

CAYMAN ISLANDS



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THE AIR NAVIGATION (FEES) REGULATIONS, 1990

THE AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER, 1989

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The Governor in exercise of the powers under Article 98 of the Air Navigation (Overseas Territories) Order, 1989, and of all other powers enabling him in that behalf, hereby makes the following Regulations.

Citation and
Commencement.

1. These Regulations may be cited as the Air Navigation (Fees) Regulations, 1990, and shall come into effect on 1st December, 1990.

Interpretation.

2. For the purpose of these Regulations.

"aircraft type certificate" means a certificate issued by the Civil Aviation Authority indicating that the type of aircraft to which the certificate refers is acceptable for airworthiness certification;

"certificate of airworthiness for export" means a certificate issued by the Civil Aviation Authority certifying that the aircraft to which the certificate refers has been examined and considered airworthy in accordance with applicable British Civil Airworthiness Requirements and with any special requirements notified by the importing country;

"engine type certificate" means a certificate issued by the Civil Aviation Authority certifying that the engine to which the certificate refers has been examined and complies with airworthiness standards specified by the Civil Aviation Authority;

"maximum total weight authorised" in relation to an aircraft

means the maximum total weight of the aircraft and its contents at which the aircraft may take off anywhere in the world in the most favourable circumstances in accordance with the certificate of airworthiness in force in respect of the aircraft;

"maximum weight" in relation to an aircraft means the maximum weight specified in the application for a certificate or permit, as the case may be;

"Order" means the Air Navigation (Overseas Territories) Order 1989 and any reference to a part of that Order shall, if that Order be amended or revoked, be taken to be a reference to the corresponding part of the Air Navigation (Overseas Territories) Order for the time being in force;

"professional pilot's licence" means a licence of one of the following classes -

- commercial pilot's licence (aeroplanes)
- airline transport pilot's licence (aeroplanes)
- commercial pilot's licence (helicopters and gyroplanes)
- commercial pilot's licence (balloons)
- commercial pilot's licence (airships)
- commercial pilot's licence (gliders);

"private pilot's licence" means a licence of one of the following classes -

- private pilot's licence (aeroplanes)
- private pilot's licence (helicopters and gyroplanes)
- private pilot's licence (balloons and airships);

"prototype aircraft" means an aircraft which is not a series aircraft;

"series aircraft" means an aircraft which, in the opinion of the Civil Aviation Authority, is identical in all matters affecting airworthiness to another aircraft in respect of which a certificate of airworthiness has been issued under an Air Navigation (Overseas Territories) Order.

Flight Crew licences.

3. Upon making an application for the grant or renewal of a licence to act as a flight crew member, the applicant shall pay -

- (a) for the grant or renewal of a professional pilot's or a flight

engineer's licence a charge of \$150;

(b) for the grant or renewal of a private pilot's licence, a charge of \$ 60;

(c) for the grant or renewal of a flight attendant's licence, a charge of \$ 35;

(d) for the grant or renewal of a flight operations officer's licence, a charge of \$ 75.

Rating Applications.

4. (1) Upon making an application for the inclusion of a rating in a professional pilot's licence or a flight engineer's licence, the applicant shall pay -

(a) for the inclusion of a second or subsequent type of aircraft in the aircraft rating, a charge of \$ 20;

(b) for the inclusion of a flying instructor's rating or an assistant flying instructor's rating, a charge of \$ 30;

(c) for the inclusion of an instrument rating in a commercial pilot's licence subsequent to the initial issue of the licence, a charge of \$ 25.

(2) Upon making an application for the inclusion of a second or subsequent type of aircraft in the aircraft rating of a flight attendant's or flight operations officer's licence, the applicant shall pay a charge of \$ 5.

Examination Fees.

5. Upon making application for the grant or extension of a licence to act as a flight crew member or for the inclusion of a rating therein, the applicant shall pay in respect of each of the following examinations and tests as may be required the cost of making such examination plus the charge specified in column 2 of the following table appropriate to that examination and test.

TABLE

Column 1	Column 2
(1) on the performance of aircraft	\$ 35;
(2) for the technical examination - aircraft, Part I (General) and Part II (Type)	
(a) for the inclusion of an aircraft rating in a licence for a single	

type of aircraft where the maximum total weight authorised of the aircraft -

- (i) does not exceed 5,700 kg. \$ 35
- (ii) exceeds 5,700 kg. but does not exceed 34,000 kg. \$ 40
- (iii) exceeds 34,000 kg. but does not exceed 91,000 kg. \$ 45
- (iv) exceeds 91,000 kg. \$ 50

for the resitting of Part I (General) of such an examination \$ 25

(b) for the extension of an aircraft rating in a licence to include any additional type of aircraft in a licence, or for the resitting of Part II (Type), where the maximum total weight authorised or the aircraft:

- (i) does not exceed 5,700 kg. \$ 35
- (ii) exceeds 5,700 kg. but does not exceed 34,000 kg. \$ 40
- (iii) exceeds 34,000 kg. but does not exceed 91,000 kg. \$ 45
- (iv) exceeds 91,000 kg. \$ 50

for the resitting of Part II (Type) of such an examination \$ 25;

(3) on radiotelephony, being an examination consisting of not more than two parts, for each part of the examination on each occasion when that part is taken \$ 35;

(4) on the morse code \$ 35;

(5) on each occasion when an examination is taken on any one of the following:

(a) aviation law, flight rules and procedures (Part I), aviation law flight rules and procedures (Part II); for each subject \$ 25

(b) signals (practical) \$ 30

(c) by an applicant for a private pilot's licence on navigation and meteorology \$ 35

(d) by the holder of a private pilot's licence (aeroplanes) for an instrument rating (aeroplanes) on flight rules and procedures; flight planning and navigation procedures; flight instruments and radio aids; meteorology; for each subject \$ 25

(e) by applicant for a commercial pilot's licence (aeroplanes), a

commercial pilot's licence (helicopters and gyroplanes), or an airline transport pilot's licence (helicopters and gyroplanes) on navigation (flight planning); navigation (general); navigation (plotting); navigation (radio aids); navigation (instruments); meteorology (practical); meteorology; for each subject \$ 25

(f) by an applicant for a flight navigator's licence, or an airline transport pilot's licence (aeroplanes) on navigation (flight planning); navigation (general); navigation (plotting); navigation (radio aids); navigation (instruments); meteorology (practical); meteorology (theory); for each subject \$ 25.

Validation of flight crew licences.

6. Upon making an application for the issue of certificate of validation of a licence of another country the applicant shall pay a fee of \$ 50.

Authorisation of examiners.

7. Upon making an application for appointment as an authorised examiner, the applicant shall pay -

(a) for appointment as an examiner authorised to conduct tests and to sign certificates of the test and certificates of experience in respect of an aircraft rating included in a professional pilot's licence, a charge of \$ 45;

PROVIDED that in the case of an application for appointment or reappointment as an examiner authorised to conduct such tests and to assign such certificates only in respect of an aircraft the maximum total weight authorised of which does not exceed 5,700 kg. where the applicant is already authorised so to act in respect of another type of aircraft, there shall be no charge;

(b) for appointment as an examiner authorised to conduct tests and to sign certificates of test in respect of an instrument rating included in a pilot's licence, a charge of \$45;

(c) for appointment as an examiner authorised to conduct tests and to sign certificates of test for a flying instructor's rating or an assistant flying instructor's rating in respect of a professional pilot's licence where the holder of the licence is to act as a flying instructor at a flying training school approved by the Civil Aviation Department to conduct courses of training for the commercial pilot's licence, a charge of \$45;

(d) for application to conduct tests and to sign certificates of test and or experience in respect of an aircraft rating included in a flight engineer's licence a charge of \$45;

(e) for appointment as an examiner authorised to conduct tests and to sign certificates of test in respect of a flight attendant's

	licence, a charge of	\$45;
	(f) for appointment as an examiner authorised to conduct tests and to sign certificates of test in respect of a flight operations officer's licence, a charge of	\$45.
Approval of flight simulators.	8. Upon making an application for the approval or renewal of approval of a flight simulator, the applicant shall pay -	
	(a) where the maximum total weight authorised of the aircraft type simulated by the flight simulator does not exceed 20,000 kg, a charge of	\$1,000;
	(b) in the case of any other flight simulator, or the actual cost of carrying out the inspection, whichever is greater, a charge of	\$2,000.
Approval of flying training courses.	9. (a) Upon making an application for the approval or renewal of approval of a flying training school to conduct courses of training for the commercial pilot's licence (aeroplanes) the applicant shall pay a charge of	\$750;
	(b) Upon making an application for the approval or renewal of approval of a flying training school to conduct courses of training for the commercial pilot's licence (helicopters) the applicant shall pay a charge of	\$750;
	(c) Upon making an application for the approval or renewal of approval of a flying training school to conduct courses of training for the private pilot's licence (aeroplanes or helicopters and gyroplanes) the applicant shall pay a charge of	\$750.
Certificate of registration.	10. (1) The fee payable for registration of an aircraft and issue of the relevant certificate, based on the maximum weight of the aircraft is -	
	(a) not exceeding 22,700 kg.	\$150;
	(b) exceeding 22,700 kg. but not exceeding 45,450; kg.	\$200;
	(c) exceeding 45,450 kg. but not exceeding 68,000 kg.	\$250;
	(d) exceeding 68,000 kg.	\$300.
	(2) Where the registered owner of an aircraft shown on the Cayman Aircraft Register is required to record a lien thereover in the Register the fee payable on such recording is one tenth of one <i>per centum ad valorem</i> .	
	(3) The fee payable for de-registration of an aircraft is \$50 plus	

Certificate of
Airworthiness -- first
issue.

the actual cost involved.

11. (1) When an application is made for the first issue of a certificate of airworthiness the applicant shall pay -

- (a) for the investigations required by the Civil Aviation Authority -
 - (i) in the case of any aircraft in respect of each 500 kg., or part thereof, of the maximum weight, a charge of \$150;
 - (ii) or, if the total cost of the investigations exceeds the charge so calculated, a charge of \$150; plus an amount equal to the cost of making the investigations; and a charge of \$150;
- (b) for the issue of the certificate in any case in respect of each complete year of validity applied for in respect of the certificate, a charge of \$200.

(2) When the Director of Civil Aviation agrees to place an aircraft temporarily on the Register for the convenience of the owner desiring to sell the aircraft, a fee may be agreed between the Director and the owner in respect of the use of the Register. 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 effecting the sale.

Certificate of
airworthiness renewal.

12. When an application is made for the renewal of a certificate of airworthiness the applicant shall pay, upon making the application -

The cost of any investigation required by the Civil Aviation Authority, plus -

- (i) in the case of an aircraft, the maximum weight of which does not exceed 5,700 kg., a fee of \$450 in respect of each complete year of validity applied for in respect of the certificate;
- (ii) in the case of an aircraft the maximum weight of which exceeds 5,700 kg. but does not exceed 20,000 kg., a fee of \$600 in respect of each complete year of validity applied for in respect of the certificate;
- (iii) in the case of an aircraft, the maximum weight of which exceeds 20,000 kg. but does not exceed 68,000 kg., a fee of \$750 in respect of each complete year of validity applied for in respect of the certificate;

- (iv) in any other case, a fee of \$1,000
in respect of each complete year of validity applied for
in respect of the certificate.

Permit for aircraft to fly without certificate of airworthiness.

13. When an application is made for the grant, renewal or variation of a permit for an aircraft to fly without there being in force in respect thereof a certificate of airworthiness, the applicant shall pay for the investigations required by the Civil Aviation Authority a charge of \$400 or, if the total cost of the investigation exceeds that charge a charge of an amount equal to the cost of making the investigation plus a charge of \$100.

Approval in respect of aircraft and equipment including modification, repair, etc., (excluding engine and radio apparatus).

14. When an application is made for the approval, pursuant to any provision of Part III of the Order, of aircraft and equipment, including modification, repair, etc., (but excluding applications in respect of engines and radio apparatus), the applicant shall pay for the investigations required by the Civil Aviation Authority a charge of an amount equal to the cost of making the investigation plus a charge of \$200.

Approval of type, etc., of radio apparatus.

15. When an application is made for the approval, pursuant to any provision of Part III of the Order, of radio apparatus or the manner of installation thereof or of any modification of such apparatus or the manner of its installation, the applicant shall pay for the investigations required by the Civil Aviation Authority a charge of an amount equal to the cost of making the investigations plus a charge of \$200.

Approval of persons.

16. When an application is made by a person for the approval of his organisation for the purpose of any provision of Part III of the Order or for any variation in the terms of such approval the applicant shall pay -

- (a) for the investigation required by the Civil Aviation Authority for the purpose of the grant of such approval or of any such variation a charge of \$750 plus a charge equal to the total cost of making the investigations;
- (b) for the investigations required by the Civil Aviation Authority for the purpose of satisfying itself that the approval should remain in force, in respect of each period of twelve months during which the approval remains in force, a charge of \$450 plus a charge equal to the total cost of making the investigations.

Aircraft type certificate.

17. When an application is made for the issue or variation of an aircraft type certificate, the applicant shall pay for the investigations required by the Civil Aviation Authority, a charge of an amount equal to the cost of making the investigations plus a charge of \$100.

Engine type certificate.

18. When an application is made for the issue or variation of an

engine type certificate the applicant shall pay for the investigation required by the Civil Aviation Authority, including investigations concerning defects in, or modifications to, a certificated engine type, a charge of an amount equal to the cost of making the investigations plus a charge of \$200.

Certificate of airworthiness for export.

19. When an application is made for a certificate of airworthiness for export in respect of an aircraft the applicant shall pay the full cost for the investigations required by the Civil Aviation Authority plus the following -

- (a) in the case of a glider or balloon, a charge of \$200;
- (b) in the case of any other aircraft, a charge of \$30 per 500 kg. or part thereof of the maximum weight of the aircraft.

Licences for aircraft maintenance engineers.

20. Upon making an application for the grant, renewal, variation or validation of a licence to act as an aircraft maintenance engineer or for the inclusion or renewal of a type rating in such a licence, the applicant shall pay -

- (a) for the grant or renewal of a licence in any category, a charge of \$50;
- (b) for the inclusion of a type rating in the licence, a charge of \$ 20;
- (c) for the extension of a licence to include an additional category a charge of \$ 20;
- (d) for the grant or renewal of a certificate of validation of a licence, a charge of \$ 50;
- (e) for the variation of a licence other than such variation as falls within subparagraphs (b) and (c) above, a charge of \$ 20;
- (f) for an examination required for any of the above, plus an amount equal to the cost of conducting such an examination, a charge of \$ 25.

Copies of documents.

21. Upon application being made for the issue by Civil Aviation Authority of a copy or replacement of a document the applicant shall pay -

- (a) in the case of a copy or replacement of a flight manual or performance schedule a charge of an amount equal to the cost of preparing the copy or replacement plus \$50;
- (b) in the case of a copy or replacement of any other document a charge of \$25.

Additional charge where functions are performed abroad.

22. When an application is made for the Civil Aviation Authority to perform a function in respect of which a charge is specified in these regulations as a result of which the Civil Aviation Authority deems it necessary for a member, employee or representative of the Civil Aviation Authority to travel outside the country in which he is normally stationed the applicant shall pay, in addition to the appropriate charge specified in these regulations, a charge equal to the additional cost thereby incurred during which such member, employee or representative is absent from the country in which he is normally stationed.

Aerodrome licences.

23. The following fees shall be paid in respect of licences for Aerodromes -

Official inspection of the Aerodrome	\$1,000
For an official inspection of the Aerodrome not followed by grant or renewal of a licence	\$400
For the variation of a licence	\$200 :

PROVIDED that where any such licence is granted or renewed for a period which will expire within twelve months from the date on which the grant or renewal becomes operative and an application is made for the renewal of the licence, or for the grant of a further licence to the same person for the same aerodrome, for any period falling within those twelve months, then,

- (a) if the application is for the renewal of the licence without variation or for the grant of a further licence on the same terms as the previous licence, no fee shall be payable in respect of the renewal or grant; and
- (b) if the application is for the renewal of the licence with variations or for the grant of a further licence, the application shall be treated for the purpose of this paragraph as if it were an application for the variation of a licence.

Times at which charges to be paid.

24. Except as otherwise provided in these regulations, charges for investigation, being charges equal to the cost to the Civil Aviation Authority of making the investigations, payable pursuant to paragraphs 2(1), 2(3), 2(4), 2(5), 2(6) 2(7), 2(8), and 2(9) of this Scheme shall be payable at the end of each month of the investigation.

Made in Council this 30th day of October, 1990.

MONA N. BANKS-JACKSON
Clerk of the Executive Council.

(Price \$1.66).