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**No. S 940**

AIR NAVIGATION ACT  
(CHAPTER 6)

AIR NAVIGATION  
(135 — COMMERCIAL AIR TRANSPORT  
BY HELICOPTERS AND SMALL AEROPLANES)  
(AMENDMENT NO. 2) 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 (135 — Commercial Air Transport by Helicopters and Small Aeroplanes) (Amendment No. 2) Regulations 2020 and come into operation on 5 November 2020.

**Amendment of regulation 5**

2. Regulation 5(1) of the Air Navigation (135 — Commercial Air Transport by Helicopters and Small Aeroplanes) Regulations 2018 (G.N. No. S 445/2018) (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 (k) and substituting the words “, (f) or (h)”.

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**Deletion and substitution of regulation 27**

3. Regulation 27 of the principal Regulations is deleted and the following regulation substituted therefor:

**“Flight planning**

27.—(1) Before the commencement of any flight of a relevant aircraft, the AOC holder must ensure that —

- (a) the pilot-in-command is provided with the necessary information —
  - (i) to complete the preparation for the intended flight; and
  - (ii) to ensure the adequacy of facilities at any aerodrome or heliport that may be used for the flight; and
- (b) if the flight is intended to operate over or near any conflict zone, a risk assessment is conducted and appropriate risk mitigation measures are taken to ensure the safety of the flight.

(2) For the purposes of paragraph (1)(b), “conflict zone” is any area where armed conflict is occurring or is likely to occur between militarised parties (including any area where militarised parties are in a heightened state of military alert or tension) and the safety of civil aircraft may be endangered.”.

**Amendment of regulation 38**

4. Regulation 38(3) of the principal Regulations is amended by deleting the full-stop at the end of sub-paragraph (h) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraphs:

- “(i) any conditions specified in the operations specifications associated with the AOC holder’s air operator certificate;
- (j) any aerodrome operating minima that may be established for an aerodrome by the State of the Aerodrome.”.

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**Amendment of regulation 81**

5. Regulation 81 of the principal Regulations is amended by inserting, immediately after paragraph (5), the following paragraphs:

“(6) Despite paragraphs (3)(b) and (4)(c), the Director-General of Civil Aviation may (based on the results of a safety risk assessment conducted by an AOC holder) allow a helicopter to be operated in a flight phase when an engine failure may cause the helicopter to make a forced landing, even if the surface below the intended flight path is not conducive for a safe forced landing.

(7) The safety risk assessment mentioned in paragraph (6) must include an assessment of at least the following matters:

- (a) the type and circumstances of the operation;
- (b) the area or terrain over which the operation is to be conducted;
- (c) the probability of, and length of exposure to, a critical engine failure and the tolerability of such an event;
- (d) the procedures and systems for monitoring and maintaining the reliability of the engine or engines;
- (e) the training and operational procedures to mitigate the consequences of a critical engine failure;
- (f) the helicopter equipment.”.

**Amendment of regulation 118**

6. Regulation 118(1) of the principal Regulations is amended —

- (a) by deleting the words “the Certificate of Airworthiness” in sub-paragraph (a) and substituting the words “a Certificate of Airworthiness is”; and
- (b) by deleting sub-paragraph (b) and substituting the following sub-paragraph:

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“(b) any relevant aircraft —

- (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;
- (iii) which is required to carry a cockpit voice recorder under regulation 117; and
- (iv) 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 aircraft that is approved by the State of Design before 1 January 2016; or
  - (B) a modification to the aircraft that is approved by the State of Design or the State of Registry before 1 January 2016.”.

*[G.N. Nos. S 681/2018; S 771/2018; S 181/2019;  
S 214/2020]*

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).