



BERMUDA

AIR NAVIGATION (FEES FOR CERTIFICATES AND SERVICES)
REGULATIONS 2012

BR 65 / 2012

His Excellency the Governor, in exercise of the powers conferred by article 149 of the Air Navigation (Overseas Territories) Order 2007 (United Kingdom) 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 2012.

Interpretation

2 In these Regulations—

“Director” means the Director of Civil Aviation appointed under section 2 of the Civil Airports Act 1949;

“Order” means the Air Navigation (Overseas Territories) Order 2007 (United Kingdom).

Designation by the Governor

3 Pursuant to article 153(1) of the Order, the Director is hereby designated as the person to carry out the functions of the Governor under article 149(4) to (7) of the Order.

Applications

4 An application under the Order is to be made to the Director.

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Fees chargeable

5 The fees set out in Columns 2 and 3 of the Schedule are chargeable in relation to the items specified in Column 1 of the Schedule.

Revocation of the 2010 Regulations

6 The Air Navigation (Fees for Certificates and Services) Regulations 2010 are revoked.

Commencement

7 These Regulations come into operation on 1 October 2012.

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SCHEDULE

(regulation 5)

FEES CHARGEABLE

PART 1
LICENCES FOR FLIGHT CREW

Column 1	Column 2
(a) For a private pilot's licence:	
Initial Issue	No charge
Renewal	No charge
(b) For a commercial pilot's licence:	
Initial Issue	No charge
Renewal	No charge
(c) For an airline transport pilot's licence:	
Initial Issue	No charge
Renewal	No charge
(d) For a flight engineer's licence:	
Initial Issue	No charge
Renewal	No charge
(e) For a flight radiotelephony operator's general licence:	
Initial Issue	No charge
Renewal	No charge
(f) For a flight radiotelephony operator's restricted licence:	
Initial	No charge
Renewal	No charge
(g) For a flight radiotelegraphy operator's licence:	
Initial	No charge
Renewal	No charge
(h) For a flight radiotelegraphy operator's temporary licence:	
Initial	No charge
Renewal	No charge
(i) For the issue and renewal of a Certificate of Validity of a foreign licence in relation to a specific aircraft registration or operator	No charge
(j) For the issue of a Certificate of Validity of a foreign licence where no specific aircraft registration or operator is stipulated	\$2,000
(k) For the issue of an annual General Certificate of Validation or Recognition of a foreign licence associated with a commercial air transport operation or an aircraft manufacturer	\$3,000 per annum

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(l)	For the variation of a General Certificate of Validation	No charge
(m)	For the appointment of an authorised examiner for aircraft type rating or instrument rating:	
	Initial appointment	\$1,000
	Re-appointment	\$1,000
(n)	For the appointment of an authorised examiner for conducting Operator Proficiency Checks (OPC):	
	Initial appointment	\$750
	Re-appointment	\$750
(o)	For the appointment of an authorised Line Training/Check pilot:	
	Initial appointment	\$500
	Re-appointment	\$500
(p)	For the approval or validation of foreign approval of flight simulator:	
	Per aircraft type	\$2,500
(q)	For the approval or validation of foreign approval of flying training school, aircraft type rating training and testing centre	\$2,500

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 2
AIRWORTHINESS

Corporate and General Aviation

Column 1	Column 2
(a) Initial issue and re-issue of a Certificate of Airworthiness with a maximum validity of 12 months:	
(i) For aircraft not exceeding 5,700 kgs	\$5,000
(ii) For aircraft exceeding 5,700 kgs but not exceeding 30,000 kgs	\$5,000 plus \$175 per 500 kgs or part thereof exceeding 5,700 kgs up to a maximum of \$13,500
(iii) For aircraft exceeding 30,000 kgs but not exceeding 100,000 kgs	\$13,500 plus \$145 per 500 kgs or part thereof exceeding 30,000 kgs up to a maximum of \$33,000
(iv) For aircraft exceeding 100,000 kgs but not exceeding 200,000 kgs	\$33,000 plus \$135 per 500 kgs or part thereof exceeding 100,000 kgs up to a maximum of \$60,000
(v) For aircraft exceeding 200,000 kgs but not exceeding 300,000 kgs	\$60,000 plus \$130 per 500 kgs or part thereof exceeding 200,000 kgs up to a maximum of \$86,000

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- (vi) For aircraft exceeding 300,000 kgs \$86,000 plus \$125 per 500 kgs or part thereof exceeding 300,000 kgs up to a maximum of \$98,500

The Certificate of Airworthiness fee includes the investigation cost. The actual travel, accommodation and subsistence costs will be charged separately, as per Part 4(d). No refunds will be given if the Certificate of Airworthiness is cancelled or the aircraft is de-registered during the period of validity.

Commercial Air Transport

Column 1	Column 2 Operators Not Holding BDCA OTAR 39 Approval or Authorization	Column 3 Operators Holding BDCA OTAR 39 Approval or Authorization
(b) For aircraft not exceeding 5,700 kgs	\$12,000	\$8,000
(c) For aircraft exceeding 5,700 kgs but not exceeding 30,000 kgs	\$12,000 plus \$175 per 500 kgs or part thereof exceeding 5,700 kgs up to a maximum of \$20,500	\$8,000 plus \$175 per 500 kgs or part thereof exceeding 5,700 kgs up to a maximum of \$16,500
(d) For aircraft exceeding 30,000 kgs but not exceeding 100,000 kgs	\$20,500 plus \$145 per 500 kgs or part thereof exceeding 30,000 kgs up to a maximum of \$40,000	\$16,500 plus \$145 per 500 kgs or part thereof exceeding 30,000 kgs up to a maximum of \$36,000
(e) For aircraft exceeding 100,000 kgs but not exceeding 200,000 kgs	\$40,000 plus \$135 per 500 kgs or part thereof exceeding 100,000 kgs up to a maximum of \$67,000	\$36,000 plus \$135 per 500 kgs or part thereof exceeding 100,000 kgs up to a maximum of \$63,000
(f) For aircraft exceeding 200,000 kgs but not exceeding 300,000 kgs	\$67,000 plus \$130 per 500 kgs or part thereof exceeding 200,000 kgs up to a maximum of \$93,000	\$63,000 plus \$130 per 500 kgs or part thereof exceeding 200,000 kgs up to a maximum of \$89,000
(g) For aircraft exceeding 300,000 kgs	\$93,000 plus \$125 per 500 kgs or part thereof exceeding 300,000 kgs up to a maximum of \$105,500	\$89,000 plus \$125 per 500 kgs or part thereof exceeding 300,000 kgs up to a maximum of \$101,500

The Certificate of Airworthiness fee includes the investigation cost. The actual travel, accommodation and subsistence costs will be charged separately, as per Part 4(d). No

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refunds will be given if the Certificate of Airworthiness is cancelled or the aircraft is de-registered during the period of validity.

(h) For the issue of a "Permit to Fly"	No charge
(i) For the approval of a modification	No charge
(j) For the approval of repairs to aircraft, engines or equipment	No charge
(k) For the initial approval and the renewal of the approval of maintenance organisations	\$3,000
(l) For the issue and renewal of an approval of an organisation in accordance with Article 10 of the Order in relation to Continuing Airworthiness and Continued Airworthiness Management Organizations (CAMO)	\$3,000
(m) For the issue of a "One Time" approval for a maintenance organisation and CAMO	\$1,000
(n) For a Certificate of Airworthiness for Export	\$100 per 500 kgs or part thereof; minimum fee of \$5,000 and maximum of \$70,000
(o) For an aircraft maintenance engineer's licence (AMEL):	
Initial Issue	No charge
Renewal or variation or inclusion of rating	No charge
(p) For a certificate of validation of AMEL:	
Initial Issue	No charge
Renewal or variation	No charge

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 3
FLIGHT OPERATIONS

Column 1	Column 2
(a) Application for the grant of an Air Operator's Certificate (AOC) or Aerial Work Certificate: Upon making an application for the grant of an Air Operator's Certificate, or Aerial Work Certificate, 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 4(d).	
Table 1 Maximum Total Weight Authorised	Man-Days

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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 or Aerial Work Certificate:	
(i) For aircraft not exceeding 2 tonnes	\$6,000
(ii) For aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$9,000
(iii) For aircraft exceeding 15 tonnes	\$13,000
(iv) For an Unmanned Aerial System (UAS) not exceeding 20 kgs	\$2,500
(v) For an Unmanned Aerial System (UAS) exceeding 20 kgs	\$5,000

When an Air Operator's Certificate or an Aerial Work Certificate is granted, the applicant shall pay a charge of the amount specified in Column 2 of Table 1 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 or an Aerial Work Certificate operation for one year or part of the year. 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 4(c).

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 paragraph (b). For each additional aircraft type the charges shall be as indicated in paragraph (c).

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	\$3,500
(ii) For aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$5,000
(iii) For aircraft exceeding 15 tonnes	\$5,500
The fees specified in this paragraph shall be applied with such additional costs of examination flight tests or other investigations as may be necessary.	
(d) For a periodic charge for an Air Operator's Certificate (for each aircraft type named on the certificate) or an Aerial Work Certificate:	
(i) For aircraft not exceeding 2 tonnes	\$3,500
(ii) For aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$5,000

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| (iii) For aircraft exceeding 15 tonnes | \$5,500 |
| (iv) For an Unmanned Aerial System (UAS) not exceeding 20 kgs | \$1,000 |
| (v) For an Unmanned Aerial System (UAS) exceeding 20 kgs | \$1,500 |

Upon application for renewal of an Air Operator's Certificate the applicant shall pay a charge of the amount specified in Column 2 of Table 2 in addition to a periodic 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 4(c).

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| (e) For a variation of an Air Operator's Certificate or Aerial Work Certificate | \$500 plus any additional investigation fees |
| (f) For the issue of an Approval in accordance with Article 85 of the Order: | |
| (i) Initial Approval | \$3,000 |
| (ii) Renewal | \$1,000 |
| (g) Special operations: | |
| For the grant of an approval for flight in specified weather conditions or in airspace in which specific navigation, communication, surveillance or height keeping performance is required | No charge |
| (h) Route Licensing: | |
| (i) Application for a route licence | Actual costs incurred |
| (ii) Vetting of business financial plans | Actual costs incurred |
| (i) Minimum Equipment List (MEL) Approval: | |
| (i) Initial Approval | \$800 plus actual costs incurred |
| (ii) Renewal | \$200 plus actual costs incurred |

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

PART 4
MATTERS NOT ELSEWHERE SPECIFIED

- | Column 1 | Column 2 |
|---|--|
| (a) For the review of documents; the conducting of inspections or investigations; the witnessing of tests, experiments or flying trials carried out in connection with any part of the Order, but not elsewhere specified | Actual costs incurred including investigation and administration costs \$200 minimum |

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| (b) For the grant of any permission, approval, variation, deviation, or exemption in respect of any part of the Order not covered above or for the issue of copies of documents or for the issue of any document at the request of the applicant/operator | \$800 plus investigation costs |
| (c) Reissue of Certificates, approvals, authorisations or other documents including registration or change of ownership | \$500 |
| (d) Investigations conducted in connection with any part of the Order, plus actual costs incurred, including but not limited to, transportation, accommodation and subsistence | \$1,600 per man-day or \$200 per man-hour. Travel days shall be charged at \$800 per man-day |
| (e) When the Director of Civil Aviation agrees to place an aircraft temporarily on the Register for the convenience of the owner desiring to store or sell the aircraft; and in such case the time during which such aircraft may remain on the Register will be limited to the period necessary for carrying out any necessary modification and affecting the sale | A fee may be agreed between the Director and the owner in respect of the use of the Register. |

Made this 9th day of August 2012

His Excellency Mr. George Fergusson
Governor and Commander in Chief