
First published in the *Government Gazette*, Electronic Edition, on 14th December 2012 at 5:00 pm.

No. S 617

AIR NAVIGATION ACT (CHAPTER 6)

AIR NAVIGATION (AMENDMENT NO. 2) ORDER 2012

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 No. 2) Order 2012 and shall come into operation on 17th December 2012.

Amendment of paragraph 2

2. Paragraph 2(1) of the Air Navigation Order (O 2) (referred to in this Order as the principal Order) is amended —

(a) by inserting, immediately after the definition of “cabin crew member”, the following definition:

“ “captive balloon” means an unmanned, non-power driven balloon that is tethered to the surface of the earth, or to a stationary structure on the surface of the earth;”;

(b) by deleting the definition of “evaluating medical examiner”;

(c) by inserting, immediately after the definition of “flight visibility”, the following definition:

“ “free flight aerial object” means an unmanned, uncontrollable, lighter-than-air object that is able to remain airborne and includes a free balloon;”;

(d) by deleting the definition of “to land” and substituting the following definition:

““kite” means a pilotless framework covered with a material including cloth, synthetic fibre, plastic or paper and which is designed to be flown in the wind at the end of a string without mechanical propulsion;”;

(e) by inserting, immediately after the definition of “maximum total weight authorised”, the following definition:

““medical assessor” means a person who —

- (a) is qualified and licensed to practise medicine in Singapore or elsewhere;
- (b) is trained and experienced in the practice of aviation medicine;
- (c) possesses the practical knowledge and experience of the conditions in which the holder of a licence carries out the functions to which his licence relates; and
- (d) is approved by the Chief Executive to assess the medical fitness of an applicant under the Fourteenth Schedule based on evaluating the report of the designated medical examiner and such other assessments as the medical assessor may deem necessary;”;

(f) by inserting, immediately after the definition of “overhaul”, the following definition:

““parasail” means a structure that is capable of lifting a person harnessed or attached to the structure up or through the air when the structure is —

- (a) towed by a moving vessel, vehicle or such other object; or
- (b) thrust into the air by the wind,

and “parasailing” shall be construed accordingly;”;

(g) by inserting, immediately after the definition of “taxiing”, the following definition:

“ “to land” in relation to an aircraft includes to alight on water;”;

(h) by inserting, immediately after the definition of “Visual Meteorological Conditions (VMC)”, the following definition:

“ “working day” means any day except a Saturday, Sunday or public holiday.”.

Amendment of paragraph 20

3. Paragraph 20(7) of the principal Order is amended by deleting the words “evaluating medical examiner” in sub-paragraph (ii) and substituting the words “medical assessor”.

Amendment of paragraph 60

4. Paragraph 60 of the principal Order is amended by inserting, immediately after the word “permission,” in sub-paragraphs (1) to (4), the word “permit,”.

Amendment of paragraph 61

5. Paragraph 61(1) of the principal Order is amended by inserting, immediately after the word “permission,” wherever it appears, the word “permit,”.

Amendment of paragraph 62E

6. Paragraph 62E(1) of the principal Order is amended by deleting the words “evaluating medical examiner” in sub-paragraph (ii) and substituting the words “medical assessor”.

Deletion and substitution of paragraph 64 and new paragraphs 64A to 64I

7. Paragraph 64 of the principal Order is deleted and the following paragraphs substituted therefor:

“Kites and parasails

64.—(1) Except where expressly provided in paragraph 64F, a person shall not fly or operate a kite or parasail at any altitude in any area that is within 5 kilometres of any aerodrome and not a permitted area designated under sub-paragraph (2) unless —

- (a) the person has in force a permit granted under sub-paragraph (4) authorising him to do so; and
- (b) the person flies or operates the kite or parasail in accordance with the conditions of that permit and the requirements of paragraph 64D.

(2) The Chief Executive may designate one or more areas within 5 kilometres of any aerodrome as a permitted area for the flying or operation of a kite or parasail, subject to such conditions as he may impose.

(3) Except where expressly provided in paragraph 64F, a person shall not fly or operate a kite or parasail beyond 5 kilometres of any aerodrome —

- (a) at an altitude higher than 200 feet above mean sea level if within 10 kilometres of Paya Lebar aerodrome or Tengah aerodrome and within one kilometre of the respective flight funnels to these aerodromes; or
- (b) at an altitude higher than 500 feet above mean sea level in any other place,

unless the person has in force a permit granted under sub-paragraph (4) authorising him to do so, and he flies or operates the kite or parasail in accordance with the conditions of that permit and the requirements of paragraph 64D.

(4) The Chief Executive may grant a written permit in such form or manner as he may determine, and subject to such conditions as he thinks fit.

(5) An application for a permit under sub-paragraph (1) or (3) shall be submitted in writing to the Chief Executive no later than 7 working days before the date on which the activity in sub-paragraph (1) or (3) is intended to be carried out.

(6) A permit granted under sub-paragraph (4) shall be valid for such period as may be specified therein.

(7) For the purposes of this paragraph —

- (a) aerodrome shall include a military aerodrome; and
- (b) parasailing shall include kite surfing.

Captive balloons

64A.—(1) Except where expressly provided in paragraph 64F, a person shall not fly or operate a captive balloon that exceeds 3 metres in any linear dimension at any altitude anywhere unless —

- (a) the person has in force a permit granted under sub-paragraph (4) authorising him to do so; and
- (b) the person flies or operates the captive balloon in accordance with the conditions of that permit and the requirements of sub-paragraph (7) and paragraph 64D.

(2) Except where expressly provided in paragraph 64F, a person shall not fly or operate a captive balloon that is 3 metres or shorter in any linear dimension at any altitude within one kilometre of the respective flight funnels to any aerodrome unless —

- (a) the person has in force a permit granted under sub paragraph (4) authorising him to do so; and
- (b) the person flies or operates the captive balloon in accordance with the conditions of that permit and the requirements of sub-paragraph (7) and paragraph 64D.

(3) Except where expressly provided in paragraph 64F, a person shall not fly or operate a captive balloon that is 3 metres or shorter in any linear dimension outside of one kilometre of the respective flight funnels to any aerodrome —

- (a) at an altitude higher than 130 feet above mean sea level if within 5 kilometres of any aerodrome; or

(b) at an altitude higher than 290 feet above mean sea level in any other place,

unless the person has in force a permit granted under sub-paragraph (4) authorising him to do so, and he flies or operates the captive balloon in accordance with the conditions of that permit and the requirements of sub-paragraph (7) and paragraph 64D.

(4) The Chief Executive may grant a written permit in such form or manner as he may determine, and subject to such conditions as he thinks fit.

(5) An application for a permit under sub-paragraph (1), (2) or (3) shall be submitted in writing to the Chief Executive no later than 7 working days before the date on which the activity in sub-paragraph (1), (2) or (3) is intended to be carried out.

(6) A permit granted under sub-paragraph (4) shall be valid for such period as may be specified therein.

(7) A person shall not fly or operate a captive balloon unless the captive balloon —

(a) is securely tethered; and

(b) is attended to at all times where that captive balloon is not fitted with a device which ensures its automatic deflation if it breaks free of its tether.

(8) For the purposes of this paragraph, aerodrome shall include a military aerodrome.

Free flight aerial objects

64B.—(1) Except where expressly provided in paragraph 64F, a person shall not cause or permit the release of a free flight aerial object within 5 kilometres of any aerodrome unless —

(a) the person has in force a permit granted under sub-paragraph (3) authorising him to do so; and

(b) the person causes or permits the release of the free flight aerial object in accordance with the conditions of that permit and the requirements of paragraph 64D.

(2) Except where expressly provided in paragraph 64F, a person shall not, beyond 5 kilometres of any aerodrome, cause or permit the release of —

- (a) a balloon 2 metres or longer in any linear dimension including any object attached to the balloon;
- (b) a balloon singly, collectively or in a cluster where the balloon or cluster of balloons may cluster with other balloons (regardless of whether such other balloons are released by that person) resulting in a cluster (including any object attached to any of the balloons) measuring 2 metres or longer in any linear dimension; or
- (c) a free flight aerial object (other than a balloon) which is capable of rising more than 200 feet above mean sea level,

unless the person has in force a permit granted under sub-paragraph (3) authorising him to do so, and he causes or permits the release of the balloon in accordance with the conditions of that permit and the requirements of paragraph 64D.

(3) The Chief Executive may grant a written permit in such form or manner as he may determine, and subject to such conditions as he thinks fit.

(4) An application for a permit under sub-paragraph (1) or (2) shall be submitted in writing to the Chief Executive no later than 7 working days before the date on which the activity in sub-paragraph (1) or (2) is intended to be carried out.

(5) A permit granted under sub-paragraph (3) shall be valid for such period as may be specified therein.

Model aircraft and unmanned airships

64C.—(1) Except where expressly provided in paragraph 64F, a person shall not fly or operate any model aircraft or any unmanned airship —

- (a) at any altitude within 5 kilometres of any aerodrome; or

(b) at an altitude higher than 200 feet above mean sea level in any place beyond 5 kilometres of any aerodrome,

unless the person has in force a permit granted under sub-paragraph (2) authorising him to do so, and he flies or operates the model aircraft or unmanned airship in accordance with the conditions of that permit and the requirements of sub-paragraph (5) and paragraph 64D.

(2) The Chief Executive may grant a written permit in such form or manner as he may determine, and subject to such conditions as he thinks fit.

(3) An application for a permit under sub-paragraph (1) shall be submitted in writing to the Chief Executive no later than 7 working days before the date on which the activity in sub-paragraph (1) is intended to be carried out.

(4) A permit granted under sub-paragraph (2) shall be valid for such period as may be specified therein.

(5) A person shall not fly or operate a model aircraft or an unmanned airship unless he is reasonably satisfied that the flight of the model aircraft or unmanned airship, as the case may be, will be conducted safely and will not pose a hazard to any person, aircraft or property.

(6) For the purposes of this paragraph, aerodrome shall include a military aerodrome.

Prohibition of activities within certain areas and of hazardous aerial activities

64D.—(1) Notwithstanding paragraphs 64, 64A and 64C, a person shall not fly or operate a kite, parasail, captive balloon, model aircraft or unmanned airship —

- (a) within the boundaries of any danger, restricted or prohibited area; or
- (b) in a manner which is likely to endanger the safety of any person, aircraft or property.

(2) Notwithstanding paragraph 64B, a person shall not cause or permit the release of a free flight aerial object —

- (a) within the boundaries of any danger, restricted or prohibited area;
- (b) in a manner which is likely to endanger the safety of any person, aircraft or property; or
- (c) anywhere in Singapore during the operating hours of any military aerodrome.

Notification in cases not requiring permit

64E.—(1) Where a permit is not required under any provision in paragraphs 64A, 64B and 64C (other than for any reason under paragraph 64F) to fly or operate a captive balloon or an unmanned airship or to release a free flight aerial object, a person who intends to carry out any such activity shall notify the Chief Executive in writing no later than 7 working days before the date on which the activity is intended to be carried out.

(2) Sub-paragraph (1) shall not apply to the release of 20 or fewer balloons on a single occasion —

- (a) where each balloon is 30 centimetres or shorter in any linear dimension including any object attached to the balloon; and
- (b) the release of such balloons do not result in a cluster (including any object attached to any of the balloons) measuring 2 metres or longer in any linear dimension.

Paragraphs 64 to 64E not to apply in certain circumstances

64F. Paragraphs 64 to 64E shall not apply to —

- (a) the flying or operating of a kite, parasail, captive balloon, model aircraft or unmanned airship or the releasing of a free flight aerial object in an indoor place or area; and
- (b) the use of a free flight aerial object, model aircraft or unmanned airship for public transport.

Power to demand names and addresses, etc.

64G.—(1) An authorised person may require a person whom he has reasonable grounds to suspect is just about to contravene, has just contravened or is contravening any provision in paragraphs 64 to 64E, to furnish his name, address or such other proof of identity on demand.

(2) Any person who —

- (a) refuses or, without reasonable excuse, fails to comply with sub-paragraph (1);
- (b) in furnishing any information so required under sub-paragraph (1) makes a statement which he knows to be false, or recklessly makes a statement which is false; or
- (c) wilfully obstructs or impedes any authorised person acting in the exercise of a power conferred on him by or under this paragraph,

shall be guilty of an offence.

Offences

64H. Any person who —

- (a) fails to comply with any condition in a permit granted to him under paragraphs 64 to 64C;
- (b) fails to comply with any condition imposed under paragraph 64(2) for the flying or operation of a kite or parasail in a permitted area within 5 kilometres of any aerodrome; or
- (c) contravenes any provision in paragraphs 64 to 64E,

shall be guilty of an offence.

Definitions

64I. In paragraphs 64 to 64H, unless the context otherwise requires —

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- “danger area” means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times;
- “flight funnel” means an envelope of airspace within and around the path that may be taken by an aircraft for taking off from and landing at any aerodrome;
- “model aircraft” means any aircraft that weighs not more than 7 kilogrammes without its fuel and that is capable of being flown without a pilot;
- “operating hours”, in relation to a military aerodrome, means Mondays to Fridays from 7 a.m. to 7 p.m. and Saturdays from 7 a.m. to 1 p.m.;
- “prohibited area” means an airspace of defined dimensions, above the land areas or territorial waters of Singapore, within which the flight of aircraft is prohibited;
- “restricted area” means an airspace of defined dimensions, above the land areas or territorial waters of Singapore, within which the flight of aircraft is restricted in accordance with certain specified conditions.”.

Deletion and substitution of paragraph 72

8. Paragraph 72 of the principal Order is deleted and the following paragraph substituted therefor:

“Dangerous lights

72.—(1) A person shall not exhibit in Singapore any light which —

- (a) by reason of its glare or any other cause or character of the light, is liable to endanger aircraft or interfere with the provision of air traffic control service for aerodrome traffic at any aerodrome; or
- (b) by reason of its liability to be mistaken for an aeronautical light, is liable to endanger aircraft.

(2) A person shall not direct or shine any light, or cause or permit any light to be directed or shone at an aircraft such that the safety of the aircraft is or is likely to be endangered.

(3) A person shall not conduct any outdoor light display unless —

(a) the person has in force a permit granted under sub-paragraph (4) authorising him to do so; and

(b) the person conducts the outdoor light display in accordance with the conditions of that permit.

(4) The Chief Executive may grant a written permit in such form or manner as he may determine, and subject to such conditions as he thinks fit.

(5) An application for a permit under sub-paragraph (3) shall be submitted —

(a) in such form as may be determined by the Chief Executive and shall include any documents or information as the Chief Executive may require; and

(b) no later than 7 working days before the date on which the activity in sub-paragraph (3) is intended to be carried out.

(6) A permit granted under sub-paragraph (4) shall be valid for such period as may be specified therein.

(7) An authorised person may require a person whom he has reasonable grounds to suspect is just about to contravene, has just contravened or is contravening any provision in this paragraph, to furnish his name, address or such other proof of identity on demand.

(8) Any person who —

(a) refuses, or without reasonable excuse, fails to comply with sub-paragraph (7);

(b) in furnishing any information so required under sub-paragraph (7) makes a statement which he knows

to be false, or recklessly makes a statement which is false; or

- (c) wilfully obstructs or impedes any authorised person acting in the exercise of a power conferred on him by or under sub-paragraph (7),

shall be guilty of an offence.

(9) Any person who —

- (a) fails to comply with any condition in a permit granted to him under this paragraph; or
- (b) contravenes any provision in sub-paragraph (1), (2) or (3),

shall be guilty of an offence.

(10) For the purposes of this paragraph —

- (a) aerodrome shall include a military aerodrome;
- (b) aircraft shall include a military aircraft; and
- (c) “outdoor light display” means a display of one or more lights which includes any searchlight, laser-beam, fireworks or any other type of high intensity light that projects into airspace for purposes of entertainment.”.

Amendment of paragraph 83

9. Paragraph 83(3) of the principal Order is amended by deleting the words “and paragraph 70” and substituting the words “, paragraph 70 and paragraph 72”.

Deletion and substitution of paragraph 86

10. Paragraph 86 of the principal Order is deleted and the following paragraph substituted therefor:

“Small aircraft

86. The provisions of this Order, other than paragraphs 2(1) and (5), 46 and 64 to 64I (as the case may be), shall not apply to or in relation to —

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- (a) any balloon or free flight aerial object which at any stage of its flight is not more than 2 metres in any linear dimension including any object attached to the balloon or free flight aerial object;
 - (b) any kite weighing not more than 2 kilogrammes;
 - (c) any parasail; or
 - (d) any other aircraft weighing not more than 7 kilogrammes without its fuel.”.

Amendment of Fifth Schedule

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

- (a) by deleting the words “A, B, D, F(i) only, H and J.” under the heading “Scale of equipment required” in item 2(e)(i)(bb) in paragraph 4 and substituting the words “A, B, D, F(i) only, H, J and EE.”;
- (b) by deleting the words “3,180 kg” in item 7 in paragraph 4 and substituting the words “2,250 kg”; and
- (c) by inserting, immediately after Scale DD in paragraph 5, the following:

“ Scale EE.

- (i) From 1st January 2018, any aeroplane of maximum total weight authorised exceeding 27,000 kg shall be equipped with a securely attached underwater locating device which is automatically activated underwater, operating at a frequency of 8.8KHz.
- (ii) The automatically activated underwater locating device referred to in paragraph (i) shall operate for a minimum of 30 days and shall not be installed in the wings or empennage of the aeroplane.

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Amendment of Eleventh Schedule

12. The Eleventh Schedule to the principal Order is amended by deleting the words “3 minutes” in paragraph 3.6.2.2(c) of Chapter 3 of Part I and substituting the words “2 minutes”.

Amendment of Twelfth Schedule

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

- (a) by deleting “\$72” in paragraph 12(1)(b)(iii) and substituting “\$78”; and
- (b) by inserting, immediately after sub-paragraph (j) of paragraph 12(2), the following sub-paragraphs:

- “ (k) for any examination that is administered through an electronic means —
- | | |
|---|-------|
| (i) for each examination or re-examination paper to be taken in respect of the grant or renewal of a Private Pilot’s Licence | \$124 |
| (ii) for each examination or re-examination paper to be taken in respect of the grant or renewal of a Commercial Pilot’s Licence, Multi-crew Pilot’s Licence or Airline Transport Pilot’s Licence | \$155 |
| (iii) for each examination or re-examination paper to be taken for the inclusion of a rating in any licence to act as a member of a flight crew | \$155 |
| (l) for cancellation by a candidate of a booking for an examination paper referred to in sub-paragraph (k) | \$30 |
| (m) for re-scheduling by a candidate of an examination paper referred to in sub-paragraph (k). | \$20 |

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Amendment of Thirteenth Schedule

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

- (a) by inserting, immediately below the words “Paragraph 60(3).” in Part A, the following words:

- “ Paragraph 64.
 Paragraph 64A.
 Paragraph 64B.
 Paragraph 64C.
 Paragraph 64D.

Paragraph 64E.

Paragraph 64G.

”;

- (b) by deleting the words “Paragraph 72(1).” in Part A and substituting the words “Paragraph 72(1), (2), (3), (8) and (9).”; and
- (c) by deleting the words “Paragraph 64.” in Part B.

Amendment of Fourteenth Schedule

15. The Fourteenth Schedule to the principal Order is amended —

- (a) by deleting sub-paragraph (2) of paragraph 3 and substituting the following sub-paragraph:
 - “(2) The designated medical examiner shall evaluate whether the applicant satisfies the standard of medical fitness required for the licence for which the applicant has applied for a grant or renewal and submit a report of his evaluation to the medical assessor for assessment and clearance.”;
- (b) by deleting the words “an evaluating medical examiner” in paragraphs 3(3) and 6(c) and substituting in each case the words “a medical assessor”; and
- (c) by deleting the words “evaluating medical examiner” in paragraph 5 and substituting the words “medical assessor”.

*[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]*

Made this 13th day of December 2012.

LOH KHUM YEAN
*Permanent Secretary,
Ministry of Transport,
Singapore.*

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