall be 9N in the figure and letter. A small hyphen shall follow the nationality mark after which there shall be a group of three Roman capital letters. The registration mark with three Roman letters for the first Aircraft shall be 9N-AAA. In case of there being more than one aircraft the Roman letters designated shall be B, C, D, respectively.

Provided that, in the Aircraft of V.V.I.P. flight there shall be a hyphen (-) mark after the nationality mark. The hyphen shall be followed by a capital letter in Roman character "R" after which there shall be two Roman letters for instance 9N-RAA. In case of there being more than one aircraft the Roman letters designated after 9N-R shall be B, C, D, respectively.

- (2) The Director-General shall have the power to assign the nationality mark of the Aircraft pursuant to Sub-rule (1).
- (3) ^The other details relating to the nationality mark in an Aircraft pursuant to Sub-rule (1) shall be as mentioned in the Nepal Civil Air Worthiness Requirement (NCAR) issued by the Authority.

Chapter - 4

Provisions Relating to Airworthiness

16. ^Certificate of Airworthiness:

- (1) The Aircraft without Certificate of Airworthiness shall not operate or caused 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 detained by the authorized official and necessary action shall be taken.

17. Standard of Airworthiness:

- (1) The standard of airworthiness to be applicable in Nepal shall be as mentioned in Annex and Manual.
- (2) Until the airworthiness standard is prescribed pursuant to Sub-rule (1), the airworthiness standard applicable in Nepal shall be of the same standard as that in the International Civil Aviation Organization Contracting State whose authority has issued the certificate of airworthiness to the Aircraft.

18. Provision Relating to Certificate of Airworthiness:

- (1) The Director General shall have the power to issue the certificate of airworthiness.
- (2) The format of application to be submitted for the certificate of airworthiness, the format of certificate of airworthiness 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) certificate of airworthiness fee shall be paid pursuant to Schedule-1.

[^]Amended by the First Amendment

19. Provision Relating to the Validity and Renewal of Certificate of Airworthiness:

- (1) The certificate of airworthiness provided pursuant to this Regulation shall be valid up to one year except otherwise order has been issued by the Director General for the repair and maintenance of the aircraft on the ground that during regular inspection carried out pursuant to this regulation the aircraft was found to be damaged to such a condition that flight cannot be operated from safety point of view.
- (2) Prior to the date of expiry of the certificate of airworthiness, An application for its renewal shall be submitted to the Director General by enclosing the renewal fees pursuant to Schedule-1.
- (3) The format of the application to be submitted pursuant to Sub-rule (1) and other procedures relating to renewal of the certificate of airworthiness shall be as prescribed in Annex and Manual.

20. Cancellation or Suspension of Certificate of Airworthiness:

- (1) If any aircraft possessing the certificate of airworthiness is flown against the terms and conditions as specified in its Certificate of Airworthiness, the provisions of prevailing civil aviation law, this regulation and Annex and Manual, the Director General may issue an order to cancel the certificate of airworthiness of such Aircraft or to suspend it for up to the period mentioned in the same order.
- (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 certificate of airworthiness pursuant to Sub-rule (1).

[^]Amended by the First Amendment

21. Export Certificate of Airworthiness:

- (1) If an Aircraft registered in the name of a person or an organization or operated on lease in Nepal, except for the case when it gets damaged beyond operation, has to be sent outside the country permanently with a 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 person or organization owning or leasing it shall submit an application to the Director General for export Certificate of Airworthiness by including all details in the format as prescribed in the Annex and Manual enclosing fee as specified in Schedule-1.
- (2) Upon receiving the application pursuant to Sub-rule (1), the Director General, after carrying out necessary examination, shall provide Export Certificate of Airworthiness in the format as prescribed in Annex and Manual, if the dues of the Government of Nepal and the Authority have already been paid.
- (3) The other procedures relating to Export Certificate of Airworthiness shall be as mentioned in Annex and Manual.

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 without doing 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 should not be used.

23. Repair and Maintenance of the Aircraft:

- (1) Except in case of routine repair and maintenance of the Aircraft pursuant to Rule 22, if the Director General deems it necessary to carry out an emergency repair and maintenance of any Aircraft or to replace any parts thereof from the view point of safety, the Director General may give necessary order to the concerned aircraft owner, Airline Operator Organization or the concerned repair and maintenance Engineer.
- (2) The Aircraft shall not be flown without carrying out repair and maintenance or replacing the parts pursuant to the order given as per Sub-rule (1).
- (3) The method of repair and maintenance of the Aircraft pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.

24. Repair and Maintenance to be carried out only from the Licensed or Recognized Organization:

- (1) While carrying out the routine or emergency 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 has to be carried out from the organization possessing permit pursuant to Rule 28(2) or recognized pursuant to Rule 49 (2).

*Inserted Sub-rule (2) after making the existing provision as Sub-rule (1) by the First Amendment

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

25. Record of the Repair and Maintenance of the Aircraft:

Upon carrying out the regular or emergency repair and maintenance of the Aircraft pursuant to Rule 22 and 23, the concerned organization shall certify the same in an up-to-date manner in the format as mentioned in the Annex and Manual.

26. Regular Inspection:

- (1) No Aircraft shall carry out a flight unless it is certified by the technician receiving Aircraft Maintenance Certificate pursuant to Rule 32(u) 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 prior to the flight of the Aircraft.
- (2) ^The 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 up-to-date log book as follows:-
- (a) Journey log-book,
 - (b) Aircraft log-book,
 - (c) Single engine log-book in case of single engine Aircraft and separate engine log-book for each engine in the Aircraft having more than one engine,
 - (d) One pitch propeller log book in case of 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 in the case of Aircraft having radio parts.

[^]Amended by the First Amendment

- (2) The power to issue log books as per the Sub-rule (1) shall rest with the Director General.
- (3) The other procedures and details relating to maintaining the log book updated pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.

28. Provision Relating to Organization Carrying out the Production, Repair and Overhauling of the Aircraft and Parts Thereof:

- (1) The organization, that has received the permit pursuant to the prevalent law, willing for production, repair and overhauling of the Aircraft or parts thereof shall submit an application to the Director General in a format as prescribed in Annex and Manual by including necessary details and enclosing the fee as mentioned in Schedule – 1 for obtaining the permit to carry out such works.
- (2) Upon receiving an application pursuant to Sub-rule (2), the Director General shall carry out necessary examination and may issue permit for the production, repair and overhauling of the Aircraft and parts thereof under the prevalent civil aviation law, this Regulation and other provisions mentioned in the Annex and Manual.
- (3) The validity of the permit issued pursuant to Sub-rule (1) shall be one fiscal year and before expiry of the term, an application for renewal shall be submitted to the Director General by enclosing the fee as mentioned in Schedule-1.
- (4) The format of the application to be submitted pursuant to Sub-rule (4) and the other procedures relating to renewal of permit shall be as mentioned in Annex and Manual.

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

- (1) The 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 in accordance to prevailing law.
- (3) The organization should be provided a reasonable opportunity to submit clarification before suspension or cancellation pursuant to Sub-rule (1).

30. Provision Regarding the Organization or Agent Carrying out the Import, Export, Storage or Sale of the Parts of the Aircraft:

- (1) The person or organization willing to carrying out the business as an organization or agent thereof to import, export, store or sell the parts of the Aircraft shall submit an application to the Director General for obtaining the permit for such work.

*(1a) Notwithstanding anything contained in Sub-rule (1), the 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 carry out necessary examination and may provide permit to the applicant to carry out the business of import, export, storage and sale of the parts of Aircraft or to carry out the business as an agent of such organization, in the format as mentioned in Annex and Manual by levying the fees as mentioned in Schedule-1.

*2a. The concerned organization or its agent receiving permission pursuant to Sub-rule (2) should not import, store or sell the parts and equipment below the standard than as specified by the concerned Aircraft manufacturing company for the similar type of Aircraft.

*Inserted by the First Amendment

- (3) The validity of the permit issued pursuant to Sub-rule (1) shall be [^]one year and before its expiry an application shall be submitted to the Director General enclosing the fee as 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 other details and procedures relating thereto shall be as mentioned in Annex and Manual.

Chapter -6

Provisions Relating to Personnel License, Rating and Certificate

31. **^Not to Work without Obtaining Personnel License, Rating and Certificate:**

- (1) No person shall do or caused to do the following nature of works without obtaining or having recognition of Personnel License, Rating and Certificate 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) The 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) The Director General may authorize the experts invited for specific purpose and for limited period from the country of manufacture and training of aircraft and other equipment, to work remaining within other prevailing laws.

32. **^ Official Issuing Personnel License, Rating and Certificate:**

The power to issue the following Personnel License, Rating and Certificate shall rest with the Director General:

- (a) Student Pilot License,
- (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) Ultra Light Pilot License,
- (j) Student Flight Operation (Flight Dispatcher) License,
- (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 License,
- (p) Air Traffic Controller License/Rating,
- (q) Multi type Aircraft Rating,
- (r) Flight Inspector Certificate,
- (s) Air Traffic Safety Electronics License/Rating,
- (t) License Relating to Electrical and Mechanical
- #(u) Aircraft Maintenance Technician/ Engineer License(A.M.T.L./A.M.E.L),
- (v) Aeronautical Station Operator and Flight Service Operator License and Rating,
- (w) Ground Radio Operation Certificate,
- (x) Cabin Crew Certificate,
- (y) Balloon Pilot License.
- # (z) Check Pilot Examiner Certificate

33. Qualification of the Person Obtaining the Personnel License, Rating and Certificate:

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

- (a) Having the educational qualification, age and other qualification as mentioned in Annex and Manual.
- (b) Having the health certificate pursuant to Rule 34.
- (c) Having passed the qualification examination conducted by the Authority pursuant to Rule 36.

*Inserted by the First Amendment

#Amended by the Second Amendment

34. ^Provision Regarding Medical Fitness:

The medical fitness requirements for Personnel License shall be as per the Aviation Medical Requirements issued by the Authority.

35. # Medical Examination and Assessment:

- (1) The Director General, on the recommendation from the sub-committee formed under the 'Board' member and including concerned expert, shall appoint a senior physician as 'Civil Aviation Medical Assessor' in order to certify the medical fitness required for obtaining Personnel License.
- (2) Civil Aviation Medical Assessor should be appointed pursuant to Sub-rule (1) by advertising, through public notice, and selecting suitable candidate among those who can analyze and assess the health conditions that may affect civil aviation, aviation medicine and flight safety.
- (3) The Director General shall designate, on the recommendation of Civil Aviation Medical Assessor, required Civil Aviation Medical Examiners for the examination of the physical and mental fitness required for obtaining Personnel License.
- (4) The Civil Aviation Medical Examiners 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 advertising by 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 that of the Civil Aviation Medical Assessor.
- (6) The tenure of Civil Aviation Medical Assessor and Civil Aviation Medical Examiner shall generally be of two years. The Director General can reappoint and re-designate them by evaluating their skill, capacity and conduct.

^Amended by the First Amendment

#Inserted by the Second Amendment

- (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 together 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.
- (11) In case of any recommendation made by the Civil Aviation Medical Assessor regarding the lack of performance or misdemeanor of the Civil Aviation Medical Examiner, the Director General of CAAN may expel him from his duty as the Civil Aviation Medical Examiner.
- (12) In case of any recommendation regarding the lack of performance or misdemeanor of the Civil Aviation Medical Assessor made by the sub-committee formed under the convenership of the 'Board' member and including concerned expert, the Director General of CAAN may terminate him from his duty as the Civil Aviation Medical Assessor.
- (13) But before issuing the termination order pursuant to Sub-rule (11) and (12), such Civil Aviation Medical Examiner and Civil Aviation Medical Assessor shall be provided with reasonable opportunity for giving their clarification.”

36. Examination and Procedure Thereof:

- (1) The Personnel 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 set the curriculum and credit hours and to conduct the examination pursuant to Sub-rule (1).
- (3) The functions, duties and powers as well as other procedures relating to Examination Committee constituted pursuant to Sub-rule (2) shall be as mentioned in Annex and Manual.
- (4) The Examination relating to flight safety shall be conducted through one or more of the following examination process:
 - (a) Written, (b) Oral, (c) Practical, (d) Check ride, (e) Simulation, (f) Miscellaneous

- (5) The 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.

37. License, Rating and Other Certificates and Fees:

- (1) In order to obtain the Personnel License, Rating and Certificate an application shall be submitted to the Director-General enclosing the fee as specified in Schedule – 1.
- (2) The format of the application to be submitted pursuant to Sub-rule (1) and other matters relating to the issuance of Personal License, Rating and Certificate shall be as mentioned in Annex and Manual.

***37a. Authority to Bear 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. ^Validity of the License, Rating and Certificate:

Except when the personnel license, rating and certificate issued as per Rule 32 are already cancelled pursuant to Rule 40, such license, rating and certificate shall be valid till the period specified in Personnel Licensing Requirements issued by the Authority.

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

- (1) Upon expiry of the validity pursuant to Rule 38, an application shall be submitted to the Director General for the renewal of the Personnel License, Rating and Certificate.
- (2) The application for the renewal of the Personnel License, Rating and Certificate pursuant to Sub-rule (1) shall be submitted enclosing the fee as specified in Schedule-1.

*Inserted by the First Amendment

^Amended by the First Amendment

- (2) The format of the application to be submitted pursuant to Sub-rule (1) and other procedures relating to the renewal of Personnel License, Rating and Certificate shall be as prescribed in Annex and Manual.

40. ^Provision Regarding Suspension and Cancellation of the Personnel 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 the Personnel 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 to submit a clarification should be provided to the concerned holder of the Personnel License, Rating and Certificate.
- (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 Personnel License, Rating and Certificate for a maximum period of six months.
- (4) The record of actions taken by the Director General pursuant to Sub-rule (1) It shall be maintained in an updated manner.

***40a.Provision regarding 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 along with the half of the renewal fee to be applicable for renewal of the license or certificate as per schedule – 1 and necessary evidences for obtaining the copy of the original, the Director General shall issue an order to provide the copy of the original.

^Amended by the First Amendment

*Inserted by the First Amendment

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

- (1) A licensed pilot and air traffic controller shall not be assigned to perform his duty in a state of fatigue.
- (2) The other provisions relating to the fatigue pursuant to Sub-rule 1 shall be as specified by the Director General.

41. # Exemption in the Qualification regarding Personnel License/Rating or Certificate May be granted:

- (1) Notwithstanding anything contained in this Regulation, considering the technical knowledge and capability of any pilot who possesses 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 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 Personnel 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. But, such exemption may be granted to a person only once.
- (3) The Director General shall maintain the record of the exemptions provided as per Sub-rule 2.

*Inserted by the First Amendment

#Amended by the Second Amendment

Chapter -7

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

42. **^Submission of Application for Permit and Certificate for Operation of Flying School:**

- (1) The Flying School possessing permit pursuant to the prevailing law shall submit an application to the Director General in a format prescribed in the Annex and Manual along with necessary details for obtaining ^Permit and Certificate to conduct trainings relating to flights.
- (2) The application pursuant to Sub-rule (1) for the ^permit and certificate to conduct the trainings relating to flight operations shall be submitted enclosing the fee as specified in Schedule -1.
- (3) Upon submission of an application pursuant to Sub-rule (1), the Director General, after carrying out necessary examination, may issue a ^permit and certificate to the Flying School as per the request of the applicant or with necessary amendment, in the format as prescribed in Annex and Manual.

Provided that, the contents and credit hours of the training to be conducted 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 application for the ^permit and certificate to operate Flying School and issuance of the permit shall be as prescribed in Annex and Manual.

[^]Amended by the First Amendment

43. ^Provision Regarding Organizations Operating Ground Class on Various Subjects Relating to the Civil Aviation:

- (1) The airline and organization licensed pursuant to prevailing law to conduct the ground classes on various subjects relating to the civil aviation shall submit an application to the Director General in a format prescribed in the Annex and Manual for obtaining necessary permits by enclosing the fee as specified in Schedule -1.
- (2) Upon receiving the application pursuant to Sub-rule (1), the Director General shall carry out necessary examination and 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 airline or organization receiving Permit and Certificate pursuant to Sub-rule (1) shall submit the syllabus of the subject matter, total marks 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, issuance of the permit and certificate pursuant to Sub-rule 1 shall be as specified in Annex and Manual.

***43a. Prior Approval to be Obtained before Taking Flight Training:**

- (1) Any person willing to get training from the Flying School, whose syllabus and training manual have been approved pursuant to Rule 43, should get prior approval from the Director General.
- (2) The fee applicable for getting approval pursuant to Sub-rule 1 shall be as specified in Schedule-1.

*Inserted by the First Amendment

^Amended by the First Amendment

44. Suspension or Cancellation of Permit to Operate the Flying School ...~ :

- (1) If the Flying School ...~ receiving permit pursuant to rule 42 and 43 does not comply with or performs in contrary with the provisions contained in the prevalent civil aviation law, the regulation relating thereto, Annex and Manual, the Director General may cancel such permit to conduct trainings ... ~ or suspend it for a period mentioned in such order.
- (2) Upon issuance of order of cancellation or suspension pursuant to Sub-rule (1), the same information shall be communicated 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 be provided to the Flying School ...~ to submit clarification.

***44a. Provision Regarding Validity and Renewal of the Permit and**

Certificate:

- (1) The validity of the permit and certificate issued pursuant to Rule 42 and Rule 43 shall be a period of maximum one year except when it is cancelled before its expiry pursuant to Rule 44.
- (2) For renewal of certificate of permit to conduct the ground classes regarding civil aviation, an application shall be submitted in a format and procedure prescribed in the Annex and Manual enclosing the renewal fee as specified in Schedule – 1, before expiry of validity pursuant to Sub-rule (1).

2 Flight Simulator Permit:

- (2) The Flying School possessing permit pursuant to Rule 42 to conduct training for flight operation and willing to operate flight simulator shall submit an application to the Director General in a format prescribed in the Annex and Manual by including necessary details and enclosing the fee as specified in Schedule -1.

*Inserted by the First Amendment

~Removed by the First Amendment

- (1) Upon receiving an application pursuant to Sub-rule (1), the Director General shall carry out necessary examination and issue the Aircraft simulator operation permit to such training organization relating to the flights in a format prescribed in the Annex and Manual.
- (2) Other procedures relating to issuance of the Aircraft simulator operation permit to the Flying School relating to flights shall be as prescribed in the Annex and Manual.
- (3) Any person or organization willing to get training in the foreign Flight School or in simulator shall submit an application to the Director General enclosing the fee as specified in Schedule -1.
- (4) Upon receiving application pursuant to Sub-rule (4), the Director General may issue permit after the inspection of standard of that center or simulator.

Chapter -8

Provision Relating to Provide or Withdrawal of the Recognition

46. Recognition of Type Certificate:

- (1) The Aircraft Owner or Airline Operating Organization willing to get the recognition of the Type Certificate issued in relation to any Aircraft by a contracting State of the International Civil Aviation Organization or the person or organization duly authorized by such State, shall submit an application along with necessary details to the Director General in a format prescribed in the Annex and Manual enclosing the fee as specified in Schedule-1.
- (2) The Aircraft Design Certificate shall also be submitted along with the application pursuant to Sub-rule (1).
- (3) Upon receiving such application pursuant to Sub-rule (1), the Director General shall carry out necessary examination and provide Type Certificate recognition to that of the Aircraft in the format prescribed in the Annex and Manual.
- (4) The recognition provided pursuant to Sub-rule (3) shall be the integral part of the concerned Type Certificate.
- (5) The other procedures relating to issuance of recognition pursuant Sub-rule (3), shall be as mentioned in the Annex and Manual.

47. Recognition of Certificate of Airworthiness:

If any Aircraft receiving the certificate of airworthiness from a contracting State of the International Civil Aviation Organization or the person or organization duly authorized by such State, willing to operate flight in Nepal shall submit an application to the Director General in a format prescribed in the Annex and Manual along with necessary documents and enclosing the fee as specified in Schedule-1.

- (1) Upon receiving such application pursuant to Sub-rule (1) the Director General shall carry out necessary examination and may provide recognition to such certificate with or without specifying any terms and conditions in the format prescribed in the Annex and Manual.
- (2) The 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 Certificate of Airworthiness May be Withdrawn:

- (1) If the Aircraft receiving the certificate of airworthiness pursuant to Rule 47 operates flight contrary to the terms and conditions prescribed 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 certificate of airworthiness 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) If the Aircraft Repair and Maintenance Organization, established under the License issued by contracting State of the International Civil Aviation Organization or the person or organization duly authorized by such State to operate the industry or business relating to Aircraft Repair and Maintenance, undertakes the repair and maintenance of the Nepalese Aircraft, such organization shall submit an application to the Director General in the format prescribed in the Annex and Manual including necessary details by enclosing the fee as specified in Schedule-1.

- (2) Upon receiving such application pursuant to Sub-rule (1) the Director General shall carry out necessary examination and may provide recognition for doing 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 (2) shall be as mentioned in Annex and Manual.

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

- (1) While carrying out the repair and maintenance or overhauling of the Nepalese Aircraft by the Aircraft Repair and Maintenance Organization possessing recognition pursuant to Rule 49, if it is found that the provisions of the prevailing civil aviation law, this Regulation, Annex and Manual have not been complied with 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 Personnel License, Rating and Certificate:

- (1) # If a person having the License, Rating and Certificate issued by the contracting State of the International Civil Aviation Organization or the person or organization duly authorized by such State desires to obtain recognition for the use of such License, Rating and Certificate in the aircraft registered in Nepal for a period mentioned in the License, Rating and Certificate, he shall submit an application to the Director General in a format prescribed in the Annex and Manual including necessary details by enclosing the fee as specified in Schedule – 1.

#Inserted by the Second Amendment

- (2) Upon receiving application pursuant to Sub-rule (1) the Director General shall carry out necessary examination 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) The 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 issuance of recognition pursuant to Sub-rule (2) shall be as mentioned in the Annex and Manual.
- (5) #Notwithstanding anything contained in Sub-rule (1), the Director General may refuse to grant recognition to personnel license and competency certificate of the Nepalese Nationals provided by other ICAO Contracting State for the purpose of flying in Nepal."

52. Recognition of Personnel License, Rating and Certificate May be Withdrawn:

- (1) If the person possessing Personnel License, Rating and Certificate that has been granted recognition pursuant to Rule 51, uses the Personnel License, Rating and Certificate 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 Personnel License, Rating and Certificate.
- (2) A reasonable opportunity shall be provided to the concerned person having Personnel License, Rating and Certificate to submit clarification before issuing an order to withdraw the recognition of the Personnel License, Rating and Certificate pursuant to Sub-rule (1).

#Inserted by the Second Amendment

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

- (1) The export, import, storage, overhaul and selling organization, established under the license issued by the contracting State of the International Civil Aviation Organization or the person or organization duly authorized by such State to operate the industry and business relating to the export import, storage, overhaul and sale of parts of the Aircraft, shall submit an application to the Director-General including necessary details by enclosing the fee as specified in Schedule-1.
- (2) Upon receiving application pursuant to Sub-rule (1), the Director General shall carry out necessary examination and may provide recognition to such organization in the format mentioned in Annex or Manual for the import, storage, overhaul and sale of Nepalese Aircraft with or without specifying any terms and conditions.
- (3) Other procedures relating to issuance of the recognition pursuant to Sub-rule (2) shall be as mentioned in the Annex and Manual.
- (4) 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.

Chapter- 9

Provisions Relating to Permission for Flight, Landing, Use of Aerodrome and Route Sector

55. No Aircraft shall Fly without Obtaining Flight Permit:

No one shall conduct or cause to conduct any flight operation in the airspace of Nepal without obtaining flight permit pursuant to Rule 56.

56. Flight Permit should be Taken:

- (1) The concerned owner of an Aircraft or Airline Operating 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 permit to fly an Aircraft in the airspace of Nepal or to take off or land on the runway of any aerodrome or helipad.
- (2) Upon receiving such application, the Director General, considering the technical aspects of the Aircraft for which the permit is to be granted, And also the aerodrome and runway thereof 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.
 - (3) Subject to the provisions mentioned in Sub-rule (2), the Director General may provide the flight and landing permit as follows:-
 - (a) Scheduled international flight to be operated pursuant to bilateral and multilateral air service agreement,
 - (b) Non Scheduled and domestic or international chartered flight,
 - (c) Emergency flight (Example:- Rescue, Ambulance etc.),
 - (d) Diplomatic flight,
 - (e) Test flight,
 - (f) Private flight,
 - (g) Glider, Hang Glider, Para-glider, Balloon, Micro-light and Sail Plane Flight,
 - (h) Aerial survey or flight relating to agriculture,
 - (i) All types of domestic flights.

- (4) The 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 should be recorded.
- (5) The flight permit fee pursuant to clause (b) and (g) of Sub-rule (3) shall be as specified in Schedule -1.
- (6) The National and International Airlines shall 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 conducted only after getting approval from the Director General.
- (7) The Director General may specify necessary terms and conditions while providing flight permit for the operation of the International Charter Flight.

***56a. Special Terms and Conditions for flight May be Required:**

The Director General may prescribe special terms and conditions for operation of Aircrafts in the aerodromes on the basis of geographical remoteness in a view of the flight safety.

57. Provision Relating to Operation of Aerodrome and Flight Permit:

- (1) The air operations service shall be provided by opening Aerodrome as mentioned in the Annex, Manual and Directives.
- (2) If the air operations service is required beyond the time prescribed in the Annex, Manual and Directives, the concerned Aircraft Owner or Airline Operating Organization shall submit an application to the Director General by including necessary details.
- (3) Upon receiving application pursuant to Sub-rule (2), the Director General, considering the technical aspects of the Aircraft, Aerodrome and also the facilities of the Aerodrome, 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.

*Inserted by the First Amendment

- (4) The route sector and frequency for national airline operator operating on a regular basis after conclusion of bilateral and multilateral air service agreement shall be as specified by the Authority from time to time.

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

- (1) The Air Traffic Service to be provided in Nepal shall be as per the standards specified in the Civil Aviation Requirements issued by the Authority.
- (2) The responsibility of ensuring the service as per the standard pursuant to Sub-rule (1) shall be that of the chief of the concerned airport.
- (3) All pilots, during flight, should follow the instruction of the Air Traffic Controller.
- (4) If any situation arises for not being able to comply with the instruction given by the Air Traffic Controller pursuant to Sub-rule
(4) on account of flight safety, the pilot shall inform the same to the Air Traffic Controller.
- (5) Any incident relating to the air traffic service or any notice or information that affects or may affect the flight safety should be provided to the Director General without any delay.

***57b. Provision Regarding Aeronautical Information Service:**

- (1) The 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:**

- (2) The air routes used in Nepalese airspace and the Instrument Flight Procedures and the Visual Flight Procedures to be used for arrival and departure at different Aerodromes shall be as prescribed by the Director General.

- (3) The work pursuant to Sub-rule (1) may be performed only by the persons or organization receiving permission from the Authority.
- (4) For obtaining 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 as specified in Schedule -1.
- (5) The validity of the permission to be issued as per this rule shall be two years.

***57d. Monitoring of Airfare:**

- (1) The Director General shall monitor whether the domestic airlines in operation in Nepal have followed the prescribed airfare or not.
- (2) While carrying out the monitoring pursuant to Sub-rule (1), if it is found that the prescribed airfare has not been followed, the Director General may take necessary action against such Airline Operating Organization.

58. No Flight Permit to be Granted:

The Aircraft not fulfilling the following requirements shall not be granted flight permit pursuant to Rule 56:

- (a) Not having the nationality mark,
However, the Director General may provide a flight permit to the flight pursuant to clause (g) of Sub-rule (3) of the Rule 56, even though the terms and condition under this clause have not been fulfilled.
- (b) Not having Certificate of Airworthiness.
- (c) Not having Personnel License, Rating and Certificate or not having required number of crew members.
- (d) Not having other documents required for flight.

59. Other Flight Except Permitted One shall not be Carried Out:

Other type of flight except the type of flight permitted pursuant to Rule 56 shall not be carried out or caused to be carried out.

*Inserted by the First Amendment

60. An Aircraft Manufactured for One Purpose Shall not be operated for Another Purpose:

No one shall operate the flight of an Aircraft for the purpose other than the purpose for which it was manufactured by the Aircraft manufacturer.

***60a. Provision Regarding Equipment to be installed in the 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 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 use, the Director General may prohibit the operation of such Aircraft.

61. # 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) Personnel Licenses for each member of the crew;
- (d) Journey Log Book;
- (e) If the aircraft is equipped with Radio equipment, the Aircraft Radio Station License;
- (f) If the aircraft carries passengers, a list of their name, nationality and places of embarkation and destination;
- (g) If the aircraft carries cargo, a manifest and detailed declarations of the cargo.

*Inserted by the First Amendment
#Amended by the Second Amendment

61. a) #Interception Order To Be Complied:The Nepalese registered aircraft or aircraft on lease being operated by the Nepalese person or airlines, while operating in the airspace of foreign country, shall comply with the interception order issued by the authorized entity of such foreign country.

62. Aircraft shall not Operate the Flight in Prohibited Area:

No one shall operate the flight in the airspace where the Government of Nepal and Authority have completely prohibited flight operations and in the conditions and time other than such conditions and time prescribed in the context of airspace where flight may be operated under the prescribed conditions and time.

63. No Aircraft shall Enter, Depart or Fly from any other Place Except the Specified Place:

No aircraft shall enter into, depart from, fly and land in from the places other than as prescribed by the permit received pursuant to Rule 56.

64. Flight of Aircraft may be stopped Immediately:

If the Government of Nepal or Authority considers that flying of aircraft in any area or place is not appropriate with regards to flight safety or any other reason, it may issue an order as to prohibit any aircraft to enter into, depart from, fly or land in such area or place.

Inserted by the Second Amendment

Chapter -10

Provision Relating to Safety of Air Flight Operation

65. ^Pilot-in-Command to be Satisfied:

No Aircraft shall be flown unless the Pilot-in-command is assured of the following:

- (a) The certificate of air worthiness of the Aircraft is valid.
- (c) The flight path of the Aircraft and the weather at the destination airport is favorable for landing. The total weight of the Aircraft is safe for the proposed flight.
- (d) The goods in the Aircraft are loaded with balance and safely for the safe flight.
- (e) Essential quantity of fuel for the proposed flight with necessary reserve fuel is on board.
- (f) The Aircraft is safe for the flight from other aspects also.

66. No Aircraft shall Fly without Rescue Materials:

No aircraft shall be operated in absence of rescue materials and such other type of equipment as mentioned in the Annex and Manual for rescue of life of the passengers in the exigency and emergency situation.

67. No Aircraft shall Fly without Fire Fighting Materials and Equipment:

No aircraft shall be operated in absence of firefighting materials and other similar type of equipment as mentioned in the Annex and Manual for safety of passenger, aircraft, aerodrome and other matters.

68. # Permission to be taken for the 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 Civil Aviation Authority of Nepal or by any other method except as prescribed shall not be transported by aircraft.

[^]Amended by the First Amendment

[#]Inserted by the Second Amendment

(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 as specified in Schedule-1.

(3) Upon receiving the application submitted pursuant to Sub-rule (1), the Director General may grant permission following 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 the flight crew to be followed:**

(1) The instruction given by the flight crew during flight shall be followed by all passengers 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 aerodrome.

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

69. Crew not to take Alcoholic Beverage:

The crew shall not fly an aircraft having consumed alcoholic beverage in a manner which adversely affects the flying capacity.

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

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

(2) The person receiving Personnel 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), action shall be initiated to immediately suspend or cancel his Personnel Permit and Certificate.
- (4) *The Director General may issue at any time an order to carry out or cause to carry out the medical examination of the person possessing the Permit and Certificate.

70. Not to Smoke:

The crew and passengers, except in a condition and time as prescribed by the Authority, shall not smoke for the reason of aircraft safety.

71. Passenger and Goods not to be boarded in Unauthorized Place:

The passenger and goods shall not be boarded in any other place of the Aircraft except in their designated place.

72. Person not to be carried in an Aircraft in Flight:

Unless otherwise directed by the Director General, no one shall fly the aircraft by carrying on board the following person knowingly:

- (a) Mentally ill person or lunatic person
- (b) The person who is bearing the punishment of imprisonment under the prevailing law
- (c) The person sent in judicial custody for judicial investigation in the serious criminal case.

73. Animals, Birds etc. not to be Carried in the Aircraft during Flight:

Unless otherwise directed by the Director General, no animate, animals, birds etc. shall be carried in an aircraft during flight.

Chapter-11

Provision Relating to Communication and Aerodrome Security

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

- (1) No one shall manage such type of light as to create confusion to the pilot by erecting things like shed, tower, pillar or tree at the airport, airport area and specified place for the departure and landing of the Aircraft.
- (2) Other technical terms and restrictions to be adopted by the Authority for managing lights pursuant to Sub-rule (1) shall be as prescribed in the Annex and Manual.

75. ^Provision Relating to the Communication and Navigation Aid:

- (1) While installing and operating the communication and navigation aid equipment in Nepal, only those equipment that have type approval from the country of manufacture shall be installed and operated.
- (2) The Director General shall provide approval for the installation and operation of communication and navigation aids that are in accordance to the provisions specified by the state of manufacture as well as the Annex. The Director General may specify additional conditions as necessary.
- (3) The communication and navigation aid equipment approved as per Sub-rule (2) shall be certified by a licensed technician, pursuant to Clause (s) of Rule 32 of this Regulation, stating that it is fit for installation and operation.
- (4) The chief of the concerned aerodrome shall have the responsibility to install and operate the communication and navigation aid approved as per Sub-rule (2) and (3).
- (5) The chief of the concerned aerodeome shall be responsible for maintaining the record of repair and maintenance of the communication and navigation aid equipment updated in the prescribed format.

[^]Amended by the First Amendment

- (6) Flight inspection of the navigation aid and other equipments shall be carried out as per the state of manufacture or the procedure mentioned in the Annex. Such inspection should be carried out by the organization having flight inspection permission from the concerned country.
- (7) Any obstruction in the operation of communication and navigation aid equipment that may impair flight safety shall immediately be reported to the Director General.

***75a. Provision regarding Visual Aids to be installed at Aerodromes and Other**

Places:

- (1) The visual aids to be installed at aerodromes and other places should have type approval from the state of manufacture.
- (2) For the installation and operation of the equipment as mentioned in sub-rule (1), prior approval of the Director General should be obtained.
- (3) While giving approval pursuant to Sub-rule 2, the Director General may specify additional terms and conditions for operation as necessary, after ensuring that the operation and repair and maintenance of such equipment are conducted as prescribed by the equipment manufacturer as well as the provision mentioned in the Annex.
- (4) Only the technician who possesses permission from the Director General shall carry out the repair and maintenance of the visual aids used for the purpose of landing and take-off of Aircraft and shall maintain the record thereof updated in the prescribed format.
- (5) Flight inspection of the visual aids 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 State.
- (6) If any obstacle arises affecting the flight safety in the course of operation of visual aids equipment, the information thereof has to be provided to the Director General in a prescribed format.

*Inserted by the First Amendment

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

- (1) No one shall enter into the restricted area prescribed by the chief of concerned aerodrome.
- (2) The aerodrome 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 prescribed path.

77. Slaughter House not to be Established:

No one shall establish an open slaughter house within three kilometer from the perimeter of the aerodrome area.

78. Not to Pollute the Environment:

- (1) No one shall keep any solid waste haphazardly within the perimeter of the aerodrome area.
- (2) The Authority may penalize as prescribed from time to time the person or organization making dirty here and there haphazardly.
- (3) No one shall deposit or discharge the solid waste etc. openly that creates pollution to the environment within the area at least three kilometer from the perimeter of the aerodrome.
- (4) For the purpose of minimization of pollution to the 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) The Authority from time to time may specify separate fee to each landing and takeoff for maintaining sustainable environment in the aerodrome.

Chapter -12

Miscellaneous

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

- (1) The Government of Nepal may establish Remote Area Air Service Fund to provide some amount as grant out of the deficit amount to the Aircraft flying at lower price as determined by the Government of Nepal to the specified airports of remote areas with no road access.
- (2) The Air Operators who operate flight collecting tourist fare (dollar fare) as determined by the Government of Nepal from the foreign tourists in the domestic flight sector shall deposit the following amounts in the Fund if such Fund is established pursuant to Sub-rule (1) :-
 - (a) Per foreign passenger in mountain flight - At the rate of Four U.S dollar.
 - (b) Per foreign passenger in other sector - At the rate of two U.S. Dollar.
 - (c) The charter Aircraft and Helicopter shall deposit at the rate of two percent of the amount received from the charter party.
- (3) The amount pursuant to Sub-rule (2) shall be deposited 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 Operator Permit and Certificate of the airline operator shall be suspended for not depositing the amount within the said date.
- (4) The operation of Fund under this Rule shall be carried out by the Authority under the procedures prescribed by the Government of Nepal.

***79a. Insurance for Third Party Liability as well:**

The Airline Operator Organization possessing Air Operator Certificate shall get insurance including third party liability as prescribed by the Authority.

80. Order and Instruction May 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 comply with the Annex and Manual.

- (2) While issuing an order and instruction pursuant to Sub-rule (1), it may be issued particularly regarding the following:-
 - (a) registration and marking of the Aircraft,
 - (b) inspection of the Aircraft and providing certificate.
 - (c) equipment, and other physical objects to be installed in the aircraft and the airport,
 - (d) functions to be performed by the Personnel License holder in relation to the Crew, Aircraft Repair and Maintenance and Air Traffic Controller,
 - (e) operation of visual and instrument flight,
 - (f) establishment and operation of Air Traffic Control, Flight Information and Alerting Service,
 - (g) adoption of safety measures as determined,
 - (h) providing information of incident, accident, making technical investigation and dissemination of information relating to it,
 - (i) dissemination information about Weather for the air flight operation,
 - (j) providing information relating to air traffic controller and air navigation system,
 - (k) installation of standard communication equipment in air navigation and determining the processes for the operation of those equipment,
 - (l) collection and dissemination of information for the flight and operation of the Aircraft.

- (m) improvement of aviation security,
- (n) maintaining clean and sustainable environment,
- (o) construction of a dumping site,
- (p) enhancement of flight safety,
- (q) improvement of Airport facility,
- (r) protection of the aircraft and its parts for the investigation of incident and accident,
- (s) implementation of flight safety audit recommendation,
- (t) implementation of recommendations of the Aircraft incident and accident investigation report ,
- (u) In other matters as mentioned in this Regulation.

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 appropriateness with a view to make the flight safe, regular and systematic.

82. May frame the Manual, Requirements and Directives:

- (1) The Authority may frame Manual, Requirements and Directives on the matters mentioned in Schedule -3 and in other matters by considering the national or international principles as well, but without 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)The provisions mentioned in the Manual, Requirements and Directives made pursuant to Sub-rule (1) shall be applicable to all parties involved in air service operation.

82 a.#Exemption May Be granted in this Regulation and the Requirements

Framed under It: (1) The Director General may grant exemptions/exceptions/concessions on the provisions made on Requirements promulgated 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 to aviation safety.

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

(3) While granting any exemption/exception 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 Manual, Requirements and Directives are made 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) The Service Provider Organization possessing permit and certificate under this Regulation, while operating service, shall enforce and implement the prescribed civil aviation safety management system.

(2) The 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 any incident or accident relating to the civil aviation occurs, the Director General shall carry out investigation about such incident or accident in addition to the investigation to be carried out as per the prevailing law.

*Inserted by the first amendment

#Amended by the second amendment

- (2) The investigation to be carried out pursuant to Sub-rule (1) shall be related with whether the civil aviation safety provisions are complied with or not, and the Authority shall maintain updated the record of the proceedings related thereto.

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

- (1) The 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) The confidentiality regarding the identity of the person providing information as well as the information collected through the voluntary information reporting system shall be maintained. The informant shall not incur any liability only for the reason of having provided such information.

84. ^Flight Safety Inspection, Investigation and Action:

- (1) It shall be the responsibility of the 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, Annex and Manual while performing the works as 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, and the orders and directions given pursuant to Rule 80.
- (2) The Director General may designate an expert in the relevant field as an Inspector by delegating the necessary power for the inspection and investigation pursuant to Sub-rule (1).
- (3) #The inspector prescribed pursuant to Sub-rule (2) has the authority to enter into the aircraft, airport or the structure or area relating to the aviation services or facility for inspection, enquiry to the concerned person and entity, written or oral statement, scrutiny or seizure of documents, collection of 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.

*Inserted by the First Amendment

^Amended by the FirstAmendment

#Amended by the Second Amendment

- (5) The cost incurred during the inspection as per this regulation shall be borne by the concerned service provider.
- (6) # Other provisions about the enforcement action pursuant to Sub-rule (1) shall be as prescribed in the Enforcement Manual issued by the Director General.”

***84a. The Regular Inspection Authority may be delegated:**

The 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 certain terms and conditions.

***84b. Code of conduct:**

The 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) The organization that possesses 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) The fee for the permit to be issued pursuant to Sub-rule (2) shall be as specified in Schedule-1.
- (4) The organization in operation prior to the commencement of this Regulation shall obtain the permit within the Six months of the commencement of this Regulation.

*Inserted by the First Amendment

#Amended by the Second Amendment

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 *Aashadh* (about mid July) of every fiscal year. Every person or organization shall renew the license, Permit and Certificate by depositing fee pursuant to this Rule, fifteen days earlier before the expiry date.
- (2) If it is not be renewed within the period pursuant to Sub-rule (1), the following additional late fee shall be levied on the basis of the following time frame:-
 - a. Twenty-five percent for 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 the renewal is not done within the time frame prescribed in Sub-rule (1), the license, Permit and Certificate shall be cancelled automatically. If somebody wants to obtain the license, Permit and Certificate again, the procedures of this Regulation are to be fulfilled.

87. Delegation of Power:

The powers which are entrusted to the Director General pursuant to this Regulation may be partially delegated by the Director General to his subordinate officials.

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 been issued under this Regulation. This Regulation shall apply in the matters contained herein, and in other matters, it shall be as per 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.

Schedule-1

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

Fees

1. Air Service Operation Permit and Certificate (AOC):

Type of Aircraft	Permit and Certificate Fee USD	Renewal Fee USD
(a) For International Flight:		
Up to first 5700 Kg.		
Regular (Schedule), Non-Schedule Charter and Freighter each	12,500/-	2,500/-
Then after per additional 10,000 Kg.	1,000/-	500/-
(b) Domestic Flight:		
Up to flight 7,500 Kg.		
(1) Regular (Schedule), Passenger, Cargo, Non-Schedule, Charter and including Freighter	5,000/-	2,500/-
(2) Then after per additional 10,000 Kg.	500/-	250/-
(3) General Aviation and Aviation sports (Glider, Hang Glider, Paraglider, Balloon, Micro light and sail plane etc. flight	1,250/-	250/-
(4) Other Agriculture Survey etc. Flight	1,250/-	250/-
(c) Additional Aircraft Fleet	Half of Certificate fee	

2. Aircraft Registration Fee:

(a) Aircraft or Helicopter having flight weight up to first 5700 Kg.	USD 300/-
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|--|-------|
| (b) Then after per additional 10,000 Kg. | 125/- |
| (c) Glider, Hang Glider, Balloon, Micro-light and sail plane | 100/- |

3. Registration of Aircraft Fee

- | | |
|--|--------------------------|
| (a) Aircraft or Helicopter having flight weight up to first 5700 Kg. | Half of Registration Fee |
| (b) Then after per additional 10,000 Kg. | Half of Registration Fee |
| (c) Glider, Hang Glider, Balloon, Micro-light and sail plane | Half of Registration Fee |

4. Type Certificate Recognition Fee: USD

- | | |
|---|---------|
| (a) Glider, Hang Glider, Balloon and Sail plane having flight weight up to 5700 Kg. | 625/- |
| (b) Type Certificate fee of more than 5700 Kg. Aircraft. | 1,250/- |
| (c) Type Certificate recognition fee pursuant Clause (b) | 1,250/- |
| (d) Type Certificate recognition fee of Glider, Hang Glider, Balloon, Micro-light and sail plane. | 625/- |

- | | |
|---|---------|
| 5. (a) Aircraft operation by taking on lease or providing on lease. | 1,250/- |
| (b) Transfer of ownership and operation of leased Aircraft | 300/- |

6. Aircraft De-registration:

- | | |
|--|-------|
| (a) Aircraft or Helicopter having flight weight up to 5700 Kg. | 300/- |
| (b) Aircraft or Helicopter having flight weight less than 5700 Kg. | 125/- |
| (c) Glider, Hang Glider, Balloon and sail plane | 100/- |

- | | | |
|---|---------------------|-------------------------|
| 7. Airworthiness Certificate and Renewal Fee: | Certificate Fee USD | Renewal Fee USD |
| (a) Aircraft or Helicopter having flight weight up to | 1,250/- | Half of Certificate Fee |

first 5700 Kg.

(b) Then after per additional 10,000 Kg. 2 Half of Certificate Fee

(c) Glider, Hang Glider, Balloon, Micro-light and sail plane. 1 Half of Certificate Fee

8. Aircraft Radio, Mobile or License for other purpose or Renewal Fee (per frequency): Certificate Fee USD Renewal Fee USD

(a) Aircraft or Helicopter having flight weight up to first 5700 Kg. or other purpose 150/- 75/-

(b) Aircraft or Helicopter having flight weight more than 5700 Kg. or other purpose 320/- 160/-

(c) Other purpose. 100/- 50/-

9. Certificate of Airworthiness Fee for Sending the Aircraft Outside: USD

(a) Aircraft or Helicopter having flight weight up to first 5700 Kg. 625/-

(b) Then after per additional 10,000 Kg. 125/-

(c) Glider, Hang Glider, Balloon, Micro-light and sail plane 50/-

10. Aircraft Repair and Maintenance Organization Permit and Renewal Fee: USD

Permit fee of Aircraft repair and maintenance organization. 1,250/-

Recognition of said certificate 1,250/-

11. Permit fee to import, Store and Sale of Aircraft and Accessories of the Aircraft: USD

Permit fee for import, store and selling of accessories of the Aircraft 1,250/-

Recognition of said certificate 1,250/-

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

Renewal of said permit

5

13. Examination Fee for Personal License and Rating:

The examination fee of the following personal license, rating shall be as follows:- USD

(a) Each subject of Basic Examination of the Pilot	75/-
(b) Aircraft crew examination pursuant Rule 33 (each technical subject)	50/-
(c) Basic examination of Aircraft Maintenance technician certificate (A.M.T.) (Each technical subject)	15/-
(d) Each examination as per each category, Rating and the nature of the use of the Aircraft and Aircraft maintenance technical examination	25/-
(e) Other each technical examination except the examination pursuant Clause (a), (b), (c) and (d)	15/-
(f) Application form fee of technical examination to be conducted by CAAN.	5/-

^14. Personal License, Rating and Certificate Fee : License, Renewal Fee
 The fee of the following personal license, rating or certificate and renewal shall be as follows:- Rating and USD
 Certificate Fee USD

(a) Student Pilot License,	15/-	8/-
(b) Private Pilot License	25/-	15/-
(c) Test (Periodic), Provisional or Restrictive Pilot License	25/-	15/-
(d) Commercial Pilot License	70/-	35/-
(e) Airline Transport Pilot License	100/-	50/-
(f) Senior Commercial Pilot License	75/-	40/-
(g) Instrument Rating	15/-	8/-
(h) Flight Instructor Rating	25/-	15/-

^Amended by the First Amendment

(i) Ground Instructor Rating	25/-	8/-
(j) Glider Pilot License	15/-	8/-
(k) Ultra-light <u>Pilot</u> License	70/-	35/-
(l) Flight Operation officer or each type of Aircraft Dispatcher License	15/-	8/-
(m) Flight Engineer License	50/-	25/-
(n) Flight Radio Telephone Operator License	25/-	15/-
(o) Flight Radio Operator License	25/-	15/-
(p) Aircraft Radio Mobile License	25/-	15/-
(q) Ground Radio License, Each frequency	25/-	15/-
(r) Radio Navigation Operator License	25/-	15/-
(s) Air Traffic Controller License	10/-	5/-
(t) More than one type of Aircraft Rating for each type of Rating	25/-	15/-
(u) Flight Inspector Certificate	15/-	8/-
(v) Check Pilot Examiner Certificate	15/-	8/-
(w) Training Pilot Authority Letter	25/-	15/-
(x) Student Air Traffic Controller License	10/-	5/-
(y) Each Air Traffic Controller License/Rating	10/-	5/-
(z) <u>Aircraft Maintenance Technician or Aircraft Maintenance Engineer License</u>	25/-	15/-
<u>according to each category, rating and separate according to the nature of function of Aircraft.</u>		
(aa) Aeronautical Station Operator and Flight Service Operator License and Rating	10/-	5/-
(bb) Ground Radio Operation Certificate	10/-	5/-
(cc) Each Air Traffic Safety Electronics License/Rating	10/-	5/-

(dd) Electrical and Mechanical Engineering related License	10/-	5/-
(ee) Cabin Crew Certificate	15/-	8/-
(ff) Inspector Certificate	15/-	8/-

The fee for the Validation Certificate/Validation Letter shall be similar to the fee applicable for License/Rating which is being validated.

15. Permit and renewal fee of Flying School Operation Organization and Ground Class Related to Various Civil Aviation Subject: USD

(a) Permit fee of Flight Operation related Flying School.		2500/-
Renewal fee of Flight operation related Flying School.		500/-
(b) Consultancy or general sales agent related to Civil Aviation activities.		250/-
(c) Permit fee to operate of Civil Aviation Ground Class operation union and organization		1000/-
(d) Recognition, Recommendation or license of foreign training center or flying school.		100/-

16. Aircraft Simulator Permit Fee:

(a) For the Aircraft Simulator operation permit		625/-
(b) For the Renewal		300/-
(c) Permit or recognition of Aircraft Simulator Training		500/-

17. Flight Permit Fee: USD

(a) Flight permit fee for first fifteen days of General Aviation and Aviation Sports (Glider, Hang Glider, Balloon, Micro-light and sail plane etc).	80/-
(b) Then after for each Additional fifteen days	25/-

Note: The airline, 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.

#18. Fee for the License to Transport Inflammable and Dangerous Goods and Substance

(a) License Fee – USD 1000/-

(b) License Renewal Fee – USD 500/-

#Inserted by the Second Amendment

Schedule- 2

(Relating to Sub-rule (3) of Rule 15)

Location of the Marking in the Aircraft

1. Nationality and registration marks shall be painted on the Aircraft or shall be affixed thereto by any other means ensuring permanency and the marks shall always be kept clean and clearly visible.
2. The marks shall be kept on the lower surface of the wing. As far as possible, the marks shall be placed in the middle part in equal distance from the leading and trailing edge of the wing. The tops of the letters shall be heading towards the edge of the wing.
3. The marks shall be displayed either in the both side of the fuselage in between the wing and tail of the Aircraft or in the upper part of the (vertical) surface of the tail in such a way that can be seen. When the mark has to be placed only in the surface of the vertical part of the tail, these marks shall be written or displayed in both the sides. It shall be written in the outer part of the surface when it has to display in the upright part or the multi-vertical tail.
4. The figure and letters constituting separate group of marks shall be of equal size.
5. The length of the marks on the wing shall be thirty centimeters (Twelve inches).
6. The marks on the fuselage shall not be placed in a manner to cross the outer line of the fuselage.
7. The marks located on the vertical tail surface, shall be at least five Centimeter (two inches) distance from both sides.
The height of the marks mentioned in serial No. 6 and 7 shall not be more than fifteen centimeter (six inches).
8. The letters shall be in capital letters in Roman script without decoration and the figures shall be in Arabic script without decoration.

9. The width of each letter and height of the hyphen (-) shall be two-third of such letter except the Roman letter (I) and Arabic figure (1).
10. Each letter and hyphen (-) shall be expressed in solid lines and the color shall be clearly contrasting to background on which they appear. The thickness of these lines shall be one-sixth of the height of a letter.
11. Each letter shall be separated from the next letter by a space of not less than one quarter of the width of the individual letters. The hyphen (-) shall also be regarded as a letter for the purpose of this clause.
12. In case where the parts of the Aircraft are not similar to that of an Airplane such as helicopter, the marks mentioned in this Schedule shall be kept in an appropriate place to be clearly visible.

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.6
21. Aeronautical Circulars.
22. NOTAM (Notice to Airmen)
23. Flight Inspection System Directives or procedures to be operated by the
24. Authority.
25. Bird control and sustainable Environment surrounding the airport Manual.
26. Flight safety inspection related Manual.
27. Airport/Helipad Manual.
28. The Manual specified by the Director-General from time to time.

Note: - Manual, requirements and directives other than security manual may be purchased paying the cost as determined by the Director-General.