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Maldivian Civil Aviation Regulations

## MCAR-19 Transition Rules

The President's Office  
Boduthakurufaanu Magu  
Male, Maldives'

Phone: 3336211

Mobile: 7242885

Website: [www.gazette.gov.mv](http://www.gazette.gov.mv)

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**Maldives Civil Aviation Authority**  
**Republic of Maldives**

**Maldivian Civil Aviation Regulations**

# **MCAR-19 Transition Rules**

**Issue 1.01, 30 March 2023**

## **Foreword**

Maldives Civil Aviation Authority, in exercise of the powers conferred on it under Articles 5 and 6 of the Maldives Civil Aviation Authority Act 2/2012 has adopted this Regulation.

This Regulation shall be cited as “MCAR-19 Transition Rules” and shall come into force on 30 March 2023.

Existing aviation requirements as listed in "MCAR-19 Transition Rules" dated 30 September 2020 will be repealed as from 30 March 2023.

Definitions of the terms and abbreviations used in this regulation, unless the context requires otherwise, are in MCAR-1 Definitions and Abbreviations.



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## **Section A — TECHNICAL REQUIREMENTS**

## Subpart 1 - Commencement

### 19.1.1 General

This issue of MCAR-19 becomes effective on 30 September 2020. The existing aviation requirements listed below will be repealed as from 30 September 2020.

<b>Number</b>	<b>Title</b>	<b>Amendment Date</b>
CAR Part 01	Commencement and Interpretation	2012-05-01
CAR Part 02	Application	2002-06-01
CAR Part 03	Administration and Enforcement	2002-06-01
CAR Part 04	Registration and Marking of Aircraft	2007-12-01
CAR Part 05	Airworthiness of Aircraft	2009-01-01
CAR Part 06	Maintenance, Repair, Modification and Overhaul etc.	2009-01-01
CAR Part 09	Licensing of Flight Crew	2007-05-01
CAR Part 10	Conditions of Flight	2002-06-01
CAR Part 11	Rules of Air	2002-06-01
CAR Part 12	Air Traffic Control	2010-10-01
CAR Part 13	Replaced by MCAR-139	2012-06-01
CAR Part 14	Other Services for Civil Aviation	2002-06-01
CAR Part 15	Operation of Aircraft	2008-03-01
CAR Part 16	Protection of the Environment	2002-06-01
CAR Part 17	Accident Investigation	2009-05-01
CAR Part 20	Fees for Licenses etc. and Charges for ANS	2008-03-01
MAR A 01	Issue of Maldivian Airworthiness Requirements	2006-04-12
MAR C 06	Minimum Equipment	1991-11-02
MAR C 09	Mandatory Aircraft Equipment	2004-07-04
MAR C 15	Carriage of Oxygen for Medical use by Passengers	2002-03-04
Chapter 9 of MCAR-12	Operating Data and Statistics	2009-05-26

### **19.1.2 Definitions**

<b>Maldivian aircraft</b>	an aircraft registered under MCAR-47 Nationality and Registration marks.
<b>Foreign aircraft</b>	an aircraft registered elsewhere than in the Maldives.
<b>Contracting State</b>	a State which has adhered to the Chicago Convention on International Civil Aviation, whether or not it is a member of the United Nations (UN) and/or any of its other Agencies.
<b>Small unmanned aircraft</b>	means any unmanned aircraft, other than a balloon or a kite, having a mass of not more than 20kg without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight;

### **19.1.3 Rules of Construction**

- (a) In these Regulations unless the context otherwise requires:-
1. the masculine gender imports the feminine gender;
  2. words used in the singular import the plural and words used in the plural import the singular;
  3. references to “by the regulations” or “under these Regulations” are references to “by or under these Regulations”
  4. ‘Shall’ is used to indicate a mandatory requirement.
  5. ‘Should’ is used to indicate a recommendation.

**19.1.3 Classification of Aircraft**

- (a) Aircraft eligible for registration in the Maldives shall be classified in accordance with the Table 1.
- (b) Aircraft which are intended to be operated with no pilot on board shall be further classified as unmanned.
- (c) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft

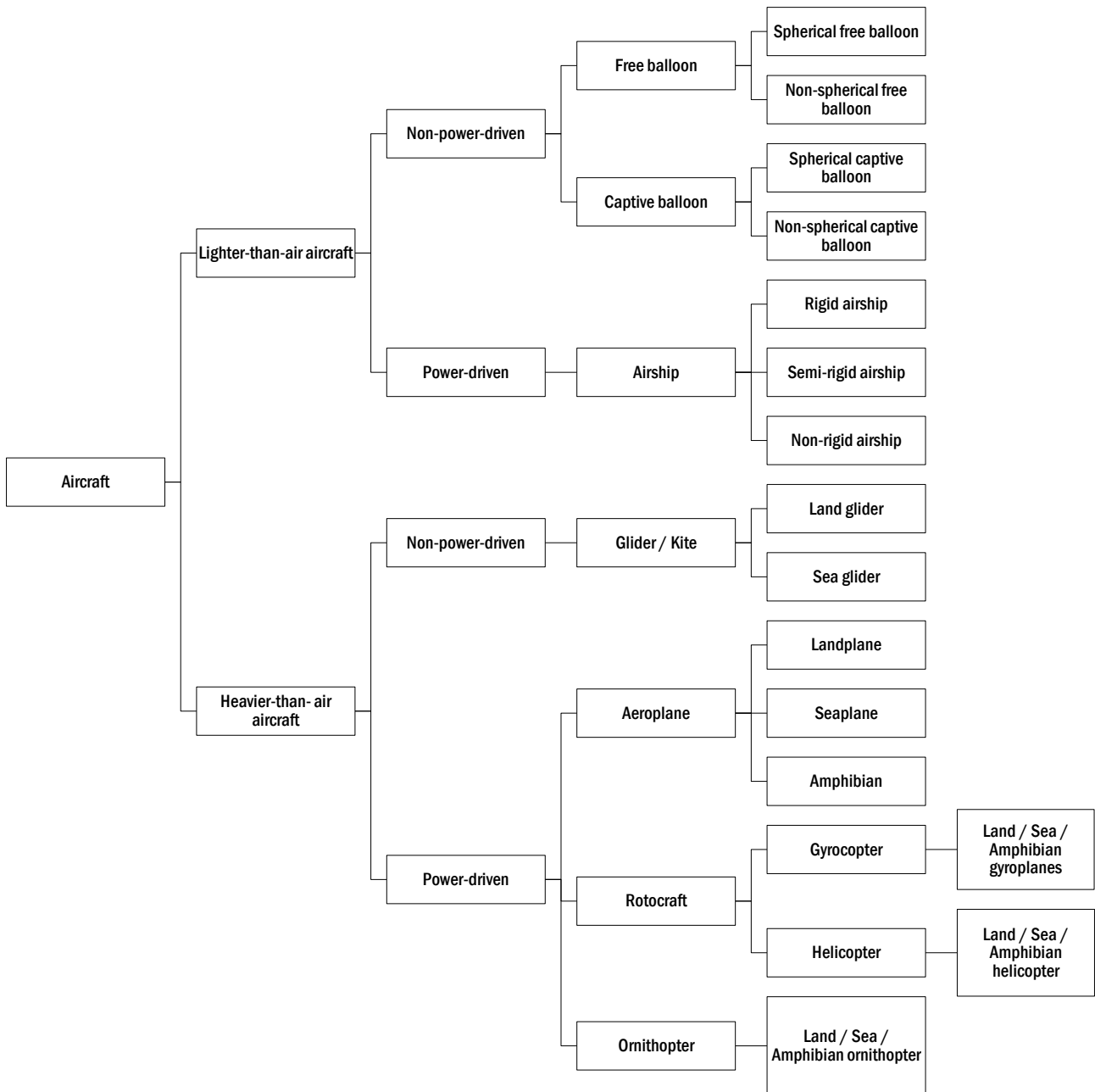


Table 1 – Classification of aircraft

## **Subpart 2 – Application**

### **19.2.1 Application to Maldivian Aircraft**

- (a) Subject to the provisions of the Regulations, the Maldivian Civil Aviation Regulations shall apply:
1. to Maldivian aircraft whether within or outside the Maldives;
  2. in so far as they prohibit, require or regulate the doing of anything by persons in, or by any of the crew of, any Maldivian aircraft, to such persons and crew whether within the Maldives or outside the Maldives;
  3. to any person who holds a Maldivian aviation document whether within the Maldives or outside of the Maldives; and
  4. to any person or aircraft to whom any Regulation is expressed to apply.

### **19.2.2 Application to Maldivian Controlled Aircraft**

The Chief Executive may, by order, apply such provisions of these Regulations as may be specified in the order to any foreign aircraft which is for the time being under the management of a person or persons who would be entitled to register the aircraft in the Maldives, and the order shall have effect as if reference in the provisions specified in it to Maldivian aircraft include references to that aircraft.

### **19.2.4 Application to Foreign Aircraft**

- (a) Subject to the provisions of these Regulations, and in particular to 19.2.2 and Subpart 10A, these regulations shall apply:
1. to foreign aircraft within the Maldives; and
  2. in so far as they prohibit, require or regulate the doing of anything by persons on, or by any of the crew of any foreign aircraft to such persons while in the Maldives.

### **19.2.5 Maldivian Aircraft over the High Seas**

Whenever a Maldivian aircraft flies over the High Seas it shall comply with the Rules relating to Flight and Manoeuvre of Aircraft for the time being in force, specified in Annex 2 to the Chicago Convention.



### **19.2.6 Maldivian Aircraft in other Countries**

Every person exercising the privileges of a Maldivian aviation document, and every Maldivian aircraft operating, in another country shall comply with the laws relating to civil aviation of that country.

### **19.2.7 Conflict of Laws**

Nothing in these regulations shall be construed as requiring a Maldivian aircraft or a person in or acting as member of the crew of a Maldivian aircraft or the holder of a Maldivian aviation document to contravene the law of another country where the aircraft or person is.

### **19.2.8 Contraventions Outside of the Maldives**

The holder of a Maldivian aviation document who, while exercising the privileges granted by the document, commits an act or omission outside the Maldives which if committed in the Maldives would be a contravention of a provision of these Regulations shall be deemed to have committed a contravention of the provision and may be prosecuted in the Maldives.

### **19.2.9 Foreign State Aircraft**

- (a) The provisions of these Regulations shall apply to foreign state aircraft save and to the extent that such aircraft may be exempt by this Regulation from the provisions of these Regulations.
- (b) No foreign state aircraft may fly in the Maldives except with the permission of the Chief Executive and in accordance with the conditions of the permit which conditions may include a condition exempting the aircraft from complying with any provision of these Regulations.

### **19.2.10 Exceptions from application for certain classes of aircraft**

- (a) This article applies to:
  - 1. any balloon of not more than two metres in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon;
  - 2. any kite weighing no more than two kg;
  - 3. any small unmanned aircraft; and
  - 4. any parachute including a parascending parachute.
- (b) Subject to point (c) nothing in the Maldivian Civil Aviation Regulations applies to or in relation an aircraft to which this paragraph applies.

- (c) The provisions of MCAR-2 paragraph 3.1.1, MCAR-2 paragraph 3.1.9, 19.1.1, 19.3B.4, 19.3C.2, 19.15B.2, 19.15B.5, 19.15B.6, 19.15B.7 and 19.15B.8 apply to or in relation to an aircraft to which this Article applies.

## **Subpart 3A – Administration**

### **19.3A.1 Functions of the CAA**

- (a) The principal functions of the CAA are specified in section 5 of Act 2/2012 (the Maldives Civil Aviation Authority Act).

### **19.3A.2 The Chief Executive**

- (a) The Chief Executive represents the Authority.
- (a) The Chief Executive is responsible for the administration and enforcement of Act 2/2012 (the Maldives Civil Aviation Authority Act) and these regulations.

### **19.3A.3 Authorised Persons**

- (a) The Chief Executive may authorise a person (whether by name or by class or description), either generally or in relation to a particular case or class of cases, to perform an inspection or to carry out other surveillance measures.
- (b) It shall be the duty of an authorised person to perform such an inspection, to carry out such measures, or to do both, as requested or directed by the Chief Executive.

### **19.3A.4 Delegation**

- (a) The Chief Executive may delegate to an Authorised Person any of his powers and functions under these Regulations.

### **19.3A.5 Laws and Standards Incorporated by Reference**

- (a) The Chief Executive may incorporate by reference the law of another country or a standard or recommended practice made under the Chicago Convention.
- (b) He may do so either by reference to or by publication of the text of, the law or standard or recommended practice, as the case may be and any law or standard or recommended practice so notified shall take effect as if it is a regulation.

### **19.3A.6 Exemptions**

- (a) The Chief Executive may exempt from any of the provisions of these regulations or any other regulation made under Act 2/2012 any aircraft or persons or classes of aircraft or persons, subject to conditions as he thinks fit.

## **Subpart 3B – Powers and Penalties**

### **19.3B.1 Revocation, variation and suspension**

- (a) Subject to paragraphs (e) and (f), the CAA may provisionally suspend or vary any certificate, licence, approval, permission, exemption, authorisation or other document issued, granted or having effect under any regulation issued by the CAA, pending inquiry into or consideration of the case.
- (b) The CAA may, on sufficient ground being shown to its satisfaction after due inquiry, revoke, suspend or vary any such certificate, licence, approval, permission, exemption, authorisation or other document.
- (c) The holder or any person having the possession or custody of any certificate, licence, approval, permission, exemption or other document which has been revoked, suspended or varied under this Regulation must surrender it to the CAA within a reasonable time after being required to do so by the CAA.
- (d) The breach of any condition subject to which any certificate, licence, approval, permission, exemption or other document, other than an aerodrome licence, has been granted or issued or which has effect under any regulation issued by the CAA, in the absence of provision to the contrary in the document, renders the document invalid during the continuance of the breach.
- (e) The provisions of this article do not apply in relation to any permission to which section MCAR-19.10A.8 applies.
- (f) A flight manual, performance schedule or other document incorporated by reference in a certificate of airworthiness may be varied on sufficient ground being shown to the satisfaction of the CAA, whether or not after due inquiry.

### **19.3B.2 Production of Documents and Records**

- (a) The commander of an aircraft must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person:
  - 1. the certificates of registration and airworthiness in force for the aircraft;
  - 2. the licences of its flight crew; and
  - 3. any other documents which the aircraft is required by article 29 of the Chicago Convention to carry when in flight.

- (b) The operator of an aircraft registered in the Maldives must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person any of the documents or records specified in paragraph (c) which have been requested by that person.
- (c) The documents and records referred to in paragraph (b) are:
1. the radio licence, the certificates of airworthiness, the certificate of registration;
  2. the aircraft log book, engine log books and propeller log books required under the Maldivian Civil Aviation Regulations to be kept;
  3. the weight schedule, if any;
  4. in the case of a commercial air transport aircraft or aerial work aircraft, load sheet, technical log and those parts of the operations manual, if any, required to be carried on the flight;
  5. the records of flight times, duty periods and rest periods which the operator is required to preserve, and such other documents and information in the possession or control of the operator, as the authorised person may require for the purpose of determining whether those records are complete and accurate;
  6. any operations manuals required to be made available under the Maldivian Civil Aviation Regulations;
  7. the record made by any flight data recorder required to be carried by or under the Maldivian Civil Aviation Regulations.
- (d) The holder of a licence granted or rendered valid or of a medical certificate required or of a medical declaration required under the Maldivian Civil Aviation Regulations must, within a reasonable time after being requested to do so by an authorised person, cause the licence, including any certificate of validation, the medical certificate or the medical declaration to be produced to that person.
- (e) During the period of two years beginning with the date of the last entry in it every person required to keep a personal flying log must cause it to be produced to an authorised person within a reasonable time after being requested to do so by that person.

- (f) The holder of an approval granted under Maldivian Civil Aviation Regulations must, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person any documents and records relating to that approval.

### **19.3B.3 Prohibitions in Relation to Documents and Records**

- (a) A person must not with intent to deceive:
1. use any certificate, licence, approval, permission, exemption or other document issued or required by or under a Maldivian Civil Aviation Regulation which has been forged, altered, revoked or suspended, or to which the person is not entitled;
  2. lend any certificate, licence, approval, permission, exemption or any other document issued or having effect or required by or under a Maldivian Civil Aviation Regulation to, or allow it to be used by, any other person; or
  3. make any false representation for the purpose of procuring for any person the grant, issue, renewal or variation of any such certificate, licence, approval, permission, exemption or other document.
- (b) In paragraph (a), a reference to a certificate, licence, approval, permission, exemption or other document includes a copy or purported copy.
- (c) A person must not intentionally damage, alter or render illegible:
1. any log book or other record required to be maintained by or a Maldivian Civil Aviation Regulation; or
  2. any entry made in such a log book or record.
- (d) A person must not:
1. knowingly make, or procure or assist in the making of, any false entry in or material omission from any log book or record referred to in paragraph (c); or
  2. destroy any such log book or record during the period for which it is required under a Maldivian Civil Aviation Regulation to be preserved.
- (e) All entries made in writing in any log book or record referred to in paragraph (c) must be made in ink or indelible pencil.

- (f) A person must not knowingly make in a load sheet any entry which is incorrect in any material particular, or any material omission from such a load sheet.
- (g) A person must not purport to issue any certificate for the purposes of any regulations made under a Maldivian Civil Aviation Regulation unless authorised to do so by the relevant legislation.
- (h) A person must not issue any certificate referred to in paragraph (g) unless satisfied that all statements in the certificate are correct.

#### **19.3B.4 Power to prevent aircraft flying**

- (a) If it appears to the CAA or an authorised person that any aircraft is intended or likely to be flown in any of the circumstances specified in paragraph (b), the CAA or that authorised person may direct in accordance with paragraph (c).
- (b) The circumstances referred to in paragraph (a) are:
  1. where any provision related to registration of aircraft, nationality and registration marks, Air Operator Certificate, Certificate of Airworthiness, required flight crew, flight crew licencing, loading of aircraft, carriage of dangerous good, carriage of weapons and munitions of war, carriage of sporting weapons or drunkenness in aircraft would be contravened in relation to the flight;
  2. where the flight would be in contravention of any other provision of a regulation issued by the CAA and be a cause of danger to any person or property whether or not in the aircraft; or
  3. where the aircraft is in a condition unfit for the flight, whether or not the flight would otherwise be in contravention of any provision of any regulation issued by the CAA.
- (c) If paragraph (a) applies the CAA or that authorised person may direct the operator or the commander of the aircraft not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction, until the direction has been revoked by the CAA or by an authorised person.
- (d) If the CAA or an authorised person has directed under paragraph (c), the CAA or an authorised person may take such steps as are necessary to detain the aircraft.
- (e) For the purposes of this section the CAA or any authorised person may enter and inspect any aircraft.



- (f) An aircraft which has been grounded in accordance with paragraph ARO.RAMP.140 of MCAR-Air Operations and which has not subsequently been permitted to fly must not be flown.

### **19.3B.5 Right of Access and Inspections**

- (a) The CAA and any authorised person has the right of access at all reasonable times:
1. to any aerodrome for the purpose of inspecting the aerodrome;
  2. to any aerodrome for the purpose of inspecting any aircraft on the aerodrome or any document which it or the authorised person has power to demand under the Maldivian Civil Aviation Regulations, or for the purpose of detaining any aircraft under the provisions of the Maldivian Civil Aviation Regulations;
  3. to any place where an aircraft has landed, for the purpose of inspecting the aircraft or any document which it or the authorised person has power to demand under the Maldivian Civil Aviation Regulations and for the purpose of detaining the aircraft under the provisions of the Maldivian Civil Aviation Regulations;
  4. to any building or place where aircraft or aircraft components are produced, maintained or held in storage, or any documents related to that activity;
  5. to any building or place from which an air traffic control service is being provided or where any air traffic service equipment requiring approval is situated for the purpose of inspecting:
    - i. any equipment used or intended to be used in connection with the provision of a service to an aircraft in flight or on the ground; or
    - ii. any document or record which it or the authorised person has power to demand under the Maldivian Civil Aviation regulations.
  6. to any building or place to which access is necessary for the purpose of carrying out his powers and duties under the Maldivian Civil Aviation Regulations.

- (b) The CAA may cause such inspections, investigations, tests, experiments and flight trials to be made as it deems necessary for the purposes of Maldivian Civil Aviation Regulations.
- (c) An authorised person has the power to inspect and copy any certificate, licence, log, declaration, document or record which the authorised person has the power under this regulation or any regulations made under Act 2/2012 to require to be produced.

#### **19.3B.6 Obstruction of Persons**

A person must not intentionally obstruct or impede any person who is exercising a power or performing a duty under a Maldivian Civil Aviation Regulation.

#### **19.3B.7 Directions and Directives**

- (a) Any person who without reasonable excuse fails to comply with any direction or directive given to that person under any provision of this regulation or any regulation made under Act 2/2012 is deemed for the purposes of section 19.3B.8 to have contravened that provision.
- (b) Where any provision of this regulation or any regulations made under Act 2/2012 gives to a person the power to direct, the person to whom such a power is given also has the power to revoke or vary any such direction or directive.

#### **19.3B.8 Offences and Penalties**

- (a) Subject to paragraph (b), if any provision of this regulation or any regulation made under Act 2/2012 is contravened in relation to an aircraft, the operator of that aircraft and the commander and, in the case of commercial operations by foreign registered aircraft, the charterer, is (without prejudice to the liability of any other person for that contravention) deemed for the purposes of the following provisions of this section to have contravened that provision.
- (b) A person will not be deemed to have contravened a provision specified in paragraph (a) if the person proves that the contravention occurred without that person's consent or connivance and that that person exercised all due diligence to prevent the contravention.
- (c) If it is proved that an act or omission of any person which would otherwise have been a contravention by that person of a provision of this regulation or any regulation made under Act 2/2012 was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission will be deemed not to be a contravention by that person of that provision.

- (d) If a person is charged with contravening a provision of this regulation or any regulation made under Act 2/2012 by reason of that person having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport or aerial work, the flight is to be treated (without prejudice to the liability of any other person under this regulation) as not having been for that purpose if the person proves that they neither knew nor suspected that the flight was for that purpose.
- (e) Any person who contravenes any provision specified in 19.18.1 is liable to an administrative fine not exceeding MVR 20,000.00.
- (f) Any person who contravenes any provision specified in 19.18.2 is liable to an administrative fine not exceeding MVR 50,000.00.
- (g) Any person who contravenes any provision specified in 19.18.3 is liable to an administrative fine not exceeding MVR 100,000.00.
- (h) Any person who contravenes any provision of the Maldivian Civil Aviation Regulations not specified in Subpart 18 is liable to an administrative fine not exceeding MVR 5,000.00.

## **Subpart 3C – Prohibited Behaviour**

### **19.3C.1 Endangering safety of an aircraft**

A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.

### **19.3C.2 Endangering safety of any person or property**

A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.

### **19.3C.3 Drunkenness in aircraft**

- (a) A person must not enter any aircraft when drunk, or be drunk in any aircraft.
- (b) A person must not, when acting as a member of the crew of any aircraft or being carried in any aircraft for the purpose of acting as a member of the crew, be under the influence of drink or a drug to such an extent as to impair their capacity so to act.

### **19.3C.4 Smoking in aircraft**

- (a) Smoking shall not be permitted on any commercial flights undertaken by a Maldivian AOC holder.
- (b) Notices indicating smoking is prohibited must be exhibited so as to be visible from each passenger seat.
- (c) Announcements shall be made, both in Dhivehi and English, at the commencement of each flight stated in paragraph (a), informing all passengers that smoking is prohibited.

### **19.3C.5 Authority of commander of an aircraft**

Every person in an aircraft must obey all lawful commands which the commander of that aircraft may give for the purpose of securing the safety of the aircraft and of persons or property carried in the aircraft, or the safety, efficiency or regularity of air navigation.

### **19.3C.6 Acting in a disruptive manner**

A person must not while in an aircraft:

- 1. use any threatening, abusive or insulting words towards a member of the crew of the aircraft;

2. behave in a threatening, abusive, insulting or disorderly manner towards a member of the crew of the aircraft; or
3. intentionally interfere with the performance by a member of the crew of the aircraft of the crew member's duties.

### **19.3C.7 Stowaways**

A person must not secrete himself or herself for the purpose of being carried in an aircraft without the consent of either the operator or the commander or of any other person entitled to give consent to being carried in the aircraft.

## **Subpart 3D – Appeal**

### **19.3D.1 Appeal to Minister**

Appeals shall be made in accordance with regulation 2015/R-169 “Appeal Committee of the Maldives Civil Aviation Authority”.

## **Subpart 4 - (Reserved)**

## **Subpart 5**

### **19.5.1 Certificate of airworthiness to be in force**

- (a) Subject to paragraph (b), an aircraft must not fly unless there is in force for the aircraft a certificate of airworthiness issued or rendered valid under the law of the country in which the aircraft is registered or the State of the operator, and any conditions subject to which the certificate was issued or rendered valid are complied with.
  
- (b) The prohibition in paragraph (a) does not apply to an aircraft flying in accordance with a permit to fly issued in accordance with MCAR-21.



**Subparts 6, 7, 8, 9 – (Reserved)**

## **Subpart 10A – Conditions of Flight (Foreign Aircraft)**

### **19.10A.1 Aircraft of Contracting States**

An aircraft which possesses the nationality of a Contracting State shall not fly within, or depart from the Maldives unless it complies with the provisions of these Regulations which are expressed to apply to such aircraft and with the relevant requirements of the Chicago Convention, in particular those with respect to the documents to be carried.

### **19.10A.2 Non-scheduled flight by aircraft of Contracting States**

Subject to these Regulations, an aircraft that possesses the nationality of a Contracting State may, subject to the observance of the terms of the Chicago Convention and the provisions of these Regulations, fly in transit non-stop across the Maldives, or land in the Maldives for non-traffic purposes, in the course of an international non-scheduled flight, after obtaining permission at least 72 hours prior to operation of the flight.

### **19.10A.3 Exemptions on patents and similar claims**

- (a) This section applies to any foreign aircraft possessing the nationality of a Contracting State and accordingly references in this section to foreign aircraft are references solely to the aforesaid aircraft.
- (b) The lawful entry into the Maldives, or the lawful transit across the Maldives, with or without landings, of a foreign aircraft shall not entail:-
1. seizure or detention of the aircraft;
  2. the bringing of proceedings against the owner or operator of the aircraft;  
or
  3. any other interference with the aircraft,
- by or on behalf of the Maldives or any person in the Maldives on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is or are an infringement of any patent, design or model.
- (c) The importation into, and storage in, the Maldives of spare parts and spare equipment for any foreign aircraft and the use and installation of those spare parts and spare equipment shall not entail:-
1. the seizure or detention of the aircraft or of the spare parts or spare equipment;
  2. the bringing of proceedings against the owner or operator of the aircraft or against the owner of the spare parts or spare equipment; or
  3. any other interference with the aircraft, or with the spare parts or spare equipment,

by or on behalf of the Maldives or any person in the Maldives, on the ground that the spare parts or spare equipment or their installation are or is an infringement of any patent, design or model.

- (d) Paragraph (c) does not apply in relation to spare parts or spare equipment which are sold or distributed within the Maldives or are exported from the Maldives for sale or distribution.

#### **19.10A.4 Aircraft of non-contracting states**

- (a) A foreign aircraft which does not possess the nationality of a Contracting State shall not make a flight into the Maldives unless the Chief Executive has approved the flight.
- (b) In giving an approval under paragraph (a), the Chief Executive may impose such conditions and requirements as to the flight as he thinks fit, including conditions and requirements as he considers necessary to ensure compliance with the general principles of the Chicago Convention.

#### **19.10A.5 Foreign air carrier permits**

- (a) A foreign aircraft shall not take on board or discharge any passengers or cargo in the Maldives, being passengers or cargo carried or to be carried for reward, except:-
1. with the permission of the Chief Executive granted under this Regulation to the operator or the charterer of the aircraft or to the Government of the country the nationality of which the aircraft possesses; and
  2. in accordance with any conditions to which such permission may be subject to.
- (b) Any breach by a person to whom a permission has been granted under sub-paragraph (a)1 of any condition to which the permission was subject to shall constitute a contravention of this Regulation.
- (c) A permission granted under sub-paragraph (a)1 is referred to in these Regulations as a foreign air carrier permit.

#### **19.10A.6 Restrictions on air photography and survey by foreign aircraft**

- (a) A foreign aircraft shall not fly in the Maldives for the purpose of air photography or air survey (whether or not reward is given or promised in respect of the flight) or for the purpose of any other form of aerial work except with the permission

of the Chief Executive granted to the operator or charterer of the aircraft and in accordance with any conditions to which such permission may be subject to.

- (b) Any breach by a person to whom permission has been granted under paragraph (a) of any condition to which that permission was subject to shall constitute a contravention of this Regulation.
- (c) A permission granted under paragraph (a) is referred as to a foreign air survey permit.

#### **19.10A.7 Detention of foreign aircraft**

- (a) If it appears to the Chief Executive or any authorized person that any aircraft is intended or likely to be flown in contravention of regulation 19.10A.3 or 19.10A.4, the Chief Executive or that authorized person may direct the operator or the pilot-in-command of the aircraft that he is not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction until the direction has been revoked by the Chief Executive or by an authorized person, and the Chief Executive or any authorized person may take such steps as are necessary to detain the aircraft.
- (b) For the purpose of this Regulation the Chief Executive or any authorized person may enter any aerodrome and may enter and inspect any aircraft.

#### **19.10A.8 Revocation, suspension or variation of permits**

- (a) The Chief Executive may revoke, suspend or vary any foreign air carrier or foreign air survey permit and any approvals, or authorizations of or consents to any matter which the Chief Executive has granted, or is deemed to have granted, in pursuance of a permit which he has so granted. Any such permit and approval, authorization or consent so granted is hereinafter referred to in this Regulation as a permit.
- (b) The Chief Executive may exercise his powers under paragraph (a) only after notifying the permit holder of his intention to do so. But if by reason of the urgency of the matter it appears necessary to him to do so the Chief Executive may provisionally suspend or vary a permit and thereafter give the notice and shall then either:
  - 1. revoke the provisional suspension or variation of the permit; or
  - 2. substitute a definitive revocation, suspension or variation which, if a definitive suspension, may be for the same or a different period as the

provisional suspension (if any) or, if a definitive variation, may be in the same or different terms as the provisional variation (if any).

- (c) The powers referred to in this subpart may be exercised by the Chief Executive whenever, in his judgment and whether or not by reason or anything done, or not done by, or otherwise connected with, the permit holder, it is expedient that the permit holder should not enjoy, or no longer enjoy, the rights conferred upon him by a permit or should enjoy them subject to such limitations and qualifications as the Chief Executive may determine, and without limiting the generality of the foregoing the powers may be exercised by the Chief Executive if it appears to him that:
1. the permit holder has committed a breach of any condition to which the permit is subject;
  2. any agreement between the Government of Maldives and the Government of another country in pursuance of which or on reliance on which the permit was granted is no longer in force or that the other Government has committed a breach thereof;
  3. the permit holder, or the Government of the country with which the Government of Maldives has an agreement as aforesaid, or the aeronautical authorities of the country concerned:-
    - i. have acted in a manner which is inconsistent with or prejudicial to the operation in good faith, according to its object and purpose, of any such agreement; or
    - ii. have engaged in unfair, discriminatory or restrictive practices to the prejudice of the holder of a permit granted under MCAR-Air Operations in his operation of air services to or from places in the country concerned;
  4. The permit holder (the permit having been granted to a person designated by the Government of a country other than the Maldives for the purposes of such an agreement) is no longer so designated or that person has so conducted himself, or that such circumstances have arisen in relation to him, as to make it expedient to disregard or qualify the consequences of his being so designated.
- (d) The permit holder or any person having the possession of any permit which has been revoked, suspended or varied shall surrender it to the Chief Executive upon being required to do so.
- (e) The breach of any condition subject to which a permit has been granted shall render the permit invalid during the continuance of the breach.

- (f) Reference in this Regulation to the permit holder is references to the person to whom a permit has been granted or is deemed to have been granted.

## **Subpart 10B – Conditions of Flight (All Aircraft)**

### **19.10B.1 Entry and departure of international flights**

An aircraft arriving in the Maldives from a place outside the Maldives or departing from the Maldives for a place outside the Maldives shall comply with all applicable laws including laws relating to the entry or clearance of passengers, crew, cargo, immigration, passports, customs and quarantine.

### **19.10B.2 International aircraft to take off and land at designated airports**

- (a) Subject to such exceptions as the Chief Executive may make:
1. An aircraft arriving in the Maldives from a place outside the Maldives shall land at an aerodrome designated as an international airport; and
  2. An aircraft departing from the Maldives for a place outside Maldives shall take off from an aerodrome designated as an international airport.
- (b) The Chief Executive may designate as an international airport any aerodrome at which facilities are available for the formalities incident to customs, immigration, and quarantine and other requirements in connection with the arrival or departure, from the Maldives, of aircraft and details of international airports shall be published in Aeronautical Information Publications (AIP).

### **19.10B.3 Prohibited, restricted and danger areas**

- (a) Where the Chief Executive considers it necessary in the public interest to restrict or prohibit flying by reason of:
1. the intended gathering or movement of a large number of persons; or
  2. the intended holding of an aircraft race or contest or of an exhibition of flying; or
  3. the flight of aircraft interfering, or being a potential interference, with the environment or public amenity; or
  4. national security or other reason affecting the public interest;

the Chief Executive may by a Declaration in writing prohibit, restrict or impose conditions on, the flight of any aircraft.

- (b) Particulars of any such Declaration shall be published forthwith in NOTAMs and, if appropriate, AIP.

The particulars shall include:

1. the boundaries of the airspace affected by the Declaration;
2. any conditions or restrictions specified in the Declaration; and

3. any other information necessary to the safety of aircraft engaged in air navigation.
- (c) If the pilot-in-command of an aircraft becomes aware the aircraft is flying in contravention of any Declaration made for the reasons referred to in paragraph (a) (4), he shall unless otherwise instructed by the appropriate air traffic control unit cause the aircraft to leave the airspace to which the Declaration relates by flying to the least possible extent within the airspace and the aircraft shall not begin to descend while in such airspace.
  - (d) The pilot-in-command of an aircraft flying either within an airspace for which a Declaration has been made for any of the reasons referred to in paragraph (a) (4) or within an airspace notified as a danger area shall forthwith comply with instructions given by the appropriate air traffic control unit or the authority responsible for safety within that airspace.
  - (e) In this Regulation danger area means airspace which has been notified as such within which activities dangerous to the flight of aircraft may take place or exist at such times as may be notified.

#### **19.10B.4 Carriage of munitions of war**

- (a) An aircraft shall not carry any munition of war unless such munition is carried with the permission of the Chief Executive.
- (b) It shall be unlawful for any person to take on board an aircraft or to deliver or to cause to be delivered for carrying on an aircraft, any goods which he knows or has reason to believe or suspect to be munitions of war unless the operator of the aircraft has permission under paragraph (a) to carry those goods for that person.
- (c) For the purposes of this Regulation “munition of war” means any weapon, ammunition or article containing an explosive or any noxious liquid, gas or other thing which is designed for use in warfare or against persons including parts for such weapon, ammunition or article.



## **Subpart 11 - (Reserved)**

## **Subpart 12 – Air Traffic Services**

### **19.12.1 Provision of air traffic services**

- (a) A person in charge of the provision of an air traffic control service must not provide such a service for Maldivian airspace or airspace outside the Maldives for which the Maldives has, under international arrangements, undertaken to provide air navigation services unless that person has been given and complies with the terms of an air traffic control approval granted by the CAA.
- (b) The CAA may grant an air traffic control approval if it is satisfied that the applicant is competent to provide a service which is safe for use by aircraft, having regard to the applicant's organisation, staffing, equipment, maintenance and other arrangements.
- (c) A person must not provide an air traffic control service at any place unless:
  - 1. the service is provided in accordance with the standards and procedures specified in a manual of air traffic services for that place;
  - 2. the manual is produced to the CAA within a reasonable time after a request for its production is made by the CAA; and
  - 3. such amendments or additions are made to the manual as the CAA may from time to time require.
- (d) The CAA may, in the interests of safety, direct the person in charge of an aerodrome that there must be provided for that aerodrome such an air traffic control service, a flight information service or a means of two way radio communication as the CAA considers appropriate.
- (e) The CAA may, in the interests of safety, direct the holder of a licence to provide air traffic services that there must be provided, for airspace specified in paragraph (a), such an air traffic control service, a flight information service or a means of two way radio communication as the CAA considers appropriate.
- (f) the CAA may, in the interests of ensuring the efficient use of airspace or to require that air traffic services are provided to a standard considered appropriate by the CAA for the airspace classification, direct any person in charge of the provision of air traffic services to provide air traffic services for Maldives airspace.
- (g) The CAA may specify in the direction the periods during which, the times at which, the manner in which and the airspace within which such service or such means must be provided.

- (h) The person who has been directed must cause such a service or means to be provided in accordance with the direction.
- (i) A person must not cause or permit any air traffic service equipment to be established or used in the Maldives otherwise than under and in accordance with an approval granted by the CAA to the person in charge of the equipment.
- (j) An approval may be granted under paragraph (i) if the CAA is satisfied:
  - 1. as to the intended purpose of the equipment;
  - 2. that the equipment is fit for its intended purpose; and
  - 3. that the person is competent to operate the equipment.

**Subparts 13, 14 - (Reserved)**

## **Subpart 15A – Operation of Aircraft**

### **19.15A.1 Requirement for an Air Operator Certificate**

A person must not operate an aircraft registered in the Maldives for an operation specified in MCAR-Air Operations ORO.GEN.005 otherwise than under and in accordance with the terms of an Air Operator Certificate (AOC) or an authorisation granted to the operator of the aircraft by the CAA.

### **19.15A.2 Submission of the proposal**

(a) For the grant of an AOC, the applicant shall first make a written proposal to the Chief Executive. This shall include:

1. name, nationality and full address of the applicant;
2. type of air transport services proposed;
3. potential need for the proposed service;
4. the type of aircraft and the manner in which the aircraft was/will be obtained;
5. areas of operation including proposed routes, flight schedule and frequency;
6. applicant's organisational structure;
7. the financial information specified in 19.15A.3;
8. proposed main base of operations and any other secondary stations.
9. availability of seat kilometres proposed to be deployed in each category of the routes/region; and
10. the facilities that will be used.

(b) In case of a company or a corporate body, the following additional information shall be furnished with the proposal:

1. name of the company/corporate body including details of registration;
2. details of any other businesses the company is engaged in;
3. names and Nationalities of the Board of Directors;
4. details of the shareholding of the company;
5. percentage of share of the company held by foreign nationals;
6. a copy each of the Certificate of Incorporation and Memorandum and Articles of Association;
7. objectives of the organization particularly with regard to proposed air transport operations; and
8. details of experience in civil aviation activities.

- (c) 1. Applicant intending to conduct international air transportation services shall provide evidence, to the satisfaction of the Authority, that substantial ownership and effective control is vested with Maldivian nationals or Government of the Maldives.
2. Companies/Corporate bodies having more than 50% of the shares with Maldivian nationals or the Maldivian Government will be considered to have fulfilled the requirement for substantial ownership.
- (d) Notwithstanding paragraphs (a) and (b) above and 19.15A.3, the applicant for variation of an AOC shall submit only the information as required by CAA on a case-by-case basis.

### **19.15A.3 Financial information**

- (a) Details of the following financial information that shall be provided with the proposal:
1. if the applicant was incorporated more than 12 months before the submission of this proposal, the most recent audit report including statement of profit and loss, statement of financial position, and statement of cash flows, together with accompanying notes or qualifications;  
*Note: - Here "most recent" means, for example if the financial year is from January 1<sup>st</sup> to December 31<sup>st</sup>:*
    - i. if the proposal is submitted before 1<sup>st</sup> July 2022, the audit report of the financial year 2020;
    - ii. if the proposal is submitted on or after 1<sup>st</sup> July 2022, the audit report the financial year 2021.
  2. internal management accounts prepared for the period between the most recent audit report and the 30th day prior to the date of the proposal;
  3. if the information stated in paragraphs 1 and 2 above does not demonstrate the financial viability of the applicant to the satisfaction of CAA:
    - i. additionally, acceptable proof of the financial ability of the shareholders;
    - ii. if the applicant is part of a corporate group, additionally, the information stated in paragraphs 1 and 2 above, pertaining to the group of companies;
  4. projected statement of financial position and statement of profit and loss for the following three years, including key assumptions, any relevant explanatory notes, and details of projected annual flying hours;
  5. projected statement of cash flows which disclose a breakdown of receipt and payment items with estimates for each item as prescribed in the application

form CAD/AT-09 (AOC Application Assessment Form (Cash Flow Summary Statement)) and liquidity plans for the following three years;

6. financing of aircraft purchase/leasing, including, in the case of leasing, the terms and conditions of contract;
7. existing and projected sources of finance, including acceptable proof of the financial ability of the applicant for the startup and to run the proposed operation for the first year.

*Note: - Here “acceptable proof of the financial ability” includes bank guarantees, bank comfort letters, or other equivalent document acceptable to CAA.*

#### **19.15A.4 Approval of the proposal and grant of no-objection letter**

- (a) The CAA may grant a no-objection letter, within 30 days of the submission of the proposal, if it is satisfied that the applicant is competent to provide a service which is safe, having regard to the applicant’s experience, organisation, financial position and market research.
- (b) The CAA may refuse to grant a no-objection letter if it is not satisfied the applicant is competent to provide a service which is safe or it is inexpedient in the public interest to issue such a letter.
- (c) Where the CAA has refused to grant a no-objection letter, the CAA shall serve on the applicant a notice stating the reasons for the notice within 30 days of the application.
- (d) The applicant shall, within 12 months of the issue of the no-objection letter, submit the AOC application form and complete all the processes necessary for the grant of an air operator certificate.
- (e) The no-objection letter will become invalid after 12 months.

#### **19.15A.5 Operating statistics and financial data**

- (a) All air transport undertakings granted with a certificate under these regulations shall submit the following statistical information in a form and manner as determined by the Chief Executive:
  1. Traffic;
  2. On-flight origin and destination;
  3. Traffic by fleet stage;
  4. Fleet and personnel;
  5. Financial data.

- (b) All operators of licenced aerodromes shall submit the following statistical information in a form and manner as determined by the Chief Executive:
  - 1. Traffic;
  - 2. Financial data.
  
- (c) Providers of Air Navigation Services in the Maldives shall submit the following statistical information in a form and manner as determined by the Chief Executive:
  - 1. Enroute services traffic data;
  - 2. Air Navigation Services financial data.

#### **19.15A.6 Confidentiality of statistical information and financial data**

- (a) The CAA or any person employed by the CAA shall not communicate to any person outside the CAA any financial information provided under 19.15A.5 except:
  - 1. with the consent of the provider; or
  - 2. in accordance with Article 67 of the Chicago Convention; or
  - 3. pursuant to a statutory requirement.
  
- (b) The CAA will provide to the Council of the International Civil Aviation Organisation statistics that relate to international air transport operations.

#### **19.15A.7 Accessibility for passengers with disabilities and reduced mobility**

- (a)
  - 1. A holder of an Aerodrome Licence shall demonstrate, to the satisfaction of CAA, that accessibility is provided at that aerodrome free of charge for passengers with disabilities and reduced mobilities.
  - 2. An applicant for an Aerodrome Licence shall demonstrate, to the satisfaction of CAA, capability to provide accessibility at that aerodrome, for passengers with disabilities and reduced mobilities
  
- (b)
  - 1. A holder of an AOC shall demonstrate, to the satisfaction of CAA, that accessibility is provided free of charge for passengers with disabilities and reduced mobility, on all routes permitted for that AOC holder.
  - 2. An applicant for an AOC shall demonstrate, to the satisfaction of CAA, capability to provide accessibility for passengers with disabilities and reduced mobility, on all proposed routes.



### **GM 19.15A.7(a)1. Accessibility for passengers with disabilities and reduced mobility**

Free of charge means no extra charge in addition to the ticket and applicable taxes should be levied on the passenger for the provision of help and assistance provided covering the following:

- journey through the departure airport;
- boarding the aircraft and during the flight;
- disembarking the aircraft;
- transferring between flights;
- journey through destination airport.

### **19.15A.8 Accessibility for passengers with medical needs and requiring assistance**

- (a) An applicant of an AOC shall demonstrate to the satisfaction of the CAA, their capability to carry passengers with medical needs and requiring assistance, in accordance with applicable Regulations, on each route specified in the AOC, during their operational hours. This includes the following:
1. Passengers requiring medical oxygen;
  2. Passengers on stretchers.
- (b) A holder of an AOC shall demonstrate to the satisfaction of the CAA, before 14<sup>th</sup> May 2023, their capability to carry passengers with medical needs and requiring assistance, in accordance with applicable Regulations, on each route specified in the AOC, during their operational hours. This includes the following:
1. Passengers requiring medical oxygen;
  2. Passengers on stretchers.

### **AMC 19.15A.8 Accessibility for passengers with medical needs and requiring assistance**

- (a) Capability to carry passengers with medical needs can be demonstrated by establishing an arrangement to carry such passengers using aircraft operated by another AOC holder. For example, AOC holder #1 can make an arrangement with AOC holder #2 to carry passengers on an aircraft operated by AOC holder #2. In this case:
1. AOC holder #2 does not have to be an airline which operates scheduled flights to the airport in question;
  2. AOC holder #1 still retains the legal obligation, while a contractual obligation is created for AOC holder #2.
- (b) The arrangement shall be in the form of a written agreement between the respective AOC holders.

**GM 19.15A.8 Accessibility for passengers with medical needs and requiring assistance**

“In accordance with applicable Regulations” means, for example, if an operator wishes to install a stretcher, such a modification should be approved in accordance with MCAR-21.

## **Subpart 15B – Specialised Operations**

### **19.15B.1 Towing, picking up and raising of persons and articles**

Subject to the provisions of this article, an aircraft in flight must not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless:

1. there is a certificate of airworthiness issued or rendered valid for that aircraft under the law of the country in which the aircraft is registered; and
2. that certificate or the flight manual for the aircraft includes an express provision that it may be used for that purpose

### **19.15B.2 Dropping of articles and animals**

- (a) Articles and animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.
- (b) Except under and in accordance with the terms of an AOC or an authorisation granted under MCAR-Air Operations, animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, to the surface from an aircraft flying over the Maldives.

The above sub-paragraph shall not apply to the dropping of articles by, or with the authority of, the pilot-in-command of the aircraft in any of the following circumstances:

1. the dropping of articles for the purpose of saving life;
2. the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
3. the dropping of ballast in the form of fine sand or water;
4. the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of the regulations;
5. the dropping to an aerodrome of tow ropes, banners, or similar articles towed by aircraft;
6. the dropping of articles for the purpose of public health or a measure against weather conditions or oil pollution or for training for the dropping of articles for any such purposes, if the articles are dropped with the permission of the Chief Executive in accordance with any conditions subject to which that permission may have been given; or
7. the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind drift indicators are dropped

with the permission of the Chief Executive and in accordance with any conditions subject to which that permission may have been given.

- (c) For the purposes of this Regulation dropping includes projecting and lowering.
- (d) Nothing in this Regulation shall prohibit the lowering of any article or animal from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopter under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

### **19.15B.3 Dropping of persons**

- (a) A person shall not drop, be dropped or permitted to drop to the surface or jump from an aircraft flying in the Maldives except under and in accordance with the terms of a written permission granted by the Chief Executive.
- (b) For the purpose of this article dropping includes projecting and lowering.
- (c) Notwithstanding the grant of a permission under paragraph (a), a person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.
- (d) An aircraft shall not be used for the purpose of dropping persons unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose and the aircraft is operated in accordance with the written permission granted by the Chief Executive under this regulation.
- (e) Every applicant for and every holder of a permission shall make available to the Chief Executive if requested to do so a parachuting manual and shall make such amendments or additions to such manual as the Chief Executive may require. The holder of a permission shall make available to every employee or person who is or may engage in parachuting activities conducted by him the manual which shall contain all such information and instructions as may be necessary to enable such employees or persons to perform their duties.
- (f) Nothing in this Regulation:-
  - 1. shall apply to the descent of persons in an emergency;
  - 2. shall prohibit lowering of any person in an emergency or for the purpose of saving life;

3. shall prohibit the lowering of any person from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopters under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

#### **19.15B.4 Exhibitions of flying**

- (a) No person shall act as the organizer of an exhibition of flying at an organized event except with a permission granted by the Chief Executive and in compliance with any conditions specified therein.
- (b) The pilot-in-command of an aircraft and any other pilot thereof flying in an exhibition of flying for which a permission has been granted shall comply with any conditions of the permission relating to the flight of the aircraft.
- (c) An aircraft shall not fly in any exhibition of flying unless there is in force a permission granted under paragraph (a).
- (d) This Regulation shall not apply to an aircraft race or contest or to an aircraft taking part in such a race or contest or to the pilot thereof whether or not such race or contest is held in association with an exhibition of flying.

#### **19.15B.5 Lighter than air aircraft, gliders and kites**

A lighter than air aircraft, a glider or a kite shall not be flown in the Maldives except with a permission granted by the Chief Executive and in accordance with any conditions subject to which the permission is granted.

#### **19.15B.6 Tethered balloons, kites and air ships**

- (a) Within the Maldives:-
  1. a captive balloon or kite shall not be flown at a height of more than 60 metres above the ground level or within 60 meters of any vessel, vehicle or structure;
  2. a captive balloon shall not be flown within 5 km of an aerodrome;
  3. a balloon exceeding 2 metres in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon, shall not be flown in controlled airspace;
  4. a kite shall not be flown within 5 km of an aerodrome;

5. an airship shall not be moored;
6. a glider or parascending parachute shall not be launched by winch and cable or by ground tow to a height of more than 60 meters above ground level;

without the permission in writing of the Chief Executive and in accordance with any condition subject to which that permission may be granted.

- (b) A captive balloon when in flight shall be securely moored, and shall not be left unattended unless it is fitted with a device which ensures its automatic deflation if it breaks free of its moorings.

#### **19.15B.7 Small unmanned aircraft**

- (a) A person must not cause or permit any article or animal (whether or not attached to a parachute) to be dropped from a small unmanned aircraft so as to endanger persons or property.
- (b) The person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made.
- (c) The person in charge of a small unmanned aircraft must maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions.
- (d) The person in charge of a small unmanned aircraft which has a mass of more than 7kg excluding its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, must not fly the aircraft:
  1. in Class A, C, D or E airspace unless the permission of the appropriate air traffic control unit has been obtained;
  2. within an aerodrome traffic zone during the notified hours of watch of the air traffic control unit (if any) at that aerodrome unless the permission of any such air traffic control unit has been obtained; or
  3. at a height of more than 400 feet above the surface unless it is flying in airspace described in sub-paragraph (1) or (2) and in accordance with the requirements for that airspace.

- (e) The person in charge of a small unmanned aircraft must not fly the aircraft for the purposes of aerial work except in accordance with a permission granted by the CAA.

**19.15B.8 Small unmanned surveillance aircraft**

- (a) The person in charge of a small unmanned surveillance aircraft must not fly the aircraft in any of the circumstances described in paragraph (b) except in accordance with a permission issued by the CAA.
- (b) The circumstances referred to in paragraph (a) are:
1. over or within 150 metres of any congested area;
  2. over or within 150 metres of an organised open-air assembly of more than 1,000 persons;
  3. within 50 metres of any vessel, vehicle or structure which is not under the control of the person in charge of the aircraft; or
  4. subject to paragraphs (c) and (d), within 50 metres of any person.
- (c) Subject to paragraph (d), during take-off or landing, a small unmanned surveillance aircraft must not be flown within 30 metres of any person.
- (d) Paragraphs (b)(4) and (c) do not apply to the person in charge of the small unmanned surveillance aircraft or a person under the control of the person in charge of the aircraft.
- (e) In this subpart 'a small unmanned surveillance aircraft' means a small unmanned aircraft which is equipped to undertake any form of surveillance or data acquisition.

## **Subpart 16 – Protection of the Environment**

### **19.16.1 Requirement of a noise certificate**

- (a) An aircraft shall not land or take off in the Maldives unless in respect of the aircraft there is in force a noise certificate issued or validated by the competent authority of the country whose nationality the aircraft possesses to standards the same as or substantially equivalent to those prescribed in pursuance of the Chicago Convention.
- (b) This Regulation applies to aircraft to which the aforesaid standards prescribed in pursuance of the Chicago Convention are expressed to apply.
- (c) A Maldivian aircraft shall when in flight, whether within the Maldives or elsewhere, carry a noise certificate which is required by MCAR-21 to be in force in respect of that aircraft.
- (d) Notwithstanding paragraph (c), provided the flight is intended to begin and end at the same aerodrome, the certificate may be kept at that aerodrome.

### **19.16.2 Fuel venting and smoke emission requirements**

- (a) An aircraft shall not land or take off in the Maldives unless the aircraft or the engines fitted to the aircraft are of a type which have been certified as complying with the requirements relating to fuel venting and smoke emissions by the competent authority of a Contracting State to standards the same as or substantially equivalent to those prescribed in pursuance of the Chicago Convention.
- (b) The requirements of paragraph (a) do not apply to:
  - 1. an aircraft which is powered by gas turbine engines whose date of manufacture was on or before 1 May 1986 or in respect of which a certificate of airworthiness was first issued on or before 1 May 1986;
  - 2. every turbo jet and turbo fan engine whose date of manufacture was on or before 1 May 1986.
- (c) In case of paragraph (b), the aircraft shall be fitted with the engine specified in the certification.

### **19.16.3 Suppression of aircraft noise and vibration**

- (a) For the purpose of limiting or mitigating the effect of noise or vibration caused by aircraft, whether landing, taking off, or on an aerodrome, the Chief Executive may:



1. direct the operator of an aircraft which is to take off or land at an aerodrome to secure that, after the aircraft takes off, or, as the case may be, before it lands at an aerodrome, such requirements as specified in the notice are complied with;
  2. direct the operator of an aircraft which is within an aerodrome to secure compliance with such directions with respect to the taxiing of the aircraft and the running of engines (whether installed in an aircraft or otherwise) as are specified in the directive; or
  3. prohibit aircraft from taking off or landing at an aerodrome during certain periods, or limit the number of occasions on which they may take off and land at an aerodrome during certain periods.
- (b) The Chief Executive may, if he is satisfied that any requirement in a directive published under subparagraph (a)1 or (a)3 has not been complied with in respect of an aircraft, cause withdrawal of the facilities for use of the aerodrome from the operator of the aircraft for such period as the Chief Executive determines.
- (c) If it appears to the Chief Executive that an aircraft is about to take off in violation of a prohibition or limitation imposed under sub-paragraph (a)3 any person authorized by the Chief Executive for the purpose may detain the aircraft for such period as that person considers appropriate for preventing the violation.

## **Subpart 17 – Medical Oxygen**

### **19.17.1 Scope**

This Subpart prescribes how an oxygen generator may be used on board an aircraft for a passenger requiring medical oxygen other than in the event of an in-flight emergency.

### **19.17.2 Equipment**

- (a) The holder of an AOC may allow a passenger to carry or operate equipment used for the storage, generation or dispensing of oxygen when the equipment is:
1. furnished by the AOC holder;
  2. of an approved type or is in conformity with the manufacturing, packaging, marking, labelling and maintenance requirements;
  3. maintained in accordance with an approved maintenance programme;
  4. free of flammable contaminants on all exterior surfaces;
  5. capable of providing a minimum mass flow of four litres of oxygen per minute to the user; and
  6. constructed so that all valves, fittings and gauges are protected from damage.
- (b) The equipment shall be installed in accordance with MCAR-21 or appropriately secured without hindering the emergency exits.
- (c) Equipment that stores liquid oxygen shall be under the AOC holder's approved maintenance programme since new or since the storage container was last purged.
- (d) Equipment that stores gaseous oxygen shall be under the AOC holder's approved maintenance programme since new or since the last hydrostatic test of the storage cylinder.
- (e) The pressure in any oxygen cylinder shall not exceed the rated cylinder pressure.

### **19.17.3 Use of Medical Oxygen**

- (a) The pilot-in-command must be advised when the equipment is on board, and when it is intended to be used.

- (b) Each person using the equipment must have a medical need to use it evidenced by a written statement to be kept in that person's possession, signed by a licensed physician which specifies the maximum quantity of oxygen needed each hour and the maximum flow rate needed for the pressure altitude corresponding to the pressure in the cabin of the airplane under normal operating conditions.
- (c) Paragraph (b) does not apply to carriage of oxygen in an airplane in which the only passengers carried are persons who may have a medical need for oxygen during flight, no more than one relative or other interested person for each of those persons, and medical attendants.
- (d) The total quantity of oxygen carried must be equal to the maximum quantity of oxygen needed each hour, as specified in the physician's statement, multiplied by the number of hours used to compute the amount of airplane fuel required.
- (e) The equipment must be stowed and each person using the equipment must be seated, so as not to restrict access to or use of any required emergency or regular exit or of the aisle in the passenger compartment.

#### **19.17.4 Precautions**

- (a) No person may smoke, and no certificate holder may allow any person to smoke, within 10 feet of the oxygen storage and dispensing equipment.
- (b) No certificate holder may allow any person other than a person trained to connect or disconnect oxygen dispensing equipment or any other ancillary component to or from gaseous oxygen cylinder while any passenger is aboard the airplane.
- (c) Paragraph (b) does not apply to the carriage of supplemental or first aid oxygen as specified in MCAR-Air Operations.

#### **19.17.5 Derogations**

- (a) This Subpart does not apply when the equipment is furnished by a professional or medical emergency service for professional or medical emergency service for use on board an aircraft in a medical emergency when no other practical means of transportation (including any other properly equipped certificate holder) is reasonably available and the person carried under medical emergency is accompanied by a person trained in the use of medical oxygen.

- (b) Each certificate holder who, under the authority of paragraph (a), deviates from the requirements of the Subpart shall, within 10 working days, after the deviation, send to the CAA a complete report of the operation involved, including a description of the deviation and the reasons for it.

## **Section B — ENFORCEMENT ACTIONS**

## Subpart 18 - Penalties

### 19.18.1 Provisions referred to in 19.3B.8 (e)

Any person who contravenes any provision specified in this point is liable to an administrative fine not exceeding MVR 20,000.00.

Regulatory Provision	Subject Matter
MCAR-47.25	Unqualified person not to cause or permit aircraft to be used for commercial air transport, public transport or aerial work
21.A.723	Aircraft to fly in accordance with conditions in a Permit to Fly
MCAR-47.45	Certificate of registration to be returned
MCAR-47.45	Registered owner to inform the CAA of specified events
MCAR-21.A.727	Compliance with conditions and restrictions of a permit to fly
MCAR-M.A.306	Carriage and keeping of maintenance statement
MCAR-M.A.306	Preservation of maintenance statement
MCAR-M.A.305	Preservation of weight schedule
MCAR-Air Ops ER 3(a)	Pilot to be secured in seat
MCAR-Air Ops ER 3(a)	Operator not to permit helicopter rotor to be turned unless pilot at controls
MCAR-Air Ops ER 8(a)	Requirements for accident prevention and flight safety programme
CAT.POL.MAB.105	Person supervising loading to prepare and sign load sheet and submit it for examination by commander
CAT.GEN.MPA.180 ORO.MLR.115	Carriage and preservation of load sheet
MCAR-Air Ops ER 2(a)	Carriage of baggage
CAT.IDE.H.295	Requirement to wear a survival suit
MCAR-Air Ops	Documents to be carried
19.3B.2	Production of documents and records
19.3B.5	Production of air traffic service equipment documents and records
M.A.305	Preservation of documents
MCAR-2 para 2.3	Requirement to inform CAA of departure from Rules of the Air
Act 2/2001 Art 24(a)	Not to act as air traffic controller or student air traffic controller where exam etc. failed
21.A.180	Inspections to be permitted by holder of airworthiness certificate
21.A.439	Production of repair parts
21.A.441	Repair embodiment
21.A.449	Instructions for continued airworthiness by holder of repair design approval
21.A.721	Inspections to be allowed by holder of, or applicant for, a permit to fly
21.A.729	Record keeping by the holder of the approval of the flight conditions
21.A.805	Identification of critical parts
M.A.307	Transfer of aircraft continuing airworthiness records
M.A.401	Use of current maintenance data
M.A.402	Performance of maintenance
M.A.501	Installation of components
M.A.502	Component maintenance

M.A.504(b), (c) and (d)	Control of unserviceable components
M.A.611	Maintenance standards
M.A.614	Maintenance records to be kept by maintenance organisation
M.A.617	Notification of changes to the maintenance organisation
M.A.713	Notification of changes to the continuing airworthiness organisation
M.A.714	Record keeping by continuing airworthiness organisation
M.A.902(c)	Airworthiness review certificate to be returned
145.A.85	Notification of changes to the organisation
147.A.110	Records of instructors, examiners and assessors
147.A.125	Records
147.A.150	Notification of changes to the maintenance training organisation
SPA.LVO.125	Low visibility operations – operating procedures
SPA.LVO.130	Low visibility operations – minimum equipment
CAT.OP.MPA.240	Smoking on board
CAT.OP.MPA.245/246	Meteorological conditions
CAT.OP.MPA.250	Commander not to take off unless external surfaces are clear
CAT.OP.MPA.260	Fuel and oil supply
CAT.OP.MPA.265	Take-off conditions
CAT.OP.MPA.285	Use of supplemental oxygen
CAT.OP.MPA.300	Approach and landing conditions
CAT.OP.MPA.305	Commencement and continuation of approach
ORO.MLR.110	Requirement for journey log
ORO.GEN.130	Changes to organisations
ORA.ATO.120	Record keeping
CAT.GEN.MPA.100(b)	Crew members' reporting and compliance responsibilities
CAT.GEN.MPA.100(b)(4) and (5)	Flight duty, duty and rest period records
CAT.GEN.MPA.190	Provision of documentation and records
CAT.OP.MPA.245	Meteorological conditions
CAT.OP.MPA.250(b)	Commander not to take off unless external surfaces are clear
CAT.OP.MPA.260	Fuel and oil supply
CAT.OP.MPA.265	Take-off conditions
CAT.OP.MPA.285	Use of supplemental oxygen
CAT.OP.MPA.300	Approach and landing conditions
CAT.OP.MPA.305(b)	Commencement and continuation of approach
ORO.MLR.110	Requirement for journey log
SPA.LVO.125(b)	Low visibility operations-operating procedures
SPA.LVO.130(b)	Low visibility operations-minimum equipment
19.3B.1	Failure to return certificate after revocation or surrender
139.20, 139.24, 139.30	Failure to provide information, to notify changes or to comply with requirements or with provisions of aerodrome manual
139.77	Failure to establish an adequate system of record keeping or to keep records
139.18 to 139.20	Requirement to supply information
19.3B.1	Requirement to surrender document to CAA

### 19.18.2 Provisions referred to in 19.3B.8 (f)

Any person who contravenes any provision specified in this point is liable to an administrative fine not exceeding MVR 50,000.00.

Regulatory Provision	Subject Matter
MCAR-47.15	Aircraft to be registered
MCAR-47.50	Aircraft not to fly unless it has nationality and registration marks
MCAR-47.50	Aircraft not to bear misleading marks
M.A.303	Compliance with airworthiness directives
M.A.302	Requirement to be maintained in accordance with approved maintenance programme
145.A.50 / M.A.801	Requirement for certificate of release to service for an aircraft
CAT.POL.MAB.100	Requirement for weighing and determining centre of gravity
M.A.902(b)	Aircraft not to fly in specified circumstances
MCAR-Air Ops ER 5	Requirements for aircraft to carry equipment
MCAR-Air Ops ER 7	Required flight crew and cabin crew
ORO.FC.100	Compliance with direction to carry additional crew
CAT.GEN.MPA.100	Person not to act as member of flight crew when unfit
MCAR-Aircrew ER 1(h-j)	Requirements for giving of flying instruction
MCAR-Air Ops ER 8(b) / ORO.MLR.100	Operations manual requirements
MCAR-Air Ops ER 2(a)3	Pre-flight action by commander of aircraft
MCAR-Air Ops ER 2	Commander to be satisfied that flight can be safely completed
MCAR-Air Ops ER 2	Passenger briefing
MCAR-Air Ops ER 2	Commander to ensure demonstration of emergency equipment
MCAR-Air Ops ER 3(a)3	Commander to ensure crew, passengers and baggage secure
MCAR-Air Ops ER 3(a)2	Pilots to remain at controls
ORO.GEN.110(d-g)	Operator's responsibilities in relation to crew
CAT.OP.MPA.135	Operator's responsibilities in relation to routes and aerodromes
CAT.POL.MAB.100	Operator's duty concerning loading of aircraft
CAT.POL.A.( )	Requirements to comply with aircraft performance and operating limitations
CAT.IDE.A.155	Requirement for operation of airborne collision avoidance system
CAT.OP.MPA.295	Requirements for training in operation of airborne collision avoidance system
19.3C.4	Smoking in aircraft
19.3C.5	Requirement to comply with lawful commands of commander of aircraft
19.3C.6(1)(a) and (b)	Acting in a disruptive manner
19.3C.7	Stowaways
19.15A.7	Accessibility for passengers with disabilities and reduced mobility
21.A.727	Obligations of the holder of a permit to fly
M.A.202	Occurrence reporting
M.A.303	Carrying out airworthiness directives
M.A.305	Aircraft continuing airworthiness record system
M.A.306	Operator's technical log system



M.A.708	Continuing airworthiness management
M.A.710	Conduct of airworthiness review
145.A.50	Certification of release to service for maintenance
145.A.55	Maintenance records to be kept by organisation approved under MCAR-145
145.A.60	Occurrence reporting
CAT.GEN.MPA.105(a) (7), (8), (10) and (12)	Responsibilities of commander
CAT.GEN.MPA.195(a)-(e)	Preservation, production and use of flight recorder recordings
CAT.GEN.MPA.200(e)	Reporting of dangerous goods incidents and accidents
CAT.OP.MPA.175(b)	Flight preparation by commander
CAT.OP.MPA.210(a)(1) and (2)	Flight crew to remain at station
CAT.OP.MPA.225	Crew and passengers to be secured
SPA.PBN.100	Requirement for Performance Based Navigation approval
SPA.MNPS.100	Requirement for Minimum Navigation Performance Specification approval
SPA.RVSM.100	Requirement for Reduced Vertical Separation Minimum approval
SPA.LVO.100	Requirement for low visibility operations approval
SPA.ETOPS.100	Requirement for extended range operations approval

**19.18.3 Provisions referred to in 19.3B.8 (g)**

Any person who contravenes any provision specified in this point is liable to an administrative fine not exceeding MVR 100,000.00.

Regulatory Provision	Subject Matter
19.15A.1	Aircraft not to fly for public transport without AOC
19.15A.1	Offering commercial air transport and public transport flights without AOC
19.5.1	Aircraft not to fly without a certificate of airworthiness
19.10B.4	Requirements for carriage of munitions of war
19.3C.2	Endangering safety of any person or property
19.3C.3	Drunkenness in aircraft
19.3C.6 (a)3	Intentional interference
19.3B.3 (except (b) & (e))	Prohibitions in relation to documents and records
19.3B.4 (c)	Flight in contravention of CAA's direction not to fly
19.3B.4 (d)	Grounded aircraft not to fly
19.15A.8	Accessibility for passengers with medical assistance
M.A.201 (a) and (b)	Responsibilities of owner or lessee
M.A.201 (d)	Responsibilities of the pilot in command or operator
M.A.201 (e) & (f)	Responsibilities of continuing airworthiness management organisation
M.A.201 (h)	Obligations of commercial air transport operator
M.A.201 (i)	Obligations of certificated operator
M.A.402	Aircraft defects to be rectified
M.A.902 (b)	Aircraft not to fly if airworthiness review certificate invalid
CAT.GEN.MPA.155/160	Prohibition on carrying on board sporting weapons or munitions of war
CAT.GEN.MPA.155	Requirements for carriage of munitions of war
CAT.GEN.MPA.155	Prohibition on carriage of sporting weapon or munition of war where passengers have access
CAT.GEN.MPA.100 (c)	Crew member's obligation not to fly in dangerous state of fatigue
ORO.FTL.110	Operator's obligations for flight and duty time limitations and rest scheme
CAT.GEN.MPA.200	Operator to comply with Technical Instructions
SPA.DG.100	Operator to hold approval to transport dangerous goods