

**AIR NAVIGATION (FEES FOR CERTIFICATES AND SERVICES)
REGULATIONS 2000**

BR 16 / 2000

AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 1989

S.I. 1989 : No. 2395

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His Excellency, the Governor, in exercise of the powers conferred upon him by Article 98 of the Air Navigation (Overseas Territories) Order 1989 as applied to Bermuda makes the following Regulations:

Citation

1 These Regulations may be cited as the Air Navigation (Fees for Certificates and Services) Regulations 2000.

Interpretation

2 References to the weight of an aircraft are, for the purposes of these Regulations, references to the "maximum total weight authorised" as defined in Article 99(1) of the Air Navigation (Overseas Territories) Order 1989.

Fees

3 The fees set out in column 2 of the Schedule hereto shall be chargeable and payable in relation to the items specified in column 1 thereof.

General provisions

4 (1) In connection with any thing done pursuant to any of the items set out in the Schedule to these Regulations, the Minister of Transport may—

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- (a) require the payment of the whole or a portion of the fee or fees payable upon application or in advance of any licence, approval or other document being issued;
- (b) withhold such fees as he may think fit to cover the costs of any services performed to the point of termination of any application through withdrawal, refusal or other form of termination, and return to the applicant the remainder of any deposit which may have been made;
- (c) charge any additional actual costs arising from services performed or investigations conducted in connection with any application, where the actual costs of such activities exceed the fees set out in the Schedule to these Regulations;
- (d) recharge the amount of any disbursements made, in connection with any application or investigation, to bodies outside the Department of Civil Aviation, including but not limited to communications charges and to add an administrative fee of ten per centum to all such charges.

(2) In this regulation, the expression "investigation" includes an inspection, examination, calculation, test or any other form of work expended in the consideration of any application.

Revokes BR 63/1997

5 The Air Navigation (Fees for Certificates and Services) Regulations 1997 are revoked.

Commencement

6 These Regulations came into force on

SCHEDULE (regulation 3)

PART I

LICENCES FOR FLIGHT CREW

Column 1	Column 2
(a) For a private pilot's licence:	
Initial Issue	\$105.00
Renewal	\$65.00

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(b)	For a commercial pilot's licence:	
	Initial Issue	\$210.00
	Renewal	\$105.00
(c)	For an airline transport pilot's licence:	
	Initial Issue	\$210.00
	Renewal	\$105.00
(d)	For a flight navigator's licence:	
	Initial Issue	\$160.00
	Renewal	\$80.00
(e)	For a flight engineer's licence:	
	Initial Issue	\$160.00
	Renewal	\$80.00
(f)	For a flight radiotelephony operator's general licence:	
	Initial Issue	\$55.00
	Renewal	\$55.00
(g)	For a flight radiotelephony operator's restricted licence:	
	Initial Issue	\$55.00
	Renewal	\$55.00
(h)	For a flight radiotelegraphy operator's licence:	
	Initial Issue	\$55.00
	Renewal	\$55.00
(i)	For a flight radiotelegraphy operator's temporary licence:	
	Initial Issue	\$55.00
	Renewal	\$55.00
(j)	For a certificate of validity of foreign licence:	
	Initial Issue	\$110.00
	Renewal	\$55.00
	Variation during period of validity	\$55.00
(k)	For ratings on licence:	\$85.00
	Inclusion or variation	on any one occasion

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(l)	For the appointment of authorised examiner for aircraft type rating or instrument rating: Initial Appointment or Re-appointment	\$315.00
(m)	For the approval or validation of foreign approval of flight simulator:	\$210.00 per aircraft type
(n)	For the approval or validation of foreign approval of flying training school aircraft type rating, training and testing centre:	\$210.00

The fees set out in this Part shall be applied together with such additional costs of any examination, flight tests or other investigations as may be necessary.

PART II

AIRWORTHINESS

(a)	Initial Issue and each Renewal with maximum validity of 12 months:	
(i)	For aircraft not exceeding 2730 kgs	\$1,050
(ii)	For aircraft exceeding 2730 kgs but not exceeding 5700 kgs	\$2,100
(iii)	For aircraft exceeding 5700 kgs but not exceeding 30,000 kgs	\$2,100 plus \$155.00 per 500 kgs or part thereof exceeding 5700 kgs up to a maximum of \$9,695.00
(iv)	For aircraft exceeding 30,000 kgs but not exceeding 100,000 kgs	\$9,695.00 plus \$135.00 per 500 kgs or part thereof

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		exceeding 30,000 kgs up to a maximum of \$28,595.00
(v)	For aircraft exceeding 100,000 kgs but not exceeding 200,000 kgs	\$28,595.00 plus \$130.00 per 500 kgs or part thereof exceeding 100,000 kgs up to a maximum of \$54,595.00
(vi)	For aircraft exceeding 200,000 kgs but not exceeding 300,000 kgs	\$54,595.00 plus \$125.00 per 500 kgs or part thereof exceeding 200,000 kgs up to a maximum of \$79,595.00
(vii)	For aircraft exceeding 300,000 kgs	\$80,000.00
(b)	For a permit to fly an aircraft without a certificate of airworthiness:	\$250.00
(c)	For a certificate of airworthiness, change of category:	\$300.00
(d)	For the approval of modifications, major repairs to aircraft, engines and equipment:	\$300.00 per application
(e)	For a certificate of approval of aircraft radio installation:	
	Initial Issue	\$200.00
	Renewal or amendment	\$100.00

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(f)	For the approval of maintenance organisations: Initial Issue	\$2,500.00 for each site
	Variation of Approval:	
	(i) for aircraft not exceeding 2730 kgs	\$750.00
	(ii) for aircraft exceeding 2730 kgs	\$1,000.00
(g)	For a certificate of airworthiness for export:	
	(i) for aircraft not exceeding 2730 kgs	\$2,000.00
	(ii) for aircraft exceeding 2730 kgs	\$2,000.00 plus \$110.00 per 500 kgs or part thereof exceeding 2730 kgs up to a maximum of \$27,000
(h)	For an aircraft maintenance engineer's licence (AMEL): Initial Issue Renewal or variation or inclusion of rating	\$210.00 \$105.00
(i)	For a certificate of validation of AMEL: Initial Issue Renewal or variation	\$105.00 \$55.00
(j)	For the approval of aircraft maintenance schedules: Initial Issue Amendment or variation	\$300.00 \$150.00
(k)	For the approval of an airplane flight manual:	\$300.00
(l)	Noise Certificate:	\$200.00

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The fees set out in this Part shall be applied together with such additional costs of any examination, flight tests or other investigations as may be necessary.

PART III

FLIGHT OPERATIONS

- (a) Application for the grant of an Air Operator's Certificate:

Upon making an application for the grant of an Air Operator's Certificate (AOC), the applicant shall pay for the investigations required by the Department of Civil Aviation (DCA) a charge of such amount as may be decided by the DCA. The level of charges shall be determined based upon the estimated man-days attributable to investigation, as specified in Column 2 of Table 1 and Part V(n) hereof.

TABLE 1

	MAXIMUM TOTAL WEIGHT AUTHORISED	MAN-DAYS
	Not exceeding 2 tonnes	4 man days
	Exceeding 2 tonnes but not exceeding 15 tonnes	45 man days
	Exceeding 15 tonnes	60 man days
(b)	For an air operator's certificate:	
(i)	for aircraft not exceeding 2 tonnes	\$4,500.00
(ii)	for aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$7,000.00
(iii)	for aircraft exceeding 15 tonnes	\$10,000.00

When an air operator's certificate is granted, the applicant shall pay a charge of the amount specified in Column 2 hereto in addition to a charge of such amount as may be decided by the Department of Civil Aviation for the regulatory oversight and monitoring of the AOC operation for one year or part of the year. The level of charges shall be determined

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based upon the estimated man-days attributed to regulatory oversight as specified in Column 2 of Table 2 and Part V(o) hereof.

NOTE: If an application is submitted for more than one aircraft type, the charge shall be based upon the heaviest aircraft type as indicated in (b) hereto. For each additional aircraft type the charges shall be as indicated at (c) hereto.

TABLE 2

	MAXIMUM TOTAL WEIGHT AUTHORISED	MAN-DAYS
	Not exceeding 2 tonnes	Maximum 4 man days
	Exceeding 2 tonnes but not exceeding 15 tonnes	Maximum 45 man days
	Exceeding 15 tonnes	Maximum 60 man days
(c)	For the inclusion of additional aircraft types in the air operator's certificate:	
	(i) for aircraft not exceeding 2 tonnes	\$2,600.00
	(ii) for aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$4,000.00
	(iii) for aircraft exceeding 15 tonnes	\$4,500.00
	(iv) the fees specified in this paragraph shall be applied with such additional costs of examination flight tests or other investigation as may be necessary.	
(d)	For an annual charge for an air operator's certificate: (for each aircraft type named on the certificate)	
	(i) for aircraft not exceeding 2 tonnes	\$2,200.00
	(ii) for aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$3,300.00
	(iii) for aircraft exceeding 15 tonnes	\$4,400.00

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Upon application for renewal of an Air Operator's Certificate the applicant shall pay a charge of the amount specified in Column 2 hereto in addition to an annual charge of such amount as may be decided by the Department of Civil Aviation for the continuation of regulatory oversight and monitoring of the AOC Operation. The level of charges shall be determined based upon the estimated man-days attributed to regulatory oversight as specified in Column 2 of Table 2 and Part V(n) hereof.

- (e) For a variation of an Air Operator's Certificate:
- (i) for a variation in the Operating Region \$1,100.00
 - (ii) for a permission to operate on a specified route outside the Operating Region specified in the Certificate \$450.00
 - (iii) for a change in the Company of Trading name where the legal entity is unchanged \$110.00
 - (iv) for a change to any of the posts identified in an initial AOC application \$110.00

(f) Variable charges

On the last day of each period of three months during the whole or part of which an Air Operator's Certificate remains in force, the holder of the Certificate shall pay a charge according to the number of hours (rounded to the nearest whole hour, with half hours being rounded up) flown by each aircraft operated by him pursuant to the Certificate as follows:

In the case of passenger aircraft:

- (i) where the number of passenger seats in the aircraft exceeds 20 but does not exceed 100 6 cents per hour per seat
- (ii) where the number of passenger seats in the aircraft exceeds 100 but does not exceed 200 9 cents per hour per seat

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| (iii) | where the number of passenger seats in the aircraft exceeds 200 but does not exceed 300 | 11 cents per hour per seat |
| (iv) | where the number of passenger seats in the aircraft exceeds 300 | 13 cents per hour per seat |

In the case of cargo aircraft:

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| (i) | where the cargo capacity of the aircraft exceeds 20 tonnes | 22 cents per tonne per hour |
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Nothing in sub-paragraph (f) hereof shall apply to aircraft fitted with 20 or less seats or aircraft which do not exceed a MTWA of 10 tonnes or on non-revenue flights.

For the purposes of this sub-paragraph a flight hour shall be calculated from the time an aircraft becomes airborne to the time the aircraft touches down and shall coincide with the aircraft's Technical Log Time.

(g) Special operations:

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| (i) | Category II Low Visibility Operations (with or without autoland)
Initial | \$2,200.00 |
| (ii) | Category III Low Visibility Operations (with autoland)
Initial | \$4,400.00 |
| (iii) | Extended Range Twin Engine Operations or Extended Range Operations
Initial application | \$5,500.00 |
| | For each additional aircraft type | \$2,600.00 |
| (iv) | Minimum Navigation Performance Specifications Airspace or Reduced Vertical Separation Minima | \$500.00 |
| (h) | Operations under an AOC exemption | \$2,200.00 |

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(i)	Route Licensing:	
	(i) Application for route	\$550.00
	(ii) Vetting of business financial plans	\$2,000.00
(j)	For the approval of a scheme to avoid excessive flight crew fatigue:	\$600.00
(k)	Aircraft leasing:	
	(i) On application for Dry Leasing a Bermuda registered aircraft to be operated by a foreign operator for the purpose of public transport, aerial work, or both such transport and work:	\$2,200.00
	(ii) For aircraft not exceeding 15 tonnes Charge per month or part of a month per 500 kgs or part thereof of aircraft maximum total weight authorised, for the time aircraft is operated by the foreign operator	\$4.50
	(iii) For aircraft exceeding 15 tonnes Charge per month or part of a month per 500 kgs or part thereof of aircraft maximum total weight authorised, for the time aircraft is operated by the foreign operator	\$2.50
	(iv) For each additional aircraft to be included in existing dry leasing arrangement	\$550.00
	(v) Upon making an application for the extension of a dry leasing arrangement	\$550.00

The fees specified in paragraphs (g) to (k) shall be applied together with such additional costs of any examination, flight tests or other investigations as may be necessary.

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PART IV

AIR TRAFFIC CONTROL AND AERODROMES

(a)	For an aerodrome licence: Initial Issue	\$1,500.00
	Annual renewal (except Government or military aerodromes)	\$1,000.00
(b)	For an assessment of hazards to air navigation, obstructions, etc: (except Government or military aerodromes)	\$600.00 plus investigation costs
(c)	For the conversion of foreign air traffic control licences, ratings and aerodrome flight information service officers licences:	\$300.00

PART V

MATTERS NOT ELSEWHERE SPECIFIED

(a)	For a certificate of registration of aircraft:	\$400.00
(b)	For reservation of registration mark:	\$100.00
(c)	For reservation of specific out of sequence registration mark:	\$200.00
(d)	For an aircraft dealer's certificate:	\$3,000.00
(e)	Enquiry regarding entries in register of aircraft:	\$50.00
(f)	For the provision of summary copy of register of aircraft:	\$35.00
(g)	For the issue of a copy of any document issued under the Order: (but not to exceed cost of original document)	\$50.00

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| (h) | For the approval of documents, inspections, investigations, tests, experiments and flight trials conducted in connection with any part of the Order, but not elsewhere specified: | Actual costs incurred plus investigation costs
\$150.00
minimum charge |
| (i) | For the grant of any permission, approval or exemption in respect of any part of the Order: | \$250.00 plus investigation costs |
| (j) | Additional charge when services are performed abroad: | Actual costs incurred |
| (k) | For de-registration advice to foreign regulatory authority or removal from register upon export: | \$100.00 |
| (l) | For title search of the register in respect of an aircraft: | \$150.00 |
| (m) | Where an aircraft is temporarily transferred to the register and a certificate of airworthiness is issued in respect of that aircraft the fee payable— | |
| (a) | in respect of such temporary transfer to the register; and | |
| (b) | in respect of that certificate of airworthiness, | |

shall be one half the amount specified in these Regulations for registration of an aircraft or for a certificate of airworthiness, as the case may be.

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- (n) Investigation conducted in connection with
any part of the Order: \$1,200.00
per man day
or \$150 per
hour
- Plus actual costs incurred, including but not
limited to, transportation, accommodation
and subsistence: Travel days
shall be
charged at
\$600.00 per
man day.

Dated this 14th day of March 2000

Governor