
First published in the *Government Gazette*, Electronic Edition, on 11th June 2013 at 5:00 pm.

No. S 348

AIR NAVIGATION ACT
(CHAPTER 6)

AIR NAVIGATION
(AMENDMENT)
ORDER 2013

In exercise of the powers conferred by section 3 of the Air Navigation Act, the Minister for Transport hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Air Navigation (Amendment) Order 2013 and shall come into operation on 17th June 2013.

Amendment of paragraph 8A

2. Paragraph 8A of the Air Navigation Order (O 2) (referred to in this Order as the principal Order) is amended by inserting, immediately after sub-paragraph (4), the following sub-paragraphs:

“(5) Notwithstanding sub-paragraph (1), a person in a country other than Singapore (referred to in this paragraph as a permitted person) may engage in the maintenance of a Singapore aircraft or any aircraft component fitted or to be fitted to a Singapore aircraft if all of the following conditions are satisfied:

- (a) the permitted person is certified or approved by the competent authority of that country to engage in the maintenance of aircraft or aircraft components under the law of that country;
- (b) there is a mutual recognition agreement or arrangement between the Authority and the competent authority of that country relating to the system of approval of persons engaged in the maintenance of aircraft or aircraft components;

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- (c) the permitted person meets the requirements of the mutual recognition agreement or arrangement referred to in sub-paragraph (b) and any other requirements as may be notified by the Chief Executive;
 - (d) that country is specified for the purposes of this sub-paragraph in an advisory circular issued under paragraph 88B.
- (6) A permitted person who engages in the maintenance of a Singapore aircraft or any aircraft component fitted or to be fitted to a Singapore aircraft shall, for the purposes of such maintenance, comply with —
- (a) the requirements in the mutual recognition agreement or arrangement referred to in sub-paragraph (5)(b); and
 - (b) any other requirements as may be notified by the Chief Executive referred to in sub-paragraph (5)(c).”.

Amendment of paragraph 20

3. Paragraph 20 of the principal Order is amended —

- (a) by deleting sub-paragraphs (3) and (3A) and substituting the following sub-paragraphs:

“(3) The Chief Executive or any person appointed by him may, if he is satisfied that the applicant is qualified to act in the capacity to which a rating relates, include in the applicant’s licence a rating of any of the classes specified in Part B of the Eighth Schedule and such rating shall be deemed to form part of the licence and shall entitle the holder of the licence to perform such functions as are specified in Part B of that Schedule in respect of that rating.

(3A) The Chief Executive or any person appointed by him may renew any rating that is included in a licence referred to in sub-paragraph (3), if the Chief Executive or the person appointed by him, as the case may be, is satisfied, by a test or such other means as the Chief Executive may determine, that the applicant continues to

be competent to perform the functions to which the rating relates.

(3B) Where a test referred to in sub-paragraph (3A) is required to be carried out, the test shall be carried out either in flight or by means of a flight simulation training device.

(3C) A person who has failed any test or examination required under this paragraph shall not be entitled to fly or to perform any duty on any aircraft in the capacity for which that test or examination would have qualified him, had he passed that test or examination.”;

(b) by deleting sub-paragraph (12) and substituting the following sub-paragraphs:

“(12) No person shall use a flight simulation training device for the conduct of a test or a course of flight training or instruction unless that flight simulation training device has been approved, by way of a certificate of qualification referred to in sub-paragraph (12B), for such use by the Chief Executive.

(12A) No person shall offer a flight simulation training device for use for the conduct of a test or a course of flight training or instruction unless he has obtained from the Chief Executive a certificate of qualification for the flight simulation training device.

(12B) The Chief Executive may issue or renew a certificate of qualification for a flight simulation training device, subject to such conditions as the Chief Executive thinks fit.

(12C) Notwithstanding sub-paragraph (12A), a person who, immediately before 17th June 2013, has in force a certificate of qualification for a flight simulation training device granted by the Chief Executive under the Singapore Air Safety Publication (SASP) (referred to in this paragraph as the relevant permit) shall not be

required to obtain a certificate of qualification under sub-paragraph (12A), for the same flight simulation training device, for the period which the relevant permit is in force.”; and

(c) by deleting sub-paragraph (14) and substituting the following sub-paragraph:

“(14) The following persons shall comply with the relevant requirements contained in the Singapore Air Safety Publication (SASP) issued by the Chief Executive:

- (a) an applicant for or the holder of any licence referred to in this paragraph;
- (b) an applicant for or the holder of any certificate of qualification for a flight simulation training device referred to in sub-paragraph (12B);
- (c) a person applying to be authorised or authorised under sub-paragraph (13)(b) to conduct any examination or test;
- (d) a person applying to be approved or approved under sub-paragraph (13)(c) to provide any course of training or instruction;
- (e) a person applying to be approved or approved under sub-paragraph (13)(d) to use a flight simulation training device to provide a course of flight training or instruction.”.

Amendment of paragraph 27

4. Paragraph 27 of the principal Order is amended by inserting, immediately after sub-paragraph (2), the following sub-paragraphs:

“(2A) A holder of an air operator certificate granted under paragraph 87 shall not provide any training or conduct any tests specified in paragraph 1 of Part B of the Ninth Schedule by means of an approved flight simulation training device unless he has obtained the Chief Executive’s approval to do so.

(2B) The Chief Executive may grant the approval in sub-paragraph (2A) either absolutely or subject to such conditions as he thinks fit.

(2C) A holder of an air operator certificate who has been granted an approval under sub-paragraph (2A) shall comply with —

- (a) the conditions, if any, contained in the approval; and
- (b) the relevant requirements contained in the Singapore Air Safety Publication (SASP) issued by the Chief Executive.”.

Amendment of paragraph 73

5. Paragraph 73(1) of the principal Order is amended by deleting the words “or 87” in sub-paragraph (a) and substituting the words “, 87 or 87A”.

Amendment of paragraph 77

6. Paragraph 77 of the principal Order is amended —

- (a) by deleting the words “If after such payment has been made, this application is withdrawn by the applicant or otherwise ceases to have effect or is refused, the Chief Executive may in his discretion, refund all or part of such payment.” in sub-paragraph (2); and
- (b) by inserting, immediately after sub-paragraph (2), the following sub-paragraph:

“(3) The Chief Executive may, in any particular case, waive or refund in whole or in part any fee payable under this Order on such terms and conditions as he thinks fit.”.

New paragraph 87A

7. The principal Order is amended by inserting, immediately after paragraph 87, the following paragraph:

“Issue of operations permit

87A.—(1) Subject to sub-paragraphs (7) and (8), no person who has been granted an air operator certificate by a country other than Singapore (referred to in this paragraph as a foreign air operator) shall operate an aircraft into or out of Singapore for the purpose of public transport unless —

- (a) the person has in force an operations permit granted to him under sub-paragraph (5); and
- (b) the person operates the aircraft in accordance with the conditions of that permit.

(2) The Chief Executive may grant or renew an operations permit to a foreign air operator if the Chief Executive is satisfied that the foreign air operator is capable of ensuring the safe operation of the foreign air operator’s aircraft.

(3) The holder of an operations permit may at any time apply in writing to the Chief Executive to vary the permit.

(4) An application for the grant, renewal or variation of an operations permit shall be submitted to the Chief Executive in such form and manner and shall contain such information as the Chief Executive may require.

(5) The Chief Executive may grant, renew or vary an operations permit —

- (a) upon payment of the fees specified in paragraph 20A of the Twelfth Schedule; and
- (b) in such form or manner as he may determine, and subject to such conditions as he thinks fit.

(6) An operations permit granted under sub-paragraph (5) shall remain in force for the period specified therein.

(7) Any foreign air operator who, immediately before 17th June 2013, is operating any aircraft into or out of Singapore on any non-scheduled journey for the purpose of public transport under a valid permit granted under Part III of the Air Navigation (Licensing of Air Services) Regulations (Rg 2) (referred to in this paragraph as the relevant permit) shall not be

required to obtain an operations permit under this paragraph for the period which the relevant permit is in force.

(8) Any foreign air operator who, on or after 17th June 2013, is operating any aircraft into or out of Singapore on any scheduled journey for the purpose of public transport may, without an operations permit, continue to operate such aircraft for the purpose of public transport for a period of 12 months after this date.

(9) In this paragraph, “non-scheduled journey” and “scheduled journey” have the same meanings as in the Air Navigation (Licensing of Air Services) Regulations.”.

Amendment of paragraph 88A

8. Paragraph 88A of the principal Order is amended by deleting sub-paragraph (1) and substituting the following sub-paragraph:

“(1) The Chief Executive may, from time to time, issue a directive —

- (a) requiring any person, class of persons or all persons holding any certificate, licence, approval, permission, permit, exemption, authorisation or other document granted or issued under this Order to do, or not to do, such things which are specified in the directive or which are of a description as specified therein; or
- (b) to any air operator of an aircraft or a class of aircraft, which is intended to be flown into Singapore, requiring that the air operator shall not allow an aircraft or a class of aircraft to be flown into Singapore.”.

Amendment of Ninth Schedule

9. The Ninth Schedule to the principal Order is amended by deleting the definition of “approved” in paragraph 1(6) of Part B and substituting the following definition:

“ “approved” —

- (a) in relation to a flight simulation training device, means approved by the Chief Executive by way of a certificate of qualification under paragraph 20(12A) of the Order; and
- (b) in relation to simulated instrument flight conditions, means approved by the Chief Executive.”.

Amendment of Twelfth Schedule

10. The Twelfth Schedule to the principal Order is amended —

- (a) by deleting the heading of paragraph 7 and substituting the following heading:

“Approval of persons, simulators and courses of training or instruction (Paragraphs 11(9)(c), 20(13)(c) and (d), 27(2A) and 73A).”;

- (b) by deleting sub-paragraph (4) of paragraph 7 and substituting the following sub-paragraph:

“(4) The fee to be paid for the grant of approval or renewal of approval for the use of a flight simulation training device for the purpose of flight training or testing under paragraph 20(13)(d) or 27(2A) of the Order shall be \$1,100 for each year for which the approval is valid.”;

- (c) by inserting, immediately after sub-paragraph (1) of paragraph 12, the following sub-paragraphs:

“(1A) Where an application for a Commercial Pilot’s Licence or an Airline Transport Pilot’s Licence is based on an equivalent licence granted by a Contracting State other than Singapore, a fee of \$345 shall be paid by the applicant, in addition to the relevant fee payable under sub-paragraph (1).

(1B) Where an application for a Commercial Pilot’s Licence or an Airline Transport Pilot’s Licence is based on a qualification other than an equivalent licence granted by a Contracting State other than Singapore, a fee of \$83 shall be paid by the applicant, in addition to the relevant fee payable under sub-paragraph (1).”; and

- (d) by inserting, immediately after paragraph 20, the following paragraph:

“Operations permit application fee (Paragraph 87A)

20A.—(1) The fee to be paid for the grant, renewal or variation of an operations permit under paragraph 87A(5) of the Order shall be as follows:

- (a) for the grant or renewal of an operations permit with a validity period of —
 - (i) up to one year — \$300;
 - (ii) 3 years — \$450; and
 - (iii) 5 years — \$600;
- (b) for the variation of an operations permit — \$33.

(2) In addition to the fee stipulated in sub-paragraph (1), the fee to be paid for the assessment of an aircraft for inclusion in the operations permit shall be \$40 for each aircraft to be assessed.”.

Amendment of Thirteenth Schedule

11. The Thirteenth Schedule to the principal Order is amended —

- (a) by inserting, immediately below the words “Paragraph 16(3).” in Part A, the words “Paragraph 20(12).”;
- (b) by deleting the words “Paragraph 20(2), (3A) and (7).” in Part B and substituting the words “Paragraph 20(2), (3C), (7), (12A) and (14).”; and
- (c) by inserting, immediately below the words “Paragraph 87(1) and (5).” in Part B, the words “Paragraph 87A(1) and (8).”.

[G.N. Nos. S 573/91; S 49/92; S 60/92; S 180/92; S 61/93; S 199/93; S 8/94; S 67/98; S 325/2000; S 384/2000; S 166/2002; S 56/2003; S 440/2003; S 581/2003; S 331/2005; S 781/2005; S 487/2006; S 640/2006; S 299/2009; S 278/2010; S 423/2010; S 729/2010; S 162/2011; S 570/2011; S 124/2012; S 617/2012]

Made this 7th day of June 2013.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Transport,
Singapore.*

[CAAS/LE/LGN/C1.09; MOT.CA.271.10.03.0.14; AG/LLRD/SL/6/
2010/1 Vol. 7]