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**AIR NAVIGATION ACT
(CHAPTER 6)**

**AIR NAVIGATION
(91 — GENERAL OPERATING RULES)
(AMENDMENT NO. 3) REGULATIONS 2020**

In exercise of the powers conferred by section 3A of the Air Navigation Act, the Civil Aviation Authority of Singapore, with the approval of the Minister for Transport, makes the following Regulations:

Citation and commencement

1. These Regulations are the Air Navigation (91 — General Operating Rules) (Amendment No. 3) Regulations 2020 and come into operation on 5 November 2020.

Amendment of regulation 7

2. Regulation 7(2) of the Air Navigation (91 — General Operating Rules) Regulations 2018 (G.N. No. S 441/2018) (called in these Regulations the principal Regulations) is amended —

- (a) by deleting the words “transfer agreement under Article 83 *bis* of the Chicago Convention” in sub-paragraph (h) and substituting the words “83 *bis* agreement, or the agreement summary of such an 83 *bis* agreement”; and
- (b) by deleting the words “or (f)” in sub-paragraph (j) and substituting the words “, (f) or (h)”.

Deletion and substitution of regulation 28

3. Regulation 28 of the principal Regulations is deleted and the following regulation substituted therefor:

“Operating facilities

28.—(1) For any flight mentioned in regulation 3(1)(a) or (b), the pilot-in-command must not commence the flight from any aerodrome unless the pilot-in-command has ascertained, by every reasonable means available, that —

- (a) the ground facilities at the aerodrome (including communication facilities and navigation aids) that are required for the safe operation of the aircraft are adequate for the type of operation to be conducted; and
 - (b) the airspace containing the intended route from the aerodrome of departure to the aerodrome of arrival (including any intended take-off alternate aerodrome, destination alternate aerodrome and en-route alternate aerodrome) can be safely used for the type of operation to be conducted.
- (2) A pilot-in-command mentioned in paragraph (1) must —
- (a) if the pilot-in-command ascertains or observes in the course of conducting the operation that the ground facilities mentioned in paragraph (1)(a) are not adequate for the type of operation conducted — report, without undue delay, the inadequacy of the ground facilities to the authority responsible for the ground facilities; and
 - (b) if the pilot-in-command ascertains or observes in the course of conducting the operation that the airspace mentioned in paragraph (1)(b) is not safe for the type of operation conducted — report, without undue delay, the unsafe condition of the airspace to all appropriate air traffic services units and the person who prepared the flight plan for the operation.”.

Amendment of regulation 98

4. Regulation 98(1) of the principal Regulations is amended by deleting sub-paragraph (b) and substituting the following sub-paragraph:

“(b) for a helicopter —

- (i) for which the Certificate of Airworthiness is first issued before 1 January 2016;
- (ii) which is modified on or after 1 January 2016 to install and utilise any of the data link communications applications specified by the Director-General of Civil Aviation; and
- (iii) which is not modified on or after 1 January 2016 to install any data link communications equipment which complies with —
 - (A) the type design of the helicopter that is approved by the State of Design before 1 January 2016; or
 - (B) a modification to the helicopter that is approved by the State of Design or the State of Registry before 1 January 2016.”.

Amendment of First Schedule

5. The First Schedule to the principal Regulations is amended —

(a) by inserting, immediately after the definition of “Aeroplane”, the following definition:

““Agreement summary”, in relation to an 83 *bis* agreement, means a document —

- (a) that clearly and succinctly identifies the functions and duties that are transferred (under the 83 *bis* agreement) by the State of Registry to the State of the Operator; and
- (b) that has been transmitted (with the 83 *bis* agreement) in accordance with Article 83 *bis* of the Chicago Convention.”; and

(b) by deleting sub-paragraphs (C), (D) and (E) of paragraph (b)(ii) of the definition of “Instrument approach operation” and substituting the following sub-paragraph:

“(C) Category III (CAT III): where the decision height is lower than 30 m (100 ft), or there is no decision height, and with either a runway visual range less than 300 m or no runway visual range limitations.”.

*[G.N. Nos. S 677/2018; S 768/2018; S 179/2019;
S 209/2020; S 390/2020]*

Made on 4 November 2020.

EDMUND CHENG WAI WING
*Chairman,
Civil Aviation Authority of
Singapore.*

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(To be presented to Parliament under section 3A(8) of the Air Navigation Act).