

Civil Aviation Rules, 2052 (1996)

Date of Publication in Nepal Gazette

<u>Amendment:</u>	2052.9.24 (8 Jan. 1996)
Civil Aviation (First Amendment) Rules, 2058 2001)	2058.4.32 (16 Aug.

Government of Nepal has made the following Rules, by exercising the power conferred by Section 3 of the Civil Aviation Act, 2015 (1958).

Chapter - 1

Preliminary

- Short title and commencement** : (1) These Rules may be called the "Civil Aviation Rules, 2052 (1996)".

(2) These Rules shall come into force immediately.
- Defenition**: Unless the subject of context otherwise requires in these Rules,-
 - "Act" means the "Civil Aviation Act, 2015 (1958)"
 - "Authority" means Nepal Civil Aviation Authority established under Nepal Civil Aviation Authority Act, 2053.
 - "Director General" means the Director-General of the Authority.
 - "Convention" means the Convention on International Civil Aviation signed in Chicago on 7th December 1944 and the word also includes :-

^o Amended by First Amendment.

- (1) Any such amendment, enforced and ratified by both parties pursuant to Article 94 (a) of the Convention, and
 - (2) Any such Annex or any amendment made on such Annex, enforced subject to the limitation to both parties within the definite period, approved pursuant to Article 90 of the Convention.
- (e) "Annex" means the International Standard and Recommended Practices prescribed by the International Civil Aviation Organization having affiliation with the Convention on International Civil Aviation.
- (f) "Manual" means the Manual, Requirements and Directives made by the Department pursuant to Rule 81, 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.
- (g) "Crew" means Pilot, Co-pilot, Flight Engineer, Radio Officer, Flight Navigator, Air-hostess, Cabin attendant and purser.
- ✕(h)

Chapter - 2

Provisions Relating to Air-Flight and Operation

3. **Air-flight and operation** : No person shall make or cause to make any air-flight and operation in the airspace of Nepal, in contrary to the provisions mentioned in the Act, these Rules, Annex and Manual.

✕ Deleted by First Amendment.

4. **Flight permit shall have to be taken** : No person shall make or cause to make any air-flight and operation in the airspace of the Nepal without obtaining flight permit ^ϕ from the Authority.
5. **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.
6. **No Aircraft shall make any flight and operation without having a 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.
7. **No Aircraft shall make any flight and operation without having an airworthiness certificate** : No aircraft shall make or cause to make any flight in the airspace of Nepal without having an Airworthiness Certificate.
8. **No person shall make any flight and operation of an aircraft except the crew having a personnel license, rating and certificate** : No person shall make any flight and operation of an aircraft except the crew having a personnel license, rating and certificate.
9. **The documents relating to Air-flight and Aircraft shall have to be kept in possession** : No person shall make air flight in the airspace of the Nepal without having the following documents in possession relating to air-flight and air-craft:
 - (a) Aircraft Registration Certificate.
 - (b) Airworthiness Certificate of the Aircraft.
 - (c) Journey log-book.

^ϕ Amended by First Amendment.

- (d) Personnel License, Rating and other Certificates of each Crew member attending in the flight.
- (e) In the case of a Passenger Air-craft, the name, nationality, landing point and ultimate destination of each passenger on board an Aircraft in the flight.
- (f) Other documents, prescribed by Authority, among them contained in Annex and Manual,

10. **No Aircraft shall make any flight in the prohibited zone** : No person shall fly an Aircraft in the completely prohibited airspace by Government of Nepal 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.
11. **No Aircraft shall enter, depart or make flight from 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 by Government of Nepal.
12. **An Aircraft manufactured for one function shall not make a flight for another function** : No, person shall fly such an aircraft for another purpose, save the purpose or function of the Aircraft, which is manufactured for such purpose or function by the Aircraft manufacturer.
13. **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 [◊] by Government of Nepal or Authority.
14. **No Aircraft shall make a flight beyond the pollution tolerance limit to be in the environment** : No person shall fly and operate an

[◊] Amended by First Amendment.

Aircraft beyond the pollution tolerance limit as prescribed ⁹by Government of Nepal or Authority to make minimum effect of pollution in the atmosphere and environment.

Chapter - 3

Provisions Relating to the Security of Air-flight and Operation

15. **Pilot-in-command to be satisfied** : No Aircraft shall make a flight, without having satisfaction of the Pilot-in-command on the following matters :-
- (a) The total weight of the aircraft is secure for the proposed flight.
 - (b) The goods aboard in an aircraft are loaded with balance and safely to secure the flight.
 - (c) Necessary and minimum quantity of extra fuel is available for the proposed flight.
 - (d) The aircraft is secure for the flight from other aspects.
16. **No Aircraft shall make a flight without having rescue materials**: No aircraft shall fly and operate without having rescue materials mentioned in the Annex and Manual for the rescue of the passengers in a sudden and emergency situation and such other type of equipment.
17. **No Aircraft shall make a flight without having fire extinguishing materials and equipment**: No aircraft shall fly and operate without having fire extinguishing materials and equipments

⁹ Amended by First Amendment.

mentioned in the Annex and Manual for the security of the passengers, Aircraft, airport and other matters and such other type of equipment.

18. **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 substance in such manner as prescribed by the ^o Government of Nepal.
19. **No crew shall drink liquor** : No crew shall fly an aircraft by drinking liquor which may cause an adverse effect in the capacity of the flight.
20. **No smoking in an aircraft during the flight time** : No crew and passenger shall smoke in other time of flight except in the conditions and time as specified by the Department for the security of the flight of the aircraft.
21. **No passenger and goods shall be aboard in unauthorised place**: No passenger and goods, shall be aboard in other place of the aircraft except in the particular place of the passenger and goods.
22. **Person not to be carried in an aircraft during the flight time** : No person shall fly an aircraft knowingly carrying the following person aboard in an aircraft except under an order issued by the Director-General:-
- (a) Suffering from mental disorders or epilepsy.
 - (b) The person serving the punishment of the imprisonment pursuant to prevailing law.
23. **No living being, animals, birds etc. shall be carried in an aircraft during the flight time** : No living being, animals, birds etc.

^o Amended by First Amendment.

shall be carried in an aircraft during the flight time except under an order issued by the Director-General.

✂ Chapter – 4

✂ Chapter - 5

✂ Chapter - 6

✂ Chapter - 7

✂ Chapter - 8

✂ Chapter - 9

Chapter - 10

Provision Relating to Communication and Airport Security

73. No Person shall Manage the Light and Symbol Except the

Department : (1) No person 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 Department pursuant to Sub-rule (1) shall be as prescribed in Annex and Manual.

74. Aircraft Communication and Equipment of Navigational Aid

to be Fixed : (1) Each public passenger aircraft registered in Nepal shall have to be fixed by the Radio Communication and equipment of

✂ Deleted by First Amendment.

Navigational Aid for the exchange of information and necessary for the Navigational Aid.

(2) Other technical matters relating to the fixing of the communication and equipment of Navigational Aid pursuant to sub-rule (1) shall be as prescribed in Annex and Manual.

75. No person shall enter into the Airport Area without

Permission : (1) No person shall have to enter into the airport area without having the order of the Director-General or authorised person except the person as follows :-

- (a) Air passengers,
- (b) The persons related to the functions of the air flight and airport,
- (c) The person related to the functions of carrying goods and documents to or from the Aircraft.

76. Slaughter House not be Established : No person shall establish the slaughter house around ^oThree kilometre of the airport area.

77. Environment shall not be Polluted : No person shall store and throw solid wastes around the area of the airport which may pollute the environment.

Chapter - 11

Miscellaneous

78. Log Book : (1) Each aircraft registered in the Kingdom of Nepal, shall maintain the up-to-date log book as following :-

- (a) Journey log-book,

^o Amended by First Amendment.

- (b) Aircraft log-book,
- (c) One engine log book in case of one 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 and separate pitch propeller log book 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 power to issue a journey log book pursuant to Clause (a) of Sub-rule (1), shall be the Director-General and the power to issue other log books shall be the Director-General or authority prescribed by him/her.

(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.

79. Order and Direction may be Issued: (1) Subject to the provisions of the Act and these Rules, the Department may issue necessary order or direction to the concerned body, organization and persons for the execution of Annex and Manual.

(2) While issuing an order and direction pursuant to Sub-rule (1), it may be issued particularly on the subjects as follows:-

- (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 airport and the equipment, and other physical objects to be fixed in the Aircraft,
- (d) Matters relating to the functions to be performed by the Private License holder in relations 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 minimum safety measures as determined,
- (h) Matters relating to providing information of air crash, making an investigation and floating of information relating to it,
- (i) Matters relating to floating information about weather for the air flight operation,
- (j) Matters relating to providing information in relation to Air traffic controller and Air Navigation System,
- (k) Matters relating to fix the standard communication equipment in Air Navigation and determining the process of operation of such equipment,

- (1) Matters relating to collection and floatation of information for the flight and operation of the Aircraft.

80. Annex and Manual may be Enforced : The Department 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 reasonability with a view to make the Air Flight secure, regular and systematic.

81. Manual, Requirements and Directives may be Framed : (1) The Department may frame Manual, Requirements and directives on the subjects mentioned in Schedule-3, not to be contrary to the Act and these Rules, taking into consideration that the National and International recognition for the execution of Rules, Annex, Manual and standard, prescribed by the International Organization in relation to Air Transport 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 Transport Service Operation.

82. Recognition may be Provided : The Department may recognize and execute the Rules and standards prescribed by the International Organizations in relation to air flight and air service operation, until the Manual, Requirements and Directives pursuant to Rule 81 are farmed.

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84. ✂

✂ Deleted by First Amendment.

85. **Delegation of Power** : Among the powers vested to the Director-General pursuant to these Rules, the Director-General may delegate some power to the official under him.

86. ✂

87. **Repeal and Saving** : Civil Aviation Rules, 2019 (1962) has been repealed and except otherwise provided in these Rules, all types of License, Rating and certificate provided pursuant to that Rules shall be considered to be provided pursuant to these Rules. In the matters written in these Rules shall be pursuant to these Rules and on the matters not written in these Rules shall be as mentioned in Annex and Manual.

✂Schedule – 1

✂Schedule - 2

✂Schedule - 3

✂ Deleted by First Amendment.