

Civil Aviation Rules, 2058 (2002)

By exercising the power conferred on it 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) These Rules may be called the "Civil Aviation Authority of Nepal, Civil Aviation Regulation, 2058 (2002)."
 - (2) These Rules shall come into force on such a date that the Government of Nepal shall approve it.
 - (3) These Rules may be called "Civil Aviation Rules" in English and "C.A.R." in Abbreviation.
2. **Definition:** Unless the subject or context otherwise requires, in these Rules,-
 - (a) "Act" means the Nepal Civil Aviation Authority Act, 2053 (1996).
 - (b) "Type Certificate" means the special type of certificate according to the nature of the aircraft and this term also includes the efficiency acquired by the person or type of the aircraft.
 - (c) "Convention" means the Convention on International Civil Aviation opened for signature in Chicago on 7th December 1944 and the term also includes,-
 - (1) Any such amendment, enforced and ratified by the both parties pursuant to Article 94(a) of the Convention, and
 - (2) Any such Annex or any amendment made in such Annex, subject to the extent of its enforcement to both parties within the definite period, pursuant to Article 90 of the Convention.
 - (d) "Annex" means the International Standards and Recommended Practices prescribed by the International Civil Aviation Organization having affiliation with the Convention on International Civil Aviation.
 - (e) "Manual" means the Manual, Requirements and Directives made by the Authority pursuant to Rule 82 and not to be contrary to the Act and

these Rules, for the execution of the Rule, Manual and standard prescribed by the International Civil Aviation Organization.

- (f) "Crew" means Pilot, Co-pilot, Flight Engineer, Radio Officer, Flight Navigator, Air-hostess, Cabin attendant and pursue having the Personal License, Rating and Certificate pursuant to the Act and these Rules.
- (g) "Personal Licensing, Rating and Certificate" means the Personal Licensing, Rating and Certificate to be issued pursuant to Rule 33 of these Rules.
- (h) "Fiscal Year" means the period of *Shrawan* 1st (about Mid July) of each year to end of *Aashad* (about Mid July) of the Next year.

Chapter - 2

Provision Relating to Air Service Operation

- 3. **No Air Service Operation to be Operated without having Permit or Certificate:** No person shall operate the air service without having the permit or certificate pursuant to Clause (a) of Section 5 of the Act.
- 4. **Air Service Operation Permit or Certificate:** (1) The Air Service Operation having a license pursuant to the prevailing law shall submit an application to the Director General in a format upon mentioning necessary details prescribed in Annex and Manual and also enclosing the fee pursuant to Schedule 1 for the Air Service Operation Permit or Certificate.
 - (2) Upon receiving of an application pursuant to Sub-rule (1), the Director-General may provide an Air Service Operation Permit or Certificate to the applicant, after making necessary inquiry, based on the format prescribed in Annex and Manual subject to the provisions of the prevailing law related to Civil Aviation, these Rules, Annex and Manual.
 - (3) The Director-General may specify necessary terms and conditions while providing Air Service Operation permit or certificate pursuant to Sub-rule (2) for a secured, regular, standard and effective operation of the Air Service.
 - (4) Procedures relating to the submission of an application for Air Service Operation Permit or Certificate, issuance of the Air Service Operator

Permit or Certificate and other procedure regarding terms and condition thereof pursuant to Sub-rule (1), (2) and (3) shall be as mentioned in Annex and Manual.

5. **Provision Relating to Period of the Permit or Certificate and Renewal:** (1)

The validity period of an Air Service Operation Permit or Certificate, pursuant to Rule 4, shall be unto One fiscal year except in the condition, of its cancellation before hand pursuant to Rule 6.

(2) The Air Service Operator shall submit an application to the Director-General along with the fees pursuant to Schedule -1 for the renewal of the Air Service Operation Permit or Certificate before the date of expiry.

(3) Other procedures relating to the submission of an application and renewal of permit and certificate pursuant to Sub-rule (2) shall be as prescribed in Annex and Manual.

6. **Cancellation or Suspension of the Air Service Operation Permit or Certificate:** (1) The Director General may issue an order to suspend up to six

month or cancel the Air Service Operation Permit or Certificate of the Air Service Operator issued under Rule 4, in case it does not comply with the provisions mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual or does violate the terms and conditions thereof.

(2) In case an order is issued to suspend or cancel the Air Service Operation Permit or Certificate pursuant to Sub-rule (1), it's information shall be provided to the office which issue such License and registered the organization pursuant to the prevailing law.

(3) A reasonable opportunity shall be provided to the concerned Air Service Operation Organization to submit a clarification before issuing an order to suspend or cancel the Air Service Operation Permit or Certificate pursuant to Sub-rule (1).

Chapter -3

Provisions Relating to Registration of Aircraft and Marking of National Mark

7. **No Aircraft Shall Make any Flight Without Having a Registration:** No aircraft shall make or cause to make any flight in the airspace of Nepal without having a registration in any country.
8. **Registration of Aircraft:** (1) If the organization having an Air Service Operation Permit or Certificate pursuant to Rule 4, desires to register its purchased or leased aircraft in Nepal for commercial purpose, shall have to submit an application along with the necessary details to the Director-General pursuant to the format prescribed in Annex and Manual including the fee mentioned in Schedule-1.
- (2) A person or organization with a desire to register its aircraft for the Private purpose, other than commercial purpose, shall have to submit an application along with the necessary details to the Director-General pursuant to the format prescribed in Annex and Manual including the fee mentioned in Schedule-1.
- (3) Upon receiving an application pursuant to Sub-rule (1) and (2), the Director-General shall conduct necessary inquiries and order to provide an Aircraft Registration Certificate subject to the provisions mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual and the terms and conditions mentioned in the Air Service Operation Permit or Certificate of the concerned Air Service Operator. The Aircraft shall be used only for the same purpose, that the registration has been made.
- (4) After the decision of registration of an Aircraft, the Director-General shall issue Certificate of Registration by making a registration of the Aircraft in the Aircraft Registration Book pursuant to the format prescribed in Annex and Manual.
- (5) The Aircraft registered pursuant to Sub-rule (2) shall be considered as a Nepalese Aircraft.
- (6) The ownership of the Aircraft shall be on the owner of the Aircraft.

(7) Notwithstanding any thing contained in these Rules, the aircraft shall not be registered, until the dues of Government of Nepal and the Authority shall not be paid. A new aircraft of the Air Service Operator, having the Air Service Operation Permit or Certificate, shall not be registered, until the dues Government of Nepal and the Authority are not paid and the registration of the registered aircraft, if any, shall be cancelled.

9. **Provision Relating to Lease Deal of the Aircraft:** (1) The Air Service Operation organization having the Air Service Operation Permit or Certificate pursuant to Rule 4, shall submit an application to the Director-General in the format prescribed in Annex and Manual including the necessary details and fees pursuant to Schedule -1 for the lease deal of the aircraft.

(2) The copy of the lease agreement of the aircraft shall also be submitted with the application, pursuant to Sub-rule (1).

(3) An application shall be submitted to the Director-General including fees mentioned in Schedule-1 in the event of any change in the operation of aircraft leased under this Rule.

(4) Upon receiving such application pursuant to Sub-rule (1) and (3), the Director-General shall provide permit, after making necessary inquiry, to take the aircraft on lease or to provide it on lease and to change the operator or ownership. The Director-General may change the terms and conditions of the agreement as well as specify other necessary terms and conditions in the course of permission.

Provided that, in a case where there is a situation to take the operational and technical responsibility of aircraft of any side of the agreement as a leasing State, such permission shall be granted by obtaining mutual understanding of the civil aviation authority of the concerned State.

(5) Notwithstanding anything contained in Sub-rule (4), such permit shall not be granted until the dues of the Government of Nepal and Authority are not paid.

(6) The document relating to amendment or alteration in the agreement and other proceedings of aircraft lease deal, pursuant to this Rule, shall be submitted.

10. **Transfer of Aircraft Registration:** (1) The aircraft registered in the name of any person or organization pursuant to Rule 8, if it is necessary to transfer the registration in the name of other person or organization through purchase sale or any other method, such registration of the aircraft shall to be transferred in the latter's name.

(2) The person or organization seeking the transfer of registration of the aircraft, shall submit an application to the Director-General in the format prescribed in Annex and Manual including necessary details and fees pursuant to Schedule-1.

(3) The contract or agreement held between the two parties or any other similar document shall have to be submitted to the Director General with the application pursuant to Sub-rule (2).

(4) Upon receiving an application pursuant to Sub-rule (2), the Director-General may order the transfer of aircraft registration from one person or organization to other person or organization after making necessary inquiry, subject to the provision of prevailing law related to Civil Aviation, these Rules including Annex and Manual.

(5) The Director-General shall have to remove the name of the previous owner of the aircraft and Air Service Operation organization from the Aircraft Registration Book pursuant to Sub-rule (4) of Rule 8 and register the name of new owner and Air Service Operation after the decision of transfer of aircraft registration pursuant to Sub-rule (4).

(6) The aircraft registration certificate shall be issued in the name of aircraft owner or Air Service Operation Organization in the format prescribed in Annex and Manual after the registration of aircraft owner or Air Service Operation Organization in the aircraft registration book under Sub-rule (5).

(7) Notwithstanding anything contained in this Rule, the transfer of registration of aircraft shall not be done until the organization pay the dues of Government of Nepal and the Authority.

11. **No Aircraft Shall be Registered:** Notwithstanding anything contained in these Rules the following Aircraft shall not be registered pursuant to these Rules:-

- (a) Aircraft registered in other country,
- (b) Aircraft under the ownership of Nepalese Army, Nepal Police and Customs,
- (c) In case of the aircraft not having Nepalese type certificate or type approval, if there is no plan of technology transfer to the concerned Air Service Operation Organization and technical human resource of the Authority.

12. **Type Certificate:** (1) The aircraft owner, organization or aircraft manufacture oneself may submit an application to the Director-General in the format prescribed in Annex and Manual including the necessary details and fees pursuant to Schedule-1 for the type certificate of the aircraft that is not registered in Nepal.

(2) The design certificate of the aircraft shall also be enclosed with the application pursuant to Sub-rule (1).

(3) Upon receiving the application pursuant to Sub-rule (1), the Director-General shall provide aircraft type certificate to the applicant after making necessary inquiry, in the format prescribed in Annex and Manual under the provision of the prevailing law related to of Civil Aviation these Rules, Annex and Manual.

(4) Any Aircraft of the Air Service Operation who has no type certificate being imported it before the commencement of these Rules, shall take the type approval at the time of renewal of Air Service Operation Permit or Certificate.

(5) Other procedures relating to provide type certificate shall be as prescribed in Annex and Manual.

13. **De-Registration of the Aircraft:** (1) The aircraft, registered in the name of a person or organization or operated taking on lease in Nepal, has become defunct due to destruction or being permanently withdrawn from use and taken out for any reason from the country for not operate in Nepal or being sold the owner of such aircraft or the person or organization taking it on lease shall have to submit an application to the Director-General for de-registration of the Aircraft with necessary details on the format prescribed in Annex and Manual including the fees pursuant to Schedule -1 and the Aircraft Registration Certificate.

(2) Upon receiving of an application pursuant to Sub-rule (1), the Director-General shall conduct necessary inquiries and shall de-register the aircraft registered by removing the name of such Aircraft from Aircraft Registration Book conforming that all the dues of Government of Nepal and Authority are already paid subject to the provision mentioned in Annex and Manual, prevailing law related to Civil Aviation and these Rules.

14. **No Flight and Operation of Aircraft Without having National Mark:** No Aircraft shall make or cause to make any flight in the airspace of Nepal without having a national mark of the country where the aircraft is registered.

15. **National Mark of the Aircraft:** (1) Nepalese national mark of the Aircraft Registered in Nepal shall be 9N in the figure and letter and after the national mark there shall be a little hyphen (-) and after the national mark there shall be a group of three capital letters in Roman character. For the first aircraft there shall be registration mark of three Roman character (9N-AAA). In case there are more than one such Aircraft the Roman character shall be marked B, C, D, respectively.

Provided that, in the Aircraft of V.V.I.P. flight there shall be a hyphen (-) mark after the national mark. Thereafter a capital letter in Roman character "R" and lastly a two Roman letters such as 9N-RAA shall be marked. In case there are more than one such Aircraft they shall be marked and inserted B, C, D, respectively.

(2) The Director-General shall have the power to assign the national mark of the Aircraft pursuant to Sub-rule (1).

(3) Other details relating to the national mark in an aircraft pursuant to Sub-rule (1) shall be as prescribed in Schedule-2.

Chapter -4

Provisions Relating Airworthiness

16. **Certificate of Airworthiness:** No aircraft shall make or cause to make any flight in the airspace of Nepal without having a Certificate of Airworthiness.

17. **Standard of Airworthiness:** (1) The standard of airworthiness to be enforced in Nepal shall be as mentioned in Annex and Manual.

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

18. **Provision Relating to Airworthiness Certificate:** (1) The Director-General shall have the power to issue an airworthiness certificate.

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

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

19. **Provision Relating to Validity period and Renewal of the Airworthiness Certificate:** (1) The airworthiness certificate provided pursuant to these Rules shall be valid up to One fiscal year except otherwise order is being issued by the Director-General on the ground that the aircraft was found not in a good condition to fly for safety reasons in the routine check-up of the Aircraft pursuant to these Rules.

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

(3) The format of the application to be submitted pursuant to Sub-rule (1) and other procedure relating to renewal of airworthiness certificate shall be as prescribed in Annex and Manual.

20. **Cancellation or Suspension of Airworthiness Certificate:** (1) The Director-General may issue an order to cancel the airworthiness certificate of such aircraft or to suspend it for up to the period mentioned in the same order in case an aircraft is flown in contrary to the terms and conditions mentioned in the airworthiness certificate provided to any Aircraft and the prevailing law related to Civil Aviation, these Rules, Annex and Manual.

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

21. **Export Certificate of Airworthiness:** (1) In a case, if, the aircraft registered in the name of a person or an organization or operated through lease deal within Nepal, has to be sent out side the country permanently with view of not flying or operating within the Nepal pr in a condition that the registration of the aircraft has been cancelled pursuant to Rule 13, the owner or lessee whether a person or an organization, except in a condition that the aircraft has become de-funct due to destruction, has to apply for export Certificate of Airworthiness before the Director-General including all details in the format prescribed in the Annex and Manual along with the fee mentioned in Schedule-1.

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

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

Chapter -5

Provision Relating to Repair and Maintenance of the Aircraft

22. **No Flight or Operation of Aircraft without Repair and Maintenance:** No Aircraft shall make any flight without making 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 as provided pursuant to Rule 18.
23. **Repair and Maintenance of the Aircraft:** (1) The Director-General may issue necessary order, if necessary, to the concerned owner of the aircraft, Air Service Operation and organization and repair and maintenance engineer to carry out repair and maintenance or to change the accessories of such Aircraft on the safety ground, expect in the condition, that have to make regular maintenance and repair of the Aircraft pursuant to Rule 22.
- (2) The aircraft shall not make a flight without making repair and maintenance or changing the accessories pursuant to the order as Sub-rule (1).
- (3) The method of repairing and maintenance of the aircraft pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.
24. **Repairing and Maintenance shall be Made from the Permit Holder or Recognized Organization:** (1) The repair and maintenance of engine and accessories of the Nepalese aircraft, as repair and maintenance of the aircraft or engine of the aircraft and accessories on regular or casual basis pursuant to Rule 22 or 23 shall be made from permit holder organization pursuant to Sub-rule (2) of Rule 28 or recognized organization pursuant to Sub-rule (2) of Rule 49.
- (2) Other procedures relating to overhaul repair of the aircraft and other provision relating to certification of the said details shall be as prescribed in Annex and Manual.
25. **The Record of the Repair and Maintenance of the Aircraft:** The matters relating to the repair and maintenance of the aircraft in a regular or casual basis made pursuant to Rule 22 and 23 shall be certified by the concerned organization in the format mentioned in Annex and Manual.
26. **Regular Inspection:** (1) No aircraft shall make a flight unless it is certified that all the aircraft component and equipment necessary to operate the aircraft

are equipped in right position, by the aircraft maintenance certificate holder inspector pursuant to clause 2 of Rule 32 or the person recognized aircraft maintenance certificate holder inspector pursuant to Sub-rule (2) of Rule 49 before to operate the said aircraft.

(2) Other provisions relating to the regular inspection of the Aircraft pursuant to Sub-rule (1) shall be as prescribed in 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) One 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 if having Radio Parts in the Aircraft.

(2) The Director-General shall have the power to issue log books pursuant to Sub-rule (1).

(3) Other procedures and details relating to maintain and up to date the Log Book pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.

28. **Provision Relating to Production, Repairing and Overhaul Organization of the Aircraft and Accessories Thereof:** (1) The organization, having the license for production, repairing and overhaul of the aircraft and accessories of the aircraft under prevailing law, shall have to submit an application along with necessary details, to the Director-General, including the fees mentioned in Schedule-1 in a format mentioned in Annex and Manual to get permission for such works.

(2) Upon receiving of an application pursuant to Sub-rule (2), the Director-General shall make necessary inquiry and may permit to the applicant to operate the production, repairing and overhaul work of the aircraft and accessories of the aircraft under subject to the other provisions mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual.

(3) The validity of the permission pursuant to Sub-rule (1) shall be one fiscal year and an application shall be submitted to the Director-General including the fee mentioned in Schedule-1, for renewal, before the expiry of that period.

(4) Other procedures relating to format of the application and renewal of permit pursuant to Sub-rule (3) shall be as mentioned in Annex and Manual.

29. **Suspension and Cancellation of Permit of the Organization of Production, Repair and Overhaul of the Aircraft and accessories of the Aircraft:** (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, in case the organization so permitted, does not abide by with the provision mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual or acts contrary to such provision.

(2) On issuance of an order of suspension or cancellation pursuant to Sub-rule (1), the formation thereof shall be provided to the office which issued the license and registered the organization pursuant to prevailing law.

(3) Reasonable opportunity shall be provided to the concerned organization to submit clarification before suspension or cancellation pursuant to Sub-rule (1).

30. **Organization and Agent Related with Import, Export Store and Selling of the Accessories of the Aircraft:** (1) The person or organization interested to

an import, export, store or selling of the accessories of the Aircraft, or operate business as an agent of such organization shall submit an application to the Director-General to get permit for such work.

(2) Upon receiving such application pursuant to Sub-rule (1), the Director-General shall make necessary inquiry and may provide permit to the applicant to operate a business of import, export storage and selling of the accessories of aircraft or to work as an agent of such organization on the format mentioned in Annex and Manual after collecting fees mentioned in Schedule-1.

(3) The validity period of the permit pursuant to Sub-rule (1) shall be one fiscal year and an application shall be submitted to the Director-General including the fee mentioned in Schedule-1, for the renewal, before the expiry of such period.

(4) Other procedures and details relating to application to be submitted to the Director-General for permit and renewal pursuant to Sub-rule (1) and (3) shall be as mentioned in Annex and Manual.

Chapter -6

Provisions Relating to Personal License, Rating and Certificate

31. **Have to Acquire Personal License, Rating and Certificate before Starting the Work:** No person shall start work on aviation sector without acquiring a Personal License, Rating and Certificate pursuant to Rule 32 or having recognized personal License, Rating Certificate pursuant to rule 51.
32. **Authority to Issue Personal License, Rating and Certificate:** The Director-General shall have the power to issue the following Personal License, Ratings and Certificates necessary for the operation of air service:-
- (a) Student Pilot License,
 - (b) Private Pilot License,
 - (c) Test (Periodic), Provisional or Restrictive Pilot's License,
 - (d) Commercial Pilot License,
 - (e) Senior Commercial Pilot License,
 - (f) Airline Transport Pilot License,

- (g) Instrument Rating,
- (h) Assistant Flight Instructor's Rating,
- (i) Flight Instructor Rating,
- (j) Glider Pilot's License,
- (k) Student Flight Operation License and Aircraft Dispatcher License,
- (l) Flight Operation Officer or Aircraft Dispatcher License,
- (m) Student Flight Engineer License,
- (n) Flight Engineer License,
- (o) Flight Radio Telephone Operator License,
- (p) Flight Radio Operator License,
- (q) Aircraft Radio mobile License,
- (r) Ground Radio License,
- (s) Radio Navigation Operator License,
- (t) Air Traffic Controller License/Rating,
- (u) Multi type Aircraft Rating,
- (v) Flight Inspector Certificate,
- (w) Check Pilot Examiner Certificate,
- (x) Training Pilot Authority Letter,
- (y) License Relating to Technical Officer, Radio, Electrical and Mechanical Engineering, Communication and Navigational Aid,
- (z) Aircraft Maintenance Technician Certificate (A.M.T.),
- (aa) Aeronautical Station Operator and Flight Service Operator License and Rating,
- (ab) Ground Radio Operator Certificate.

33. **Qualification for Issuing Personal License, Rating and Certificate:** The following qualification shall be required to obtain personal License, Rating and Certificate:

- (a) Having the educational qualification, age and other qualification 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.
34. **Qualification Relating to Health:** The Personal License, Rating or Certificate shall be provided to such person, having a standard health report as prescribed in Annex and Manual, upon conducting health examination by the Medical Board as prescribed by the Authority.
35. **Medical Board:** (1) A Medical Board shall be constituted under the chairperson of a person designated by the Authority accompanying with other qualified physicians to provide health certificate, to examine physical and health qualification and to provide Personal License, Rating and Certificate as mentioned in rule 34. Various specialists and advisors may be included in the Board in the required number.
- (2) The Director-General may constitute Aero-Medical Examiner Group, under the Medical Board pursuant to Sub-rule (1).
- (3) To be a member of the Medical Board constituted pursuant to Sub-rule (1) and Aero-Medical examiner constituted pursuant to Sub-rule (2) shall have to be obtained a minimum degree of post-graduate in the concerned subject from the educational institute recognized by the Authority.
- (4) The procedure of Medical Board and Aero-Medical Examiner Group shall be made and enforced by the Medical Board.
- (5) The Director-General, on the recommendation of Medical Board, shall determine enforced the medical inspection fee from time to time.
- (6) Other details relating to Medical Board and Aero-Medical Examiner Group shall be as mentioned in Annex and Manual.
36. **Examination and Procedure Thereof:** (1) Personal License, Rating and Certificate shall not be provided to such person who has not passed the examination conducted by the Authority.
- (2) The Authority shall constitute an examination conduction committee to fix 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 Conduct Committee constituted pursuant to Sub-rule (2) shall be as mentioned in Annex and Manual.

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

- (a) Written,
- (b) Oral,
- (c) Practical,
- (d) Checkered,
- (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) An application shall be submitted to the Director-General to obtain the Personal License, Rating and Certificate. While submitting the application, for Personal License, Rating and Certificate fee shall be paid along with the application pursuant to Schedule-1.

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

38. **Validity Period of the License, Rating and Certificate:** The Personal License, Rating and Certificate as follows, provided pursuant to following clauses of Rule 32 shall be valid up to the period as follows, except the cancellation has been made pursuant to Rule 40:-

- (a) Rating and Certificate pursuant to Clause (a), (b), (j), (l), (v), (w), (x), (y), (z), (aa) & (ab) shall be for up to two years.
- (b) Test License pursuant to Clause (c) shall be for four months, provisional License shall be for one month and Restrictive License shall be for up to the date mentioned in the same License.

- (c) The License, Rating and Certificate pursuant to Clause (d), (e), (f), (k), (m), (n), (o), (p), (q), (r) and (s) shall be for up to one year and the Rating pursuant to clause (t) shall be for up to one year and certificate up to two year.

Provided that, the License pursuant to Clause (d) and (f) shall be provided only for up to six months and license pursuant to Clause (t) shall be provided as mentioned in Annex and Manual for the person attained the age of forty years.

- (d) Except the period of Rating is specified in the Rating provided pursuant to Clause (g), (h), (i) and (u), the period of the Rating shall be up to the period of the License, as provided in the said License.

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

(1) An application shall be submitted to the Director-General to renew the Personal License, Rating and Certificate upon expiring the period as prescribed in Rule 38.

(2) On submitting the application the renewal fee of the personal License, Rating and Certificate, pursuant to Sub-rule (1) shall be paid pursuant to Schedule-1.

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

40. **Postponement and Cancellation of the Personal License, Rating and Certificate:**

(1) The Director-General may cancel the personal License, Rating and Certificate of such holder or may issue an order to postpone up to the period mentioned in the same order, in case the holder of a Personal License, Rating and Certificate violate the provision of prevailing law related to Civil Aviation, these Rules, Annex and Manual or uses the Personal License, Rating and Certificate in country to such provision.

(2) A reasonable opportunity shall be provided to the concerned holder of the Personal License, Rating and Certificate to submit a clarification before

issuing the order of cancellation or suspension of the Personal License, Rating and Certificate pursuant to Sub-rule (1).

41. **Exemption May be Provided:** Notwithstanding anything contained in these Rules, the Director-General may provide exemption in the certain qualification among the qualifications necessary for the Personal License, Rating and Certificate relating to Air Operation, by considering technical knowledge and capability of such person, having a membership of army flight group (crew) or having an experience and technical knowledge about the flight on civil aviation recognized by the government or have passed any such special examination satisfactorily as prescribed by the Director-General.

Chapter -7

Provision Relating to Flying School, Aircraft Simulator and Operation or Ground Class on various subject of Civil Aviation

42. **Submission of an Application for the Operation of the Training Institute**

Relating to Flight: (1) The training Institute relating to Air Flight established pursuant to prevailing law shall submit an application to the Director-General for a permit to conduct a Training relating to Flight, in the format as prescribe in Annex and Manual, including necessary details.

(2) On submitting an application pursuant to Sub-rule (1), it shall be paid the fee of the Training Institute relating to Flight Operation Permit pursuant to Schedule-1.

(3) On submitting an application pursuant to Sub-rule (1) the Director-General, after making an inquiry, may issue a permit to the Training Institute relating to Flight Operation as demanded by the applicant or with amendment in the format as prescribed in Annex and Manual.

Provided that, the subject matter and credit hour to be operated by such institute as permitted by the Director-General or the expert designated by him/her.

(4) Other Procedures relating to the submission of an application for the permit to operate the Training Institute relating to Flight and providing the permit shall be as prescribed in Annex and Manual.

43. **Provision Relating to Various Subjects of Ground Class of Civil Aviation Operation Organization:** (1) The Air Service Operation, organization, having the License of flight ground class operation of various subject on Civil Aviation established pursuant to prevailing law, shall have to submit an application including the fee mentioned in Schedule -1 to the Director-General to receive the permit for operation of such class.
- (2) On submitting the application pursuant to Sub-rule (1), Ground Class subject matter, curriculum, load of curriculum, qualification of affiliates instructor and training manual shall also be submitted for the approval. It shall have to submit before starting the class for approval of the curriculum and training manual require to change from time to time.
- (3) The Director-General may provide permit or approval after making necessary inquiry, if the submission has been made for permit pursuant to Sub-rule (1) and for approval pursuant to Sub-rule (2).
44. **Suspension or Cancellation of the Training Institute Relating to Flight Operation Permit:** (1) The Director-General may issue an order to suspend up to a period specified in the same order or cancel the permit relating to Flight Operation or cancel it in case the Training Institute related to Air Flight Operation pursuant to Rule 42 and 43 does not comply with the provisions mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual or acts in contrary to such provisions.
- (2) In case an order is issued to suspended or cancel the permit pursuant to Sub-rule (1) its information shall provided to the registration office to such Institute pursuant to prevailing law.
- (3) A reasonable opportunity shall be provided to the concerned Training Institute relating to Flight Operation before issuing an order to suspend or cancel the permit pursuant to Sub-rule (1).
45. **Aircraft Simulator Permit:** (1) The training institute relating to Flight, having the permit pursuant to Rule 42, interested to operate the simulator, shall submit an application along with necessary details to the Director General in a

format mentioned in Annex and Manual including the fee mentioned in Schedule -1.

(2) Upon receiving an application pursuant to Sub-rule (1), the Director-General shall conduct necessary inquiries and shall provide aircraft simulator operation permit to the Flying School in the format mentioned in Annex and Manual.

(3) Other procedures relating to provide aircraft simulator operation permit to the training institute relating to air flight shall be as mentioned in Annex and Manual.

(4) The person or organization, desiring to take training in abroad flying center or simulator, shall submit an application to the Director-General including the fee mentioned in Schedule -1.

(5) Upon receiving such application pursuant to Sub-rule (4), the Director-General may provide permit after the inspection of standard of that center or simulator.

Chapter -8

Provision Relating to Recognition and De-recognition

46. **Recognition of Type Certificate:** (1) The owner of the aircraft or Air Service Operation desiring to recognize type certificate provided in relation to any aircraft by a member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country shall submit an application along with necessary details to the Director-General pursuant to format mentioned in Annex and Manual including the fee mentioned in Schedule-1.

(2) The Aircraft design Certificate shall also be submitted with the application pursuant to Sub-rule (1).

(3) Upon receiving such application pursuant to Sub-rule (1), the Director-General shall conduct necessary inquiries and shall provide type certificate recognition of that Aircraft pursuant to the format mentioned in Annex and Manual.

(4) The recognition provided pursuant to Sub-rule (3) shall be the integral part of the concerned Type Certificate.

(5) Other procedures relating to recognition, pursuant Sub-rule (3), shall be as mentioned in Annex and Manual.

47. **Recognition of Airworthiness Certificate:** (1) If any Aircraft, having the airworthiness certificate provided by a member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country to make flight in Nepal shall have to submit an application along with necessary document to the Director-General pursuant to format mentioned in Annex and Manual and including the fee mentioned in Schedule-1.

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

(3) 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 Annex and Manual.

48. **The Recognition of Airworthiness Certificate May be Withdrawn:** (1) The Director-General may withdraw the recognition of an airworthiness certificate recognized pursuant to Rule 77 in relation to an aircraft, in case such Aircraft makes a flight in contrary to the terms and conditions as mentioned at the time of providing such recognition and the terms and conditions mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual.

(2) A reasonable opportunity shall be provided to the owner or operator of the concerned aircraft to submit a clarification before the withdrawn of the recognition of airworthiness certificate pursuant to Sub-rule (1).

49. **Recognition of Aircraft Repairing and Maintenance Organization:** (1) The Aircraft Repairing and Maintenance Organization, established under the License to Operate the industry or profession relating to Aircraft Repairing and

Maintenance work provided by the member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country, desire to make repair and maintenance of the Nepalese aircraft shall have to submit an application along with necessary details to the Director-General pursuant to format mentioned in Annex and Manual including the fee mentioned in Schedule-1.

(2) Upon receiving such application pursuant to Sub-rule (1) the Director-General shall conduct necessary inquiries and may provide recognition for making an overhaul, repairing and maintenance of the Nepalese aircraft with specifying any terms and condition in the format mentioned in Annex and Manual.

(3) Other procedures relating to recognition pursuant Sub-rule (2) shall be as mentioned in Annex and Manual.

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

(1) The Director-General may withdraw the recognition of the Aircraft Repair and Maintenance Organization, in case an Aircraft Repairing Maintenance and overhaul work which is recognized pursuant to Rule 49 does not comply with the provisions mentioned in the prevailing law related to Civil Aviation, these Rules, Annex and Manual or does anything in contrary to such provisions while doing repairing and maintenance or overhaul of the Nepalese aircraft.

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

51. **Recognition of Personal License, Rating and Certificate:** (1) The personal

License, Rating and Certificate holder, having the personal License, Rating and Certificate provided by a member country of the International Civil Aviation Organization or the person or organization duly authorized by the said country to use in Nepal for up to the period as mentioned in such personal License, Rating or Certificate shall have to submit an application along with necessary details to the Director-General pursuant to format mentioned in Annex and Manual including the fee mentioned in Schedule-1.

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

(3) The recognition provided pursuant to Sub-rule (2) shall be the integral part of the concerned personal License, Rating and Certificate.

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

52. **The Recognition of Personal License Rating and Certificate May be**

Withdrawn: (1) The Director-General may withdraw the recognition of the Personal License, Rating and Certificate, recognized pursuant to Rule 51 in case the holder has used the Personal License, Rating and Certificate in contrary to the terms and conditions as prescribed at the time of providing such Personal License, Rating and Certificate and the prevailing law related Civil Aviation, these Rules, Annex and Manual.

(2) A reasonable opportunity shall be provided to the concerned holder of the personal License, Rating and Certificate to submit a clarification before issuing an order to withdraw the recognition of the personal License, Rating and Certificate pursuant to Sub-rule (1).

53. **Recognition of the Certificate to Export, Import, Store, Overhaul and Selling and Distribution of the Aircraft and Accessories of the Aircraft:**

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

(2) Upon receiving such application pursuant to Sub-rule (1), the Director-General shall make necessary inquiry and may provide to operate import, storage, overhaul and selling and distribution of the Nepalese aircraft

to such organization with or without specifying any terms and conditions in the format mentioned in Annex or Manual.

(3) Other procedures relating to Sub-rule (2) shall be as mentioned in Annex and Manual.

54. The certificate recognition license fee pursuant to Rule 46, 47, 49, 51, and 53 of these Rules shall be equal to the concerned permit and certificate fee.

Chapter- 9

Provisions Relating to Flight, Landing, Use of

Airport and Route Sector Permit

55. **No Aircraft shall Make Any Flight without Having a Flight Permit:** No one shall make or cause to make any flight operation in the airspace of Nepal without having flight permit pursuant to Rule 56.

56. **Flight Permit should be Taken:** (1) The concerned owner of an aircraft or Air Service Operation Organization shall submit an application to the Director-General in the format as prescribed in Annex and Manual including necessary details, to obtain a permit to make any flight of an aircraft in the airspace of Nepal or to fly or to land in the runway of any airport or helipad.

(2) Upon receiving such application, the Director-General may provide the flight and landing permit to the applicant as demanded by the applicant or with specifying any terms and conditions by considering the technical aspects of the aircraft, airport and runway of the Airport.

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

- (a) Regular (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, paraglider, Balloon Micro-light and sail plane flight,
- (h) Aerial survey or Agriculture flight,
- (i) All types of domestic flight.

(4) The flight permit pursuant to Clause (c) of Sub-rule (3) may be requested and provided verbally as required. Such type of permit shall be recorded.

(5) The flight permit fee pursuant to Clause (b) and (g) of Sub-rule (3) shall be as prescribed in Schedule -1.

(6) The National and International Airlines shall have to submit their flight Schedule to the Director-General in the format mentioned in Annex and Manual for the regular (Schedule) flight and the flight shall be started only after the approval of 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.

57. **Provision Relating to Operation of Airport and Flight Permit:** (1) The Airport shall open for the Air Operation service as mentioned in the Annex, Manual and Directives.

(2) The concerned owner of Aircraft or Air Service Operation shall submit an application to the Director-General along with necessary details, for opening the Airport to obtain the Air operation service beyond the time mentioned in Annex, Manual and Directives.

(3) Upon receiving such application; the Director-General may provide operation permit with specifying terms and conditions and cost recovery fee of the Airport, beside the fee mentioned in the prevailing law, considering the technical aspects of the Aircraft, facility of the Airport and runway of the Airport.

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

58. **No Flight Permit to be Provided:** No flight permit shall be provided, pursuant to Rule 56 to such Aircraft who do not fulfill the following conditions:-

(a) Without having the marking of national mark,

Provided that, the Director-General may provide a flight permit to the flight pursuant to clause (g) of Sub-rule (3) of the Rule 56, although having not fulfilled the terms and condition pursuant to this clause.

(b) Without having Airworthiness Certificate.

(c) Without having Personal License, Rating and Certificate or without having crew member in required number.

(d) Without having other documents required for the flight.

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

60. **An Aircraft Manufactured for One Function Shall not Make a Flight for Another Function:** No one shall fly such an aircraft for another purpose made for the purpose or function of the Aircraft, which is manufactured for such purpose or function by the Aircraft manufacture.

61. **The Documents Relating to Flight and Aircraft Shall Have to be Kept in Possession:** No one shall make flight in the airspace of Nepal without having the following documents in possession relating to flight and aircraft:-

(a) Aircraft Registration Certificate.

(b) Airworthiness Certificate of the Aircraft.

(c) Journey log-book.

(d) Personal License, Rating and other Certificates of each crew member attending in the flight.

- (e) In the case of a passenger aircraft, the name, nationality, landing point and ultimate destination of each passenger on board.
 - (f) The document specified by the Authority amongst other document as mentioned in the Annex and Manual.
62. **No Aircraft Shall Make any Flight in the Prohibited Zone:** No one shall fly an Aircraft in the airspace which is completely prohibited by Government of Nepal or Authority and in the airspace where the flight can be made only in the prescribed conditions and time except in the conditions and time as prescribed in such airspace.
63. **No Aircraft Shall Enter, Depart or Make Flight From Any Other Place Except the Specified Place:** No person shall enter, depart, make flight and land of an aircraft from other places except the specified place in the permit pursuant to Rule 56.
64. **Flight of Aircraft may be Stopped Immediately:** An order may be issued by Government of Nepal or the Authority for not to enter, depart, making flight and land any aircraft to the area and place in a condition that such area and place shall not appropriate to fly the aircraft due to security or any other reason.

Chapter -10

Provision Relating to Safety of Air Flight Operation

65. **Pilot-in-Command to be Satisfied:** No Aircraft shall make flight, without having satisfaction of the Pilot-in-command on the following matters:-
- (a) The total weight of the aircraft is safe for the proposed flight.
 - (b) The goods in the aircraft are loaded with balance and safely for the safe flight.
 - (c) Essential and minimum quantity of extra fuel is available for the proposed flight.
 - (d) The aircraft is safe for the flight from other aspects.
66. **No Aircraft Shall Make a Flight Without Having Rescue Materials:** No aircraft shall fly and operate without having rescue materials and such other

type of equipment mentioned in the Annex and Manual for the rescue of the passengers at the sudden and emergency situation.

67. **No Aircraft Shall Make a Flight Without Having Fire Extinguishing Materials and Equipment:** No aircraft shall fly and operate without having fire extinguishing and rescue material and other similar type or equipment mentioned in the Annex and Manual for the security of the passengers, aircraft, airport and other matters.
68. **No Inflammable and Dangerous Goods and Substance Shall be Transported From an Aircraft:** No inflammable and dangerous goods and substance shall be transported from an aircraft except in the quantity of such goods and in such manner as prescribed by Government of Nepal or Authority.
69. **No Crew Shall Take Alcoholic Drink:** No crew shall fly an aircraft by drinking alcoholic drink which may cause an adverse effect in the capacity of the flight.
70. **Smoking Prohibited:** No crew and passenger shall smoke in other time of flight except in the conditions and time as specified by the Authority for the safety reason of the flight of the aircraft.
71. **No Passenger and Goods Shall be boarded in the Unauthorized Place:** No passenger and goods, shall be boarded in other place of the aircraft except in the designated place for the passengers and the goods.
72. **Person not to be carried in an aircraft during the Flight Time:** No person shall fly an aircraft knowingly boarding the following persons except under an order issued by the Director-General:-
- (a) The person not in normal condition due to mental disease or gone mad.
 - (b) The person undergoing the punishment of the imprisonment pursuant to prevailing law.
 - (c) The person in custody in the serious criminal case.
73. **No Animate, Animals, Birds etc. Shall be Carried in an Aircraft During the Flight Time:** No animate, animals, birds etc. shall be carried in an Aircraft during the flight time except under an order issued by the Director-General.

Chapter-11

Provision Relating to Communication and Airport Security

74. **No one Shall Manage Light and Symbol Except the Authority:** (1) No one shall manage such type of light to create a 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 for the managing of the light by the Authority pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.
75. **Aircraft Communication and Equipment of Navigational Aid to be Installed:** (1) Each public passenger Aircraft registered in Nepal shall have to install the Radio Communication and Navigational Aid Equipment for the exchange of information and necessary Navigational Aid.
- (2) Other technical matters relating to the installation of the Communication and Navigational Aid Equipment pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.
76. **No Entrance into the Restricted Area of the Airport Without Permission:** (1) No person shall have to enter into the restricted area of the Airport without having permission of the concerned Airport Chief.
- (2) Permission may be granted by the Airport Authority from the specified path to the person holding valid document and Air ticket for the flight to reach to the aircraft.
77. **Slaughter House not to be Established:** No person shall establish the open slaughter house around three kilometer of the airport area.
78. **Environment Shall not be Polluted:** (1) No person shall store disorderly the solid waste in the airport area.
- (2) The Authority may punish to those person or organization making solid waste disorderly as prescribed from time to time.
- (3) No person shall store and throw solid wastes openly around the at least three kilometer area of the airport which may pollute the environment.

(4) Nobody shall fly or operate beyond the pollution tolerance limit as prescribed by the Authority, to make minimum effect of pollution in Cultural Heritage, Airspace and environment.

(5) The Authority may determine different fees from time to time to each landing and take off for the sustainable environment in the Airport.

Chapter -12

Miscellaneous

79. Provisions Relating to Establish and Operate the Remote Area Air

Service Fund: (1) Government of Nepal may establish the Remote Area Air Service Fund, to provide grant at least some amount out of the deficit amount to the aircraft making the flight to with lower price those remote area airport not accessible by Road link, as prescribed by the Government of Nepal.

(2) The Air Operators who operate flight collecting tourist fare (dollar fare) from the foreign tourists in the domestic flight sector as determined by the Government of Nepal shall deposit the following amounts in the Fund in a case such Fund 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 have to deposit at the rate of Two percent of the amount received from the charter party.

(3) The amount pursuant to Sub-rule (2) shall have to deposit within the Twenty One days from the date of flight. The Ten percent fine shall be levied from that date to next thirty days and the Air Service Operation Permit or

Certificate of those Air Service Operation Organization shall be suspended for not depositing the amount within said date.

(4) The Authority shall operate the Fund pursuant to this Rule under the procedures as prescribed by Government of Nepal.

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 these Rules, the Authority may issue necessary order or instruction to the concerned body, organization and persons for the execution of Annex and Manual.

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

- (a) Matters relating to the registration and marking of the Aircraft,
- (b) Matters relating to inspection of the Aircraft and providing certificate.
- (c) Matters relating to the equipment, and other physical objects to be installed in the Aircraft and the airport,
- (d) Matters relating to the functions to be performed by the Personal License holder in relation to the Crew, Aircraft Repairing and Maintenance and Air Traffic Controller,
- (e) Matters relating to the operation of visual and instrument flight,
- (f) Matters relating to the establishment and operation of Air Traffic Control, Flight Information and Alerting Service,
- (g) Matters relating to adopt the safety measures as determined,
- (h) Matters relating to providing information of incident, accident, making technical investigation and dissemination of information relating to it,
- (i) Matters relating to dissemination information about Weather for the air flight operation,

- (j) Matters relating to providing information of air traffic controller and navigation,
- (k) Matters relating to installation of standard communication equipment in air navigation and about determining the process of operation of those equipment,
- (l) Matters relating to collection of information and dissemination for the flight and operation of the aircraft.
- (m) Matters relating to the improvement of aviation security,
- (n) Matters relating to making clean and sustainable environment,
- (o) Matters relating to construction of a dumping site,
- (p) Matters relating to enhancement of flight safety,
- (q) Matters relating to improvement of Airport facility,
- (r) Matters relating to making an arrangement protection of the accessories of the aircraft for incident and accident investigation purpose,
- (s) Matters relating to implementation of flight safety audit recommendation,
- (t) Matters relating to implementation of recommendations of the report related with Aircraft incident and accident investigation,
- (u) Other matters as mentioned in these Rules.

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 requirement and nationality, with a view to make the flight safe, regular and orderly.

82. **Manual, Requirements and Directives may be Framed:** (1) The Authority may frame Manual, Requirements and Directives on the matters mentioned in Schedule -3 and in other several matters, not to be contrary to the prevailing law related to Civil Aviation Act and these Rules, taking into consideration the

national and international norms for the execution of Regulation, 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 enforced to all the parties, relevant to the Air Service Operation.

83. **Recognition May be Provided:** The Authority may recognize and execute the Regulation and standards prescribed by the International Organizations in relation to flight and air service operation, until the Manual, Requirements and Directives pursuant to Rule 82 are framed.

84. **Inspection and Action:** (1) An official authorized by the Authority may inspect in relation to the matter that the person or organization which has obtained the License, Rating and Certificate, provided or recognized pursuant to these Rules, has complied or not the provisions mentioned in the Act, these Rules, Annex and Manual and the order and direction issued pursuant to Rule 80 while performing functions mentioned in such Licensee, Rating and Certificate.

(2) On making an inspection by the authorized official pursuant to Sub-rule (1), shall submit a report to the Director-General.

(3) On the basis of the report submitted pursuant to Sub-rule (2), the Director-General may issue necessary directions to the concerned Licenses, Rating and Certificate holder and it shall the responsibility to comply with the direction so given on the concerned Licensee and Rating and Certificate holder.

(4) The fee or expense incurred in the process of inspection by the authorized official on behalf of the Authority shall be borne by the concerned organization or person.

(5) On the basis of the report made available from the inspection pursuant to Sub-rule (2), the Director-General may make or cause to make necessary inquiry, if necessary, and may cancel or suspend the License, Rating and Certificate and in relation to an action to employee of the Airlines he/she

shall write to the concerned Aircraft owner or the operator for necessary action.

(6) It shall be the duty of the concerned Aircraft owner or the operator thereof to take action and punish to such employee, in the condition that a written document is received pursuant to Sub-rule (5). The action taken in such way shall be informed to the Director-General.

85. **Permit shall be Taken for Providing Consultancy and General Sales**

Agent Services: (1) The organization which has obtained a license pursuant to the prevailing law, desires to operate a consultancy or General Sales Agent Service, shall submit an application to the Director-General for such operation.

(2) Upon receiving such application pursuant to Sub-rule (1), the Director General may provide permit, to that person or organization with or without specifying any terms and conditions for consultancy or General Sales Agent Service.

(3) The permit fee to be paid pursuant to Sub-rule (2) shall be as mentioned in Schedule-1.

(4) The organization, in operation prior to the commencement of these Rules, shall take a permit within the Six month of the commencement of these Rules.

86. **Renewal of Certificate and Application Fee:** (1) The validity of License, permit or certificate shall remain up to the period as mentioned in these Rules

and in a case not so mentioned thereof shall be valid up to end of *Aashad* (about mid July) of every fiscal year. Every person or organization shall renew the license, permit or 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 extra late fee shall be levied on the basis of the following time frame:-

- (a) Twenty-Five percent for the Thirty-Five days from date of expiry.
- (b) Fifty percent for within days from the date of expiry.

- (c) Seventy-Five percent for within One Hundred Eighty-days from the date of expiry.

(3) If the License, permit or certificate is not so renewed, within the time frame pursuant to Sub-rule (2) it shall be cancelled. The procedure of these Rules shall be followed for re-obtaining License, permit or certificate.

87. **Delegation of Power:** Among the powers conferred to the Director-General pursuant to these Rules, the Director-General may delegate some of the power to the official subordinate to him.
88. **Alteration or change in the Schedule:** Authority may make alteration or change in Schedule as required.
89. **Saving:** (1) All types of License, Rating and Certificate issued under Civil Aviation Regulation, 2052 (1996) shall be considered as issued pursuant to these Rules. These Rules shall apply in the matters herein and in other matters Annex and Manual shall apply.
- (2) The Annex and Manual, enforced before the commencement of these Rules shall be the integral part of these Rules.

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):

<u>Type of Aircraft</u>	<u>Permit and Certificate Fee</u>	<u>Renewal Fee</u>
(a) <u>For International Flight:</u>		
Up to first 5700 Kg.	<u>U.S Dollar</u>	<u>U.S. Dollar</u>
(1) Regular (Schedule), Non-Schedule Charter and Freighter each.	12,500/-	2,500/-
(2) Then after per additional 10,000 Kg.	1,000/-	500/-
(b) <u>Domestic Flight:</u>		
Up to flight 7,500 Kg.	<u>U.S Dollar</u>	<u>U.S. Dollar</u>
(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:

U.S. Dollar

- | | |
|---|-------|
| (a) Aircraft or Helicopter having flight weight up to first
5700 Kg. | 300/- |
| (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:**

U.S. Dollar

- (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:**

U.S. Dollar

- (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**

Renewal Fee

- (a) Aircraft or Helicopter having flight weight up to first 5700 Kg. 1,250/- **Half of Certification Fee**
- (b) Then after per additional 10,000 Kg. 250/- **Half of Certification Fee**
- (c) Glider, Hang Glider, Balloon, Micro-light and sail plane. 100/- **Half of Certification Fee**

8. <u>Aircraft Radio, Mobile or License for other purpose or Renewal Fee (per frequency):</u>	<u>Fee</u>	<u>Renewal Fee</u>
	<u>US Dollar</u>	<u>US Dollar</u>
(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. <u>Certificate of Airworthiness Fee for Sending the Aircraft Outside:</u>		<u>U.S. Dollar</u>
(a) Aircraft or Helicopter having flight weight up to first 5700 Kg.		6,25/-
(b) Then after per additional 10,000 Kg.		125/-
(c) Glider, Hang Glider, Balloon, Micro-light and sail plane		50/-
10. <u>Aircraft Repair and Maintenance Organization Permit and Renewal Fee:</u>		<u>U.S. Dollar</u>
Permit fee of Aircraft repair and maintenance organization.		1,250/-
Recognition of said certificate		1,250/-
11. <u>Permit fee to import, Store and Sale of Aircraft and Accessories of the Aircraft:</u>		<u>U.S. Dollar</u>
- Permit fee for import, store and selling of accessories of the Aircraft		1,250/-
- Recognition of said certificate		1,250/-
12. <u>Permit Fee for Import, Export of Aircraft and Accessories thereof by a Foreigner or Consultancy Service Relating to Civil Aviation:</u>		<u>U.S. Dollar</u>
- Renewal of said permit		1,250/-
		500/-
13. <u>Examination Fee for Personal License and Rating:</u>		

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

	<u>U.S. Dollar</u>
(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:**

The fee of the following personal license, rating or certificate and renewal shall be as follows:-

	License, Rating and Certificate	
	<u>Renewal Fee</u>	
	<u>U.S. Dollar</u>	<u>U.S. Dollar</u>
(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) Senior Commercial Pilot License,	75/-	40/-
(f) Airline Transport Pilot License,	100/-	50/-
(g) Instrument Rating,	15/-	8/-

(h) Assistant Flight Instructor Rating,	15/-	8/-
(i) Flight Instructor Rating,	25/-	15/-
(j) Glider Pilot License,	15/-	8/-
(k) Student Flight Operation License and Aircraft Dispatcher License,	15/-	8/-
(l) Flight Operation officer or each type of Aircraft Dispatcher License,	15/-	8/-
(m) Student Flight Engineer License,	25/-	15/-
(n) Flight Engineer License,	50/-	25/-
(o) Flight Radio Telephone Operator License,	25/-	15/-
(p) Flight Radio Operator License,	25/-	15/-
(q) Aircraft Radio Mobile License,	25/-	15/-
(r) Each frequency of Ground Radio License,	25/-	15/-
(s) Radio Navigation Operator License,	25/-	15/-
(t) Air Traffic Controller License/Rating,	10/-	5/-
(u) More than one type of Aircraft Rating for each type of Rating,	25/-	15/-
(v) Flight Inspector Certificate,	15/-	8/-
(w) Check Pilot Examiner Certificate,	25/-	15/-
(x) Training Pilot Authority Letter,	25/-	15/-
(y) License Relating to Technical Officer, Radio, Electrical and Mechanical Engineering, Communication and Navigational Aid,	10/-	5/-
(z) Aircraft Maintenance Technician Certificate (AMT) according to each category, rating and separate according to the nature of function of Aircraft.	25/-	15/-
(aa) Aeronautical Station Operator and Flight Service Operator License and Rating,	10/-	5/-
(ab) Ground Radio Operator Certificate.	10/-	5/-

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

	<u>U.S. Dollar</u>
(a) Permit fee of Flight Operation related Training Institute.	2500/-
Renewal fee of Flight operation related Training Institute.	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:

	<u>U.S. Dollar</u>
(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 Nepalese rupees shall be paid by the Air Service Operation Organization who are permitted to pay in Nepalese rupees, selling at the exchange rate of that day of operation as per the foreign exchange rate published by Nepal Rastra Bank.

Schedule- 2

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

Location of the Marking in the Aircraft

1. National 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 could be seen. When the mark has to be placed only in the surface of the vertical part of the tail, these marks shall have to be written or displayed in the both 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 a 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 Aeroplane as in the helicopter, the marks mentioned in this Schedule shall be kept in an appropriate place to be clearly visible.

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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.
21. Aeronautical Circulars.
22. Notam (Notice to Airmen)

23. Flight Inspection System Directives or procedures to be operated by the Authority.
24. Bird control and sustainable Environment surrounding the airport Manual.
25. Flight safety inspection related Manual.
26. Airport/Helipad Manual.
27. 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.

NEPAL LAW COMMISSION