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DIVISION 1 - MALDIVIAN AIRCRAFT**10.1 MALDIVIAN AIRCRAFT TO COMPLY WITH REGULATIONS**

A Maldivian aircraft shall not commence a flight unless it complies with the provision of these Regulations which are expressed to apply to it and relate to the flight in which it is to engage.

10.2 DOCUMENTS TO BE CARRIED BY MALDIVIAN AIRCRAFT

- (a) Every Maldivian aircraft shall, when flying, carry:
- (1) Its certificate of registration;
 - (2) Its certificate of airworthiness;
 - (3) The licence in respect of the radio station (if any); and
 - (4) The copy of third party liability insurance
 - (5) The licences of the members of the flight crew.
- (b) A Maldivian aerial work aircraft shall carry in addition to the documents referred to in paragraph (a):
- (1) One copy of such certificate of maintenance review as is in force; and
 - (2) The technical log.
 - (3) Operational Flight Plan and NOTAM/AIS briefing documents.
 - (4) Appropriate Meteorological Information
 - (5) Mass and balance documentation
 - (6) Current Maps and Charts
- (c) A Maldivian public transport aircraft shall carry in addition to the documents referred in paragraph (a):
- (1) The documents relating to the aircraft referred to in paragraph (b);
 - (2) The current parts of the Operations Manual relevant to the duties of the crew and;
 - (3) The current aeroplane Flight Manual unless the Director accepts that the Operations Manual contains relevant information for that aeroplane.
 - (4) An approved MEL for that aeroplane.
 - (5) One copy of the load sheet if required by these Regulations to be carried.
 - (6) Copy of Air Operator's Certificate
- (d) If a flight begins and ends at the same aerodrome without entering the airspace of a country other than the Republic the documents may be kept at that aerodrome.
- (e) Provided where a licence or other document has been submitted to the Director for renewal or other action, that fact shall be deemed a valid excuse for its not being carried on board the aircraft.

10.3 PERMIT FOR INTERNATIONAL FLIGHT BY MALDIVIAN AIRCRAFT

- (a) A person intending to fly or operate a Maldivian aircraft between a place in the Republic and a place outside the Republic shall not commence the flight unless there is in force an authorization granted by the Director and the flight shall be conducted in accordance with the terms of the authorization and any conditions there of.
- (b) The Director may grant an authorization permitting a flight or series of flights of the kind referred to in paragraph (a) subject to such terms and conditions and for such period as he considers to be in the public interest.

- (c) In this Regulation, reference to a Maldivian aircraft includes reference to an aircraft registered elsewhere, if the operator's principal place of business or permanent residence is in the Republic.

10.4 FLIGHT OF MALDIVIAN AIRCRAFT OVER ANY FOREIGN COUNTRY

- (a) The operator or pilot in command of a Maldivian aircraft which is being flown over any foreign country shall not allow that aircraft to be used for a purpose that is prejudicial to the security, public order or public health of, or to the safety of air navigation in, that country, but a person does not contravene this provision if he neither knew or suspected that the aircraft was being or was to be used for any of the aforesaid purposes.
- (b) The operator or pilot in command of a Maldivian aircraft which is being flown over any foreign country shall comply with any directions given by the appropriate aeronautical authorities of that country whenever:
- (1) the flight has not been properly authorized; or
 - (2) there are reasonable grounds for the appropriate aeronautical authorities to believe that the aircraft is being, or will be, used for a purpose which is prejudicial to the security, public order or public health of, or to safety of air navigation in, that country;

unless the lives of persons on board or the safety of the aircraft would thereby be endangered. But

- (1) a person does not contravene this provision if he neither knew nor suspected that directions were given by the appropriate aeronautical authorities; and

the aforesaid requirement is without prejudice to any other requirement to comply with directions of an aeronautical authority.

(c) In this Regulation-

- (1) "Appropriate aeronautical authorities" includes any person, whether a member of country's military or civil authorities, authorized under the law of the foreign country to issue directions to aircraft flying over that country.
- (2) A reference to a Maldivian aircraft includes a reference to any other aircraft, if the operator's principal place of business or permanent residence is in the Maldives.

10.5 RESERVED

DIVISION 2 - FOREIGN AIRCRAFT

10.6 AIRCRAFT OF CONTRACTING STATES

An aircraft which possesses the nationality of a Contracting State shall not fly within, or depart from the Republic 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.

10.7 RESERVED

10.8 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 Republic, or land in the Republic 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.

10.9 EXEMPTION OF AIRCRAFT OF CONTRACTING STATES FROM SEIZURE ON PATENT AND SIMILAR CLAIMS

- (a) This Regulation applies to any foreign aircraft possessing the nationality of a Contracting State and accordingly references in this Regulation to foreign aircraft are references solely to the aforesaid aircraft.
- (b) The lawful entry into the Republic, or the lawful transit across the Republic, 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 Republic or any person in the Republic 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 Republic 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 Republic or any person in the Republic, 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 Republic or are exported from the Republic for sale or distribution.

10.10 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 Republic unless the Director has approved the flight.
- (b) In giving an approval under this Regulation the Director 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.

10.11 FOREIGN AIR CARRIER PERMITS

- (a) A foreign aircraft shall not take on board or discharge any passengers or cargo in the Republic, being passengers or cargo carried or to be carried for reward, except:-
- (1) with the permission of the Director 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.
- (b) Any breach by a person to whom a permission has been granted under this Regulation of any condition to which the permission was subject shall constitute a contravention of this Regulation.
- (c) A permission granted under this Regulation is referred to in these Regulations as a foreign air carrier permit.

10.12 RESTRICTIONS ON AIR PHOTOGRAPHY AND SURVEY BY FOREIGN AIRCRAFT

- (a) A foreign aircraft shall not fly in the Republic 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 Director granted to the operator or charterer of the aircraft and in accordance with any conditions to which such permission may be subject.
- (b) Any breach by a person to whom a permission has been granted under this Regulation of any condition to which that permission was subject shall constitute a contravention of this Regulation.
- (c) A permission granted under this Regulation is referred as to a foreign air survey permit.

10.13 DETENTION OF FOREIGN AIRCRAFT

- (a) If it appears to the Director or any authorized person that any aircraft is intended or likely to be flown in contravention of regulation 10.9 or 10.10, the Director 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 Director or by an authorized person, and the Director or any authorized person may take such steps as are necessary to detain the aircraft.
- (b) For the purpose of this Regulation the Director or any authorized person may enter any aerodrome and may enter and inspect any aircraft.

10.14 REVOCATION, SUSPENSION OR VARIATION OF FOREIGN AIR CARRIER AND FOREIGN AIR SURVEY PERMITS

- (a) The Director 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 Director 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 Director 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 Director 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 Regulation may be exercised by the Director 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 Director may determine, and without limiting the generality of the foregoing the powers may be exercised by the Director 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 the Republic 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 the Republic 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 Regulation 10.3 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 Republic 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 Director 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 are references to the person to whom a permit has been granted or is deemed to have been granted.

DIVISION 3 - ALL AIRCRAFT

10.15 PILOTLESS AIRCRAFT

An aircraft capable of being flown without a pilot shall not be flown without a pilot in the Republic except with the permission of the Director and in accordance with such conditions as the Director specifies in the permission.

10.16 AIRCRAFT ON INTERNATIONAL FLIGHTS TO COMPLY WITH LAWS OF MALDIVES RELATING TO ENTRY AND DEPARTURE

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

10.17 INTERNATIONAL AIRCRAFT TO TAKE OFF AND LAND AT DESIGNATED AIRPORTS

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

10.18 PROHIBITED, RESTRICTED AND DANGER AREAS

- (a) Where the Director 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 Director 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.

10.19 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 Director.
- (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.

DIVISION 4 - CARRIAGE OF DANGEROUS GOODS

10.20 INTERPRETATION

- (a) In this Division:
- (1) "consignment" means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address for delivery to one consignee at one destination address and in respect of which there is not more than one air waybill,
- (2) "dangerous goods" means any article or substance which is capable of posing significant risk to health, safety or property when carried by air and is classified as such in the Technical Instructions;
- (3) "dangerous goods transport document" means a document (not being an air waybill) which is required by Regulation 10.23 to accompany a consignment of dangerous goods;
- (4) "package" means the packaging and the articles and substances contained therein including one or more packages which have been consolidated by one shipper into one container or enclosure for convenience of handling;

- (5) "packing" means the art and operation whereby articles and substances are wrapped up, enclosed in containers or otherwise secured and "packed" shall be construed accordingly;
 - (6) "Technical Instructions" means the Technical Instructions for the Safe Transport of Dangerous Goods by air from time to time approved and published by decision of the Council and for the time being in force;
 - (7) "unit load device" means any type of freight container including any container designed for loading on an aircraft.
- (b) The provisions of this Division shall be interpreted as applying to the carriage of dangerous goods beneath passenger or cargo aircraft, all necessary charges having been made.

10.21 CARRIAGE OF DANGEROUS GOODS

- (a) An aircraft shall not carry or have loaded therein any dangerous goods unless such goods are carried or loaded:-
- (1) in accordance with the Technical Instructions and any conditions specified therein; and
 - (2) with the permission of the Director and in accordance with any conditions subject to which such permission may be subject.
- (b) A person shall not take or cause to be taken on board or deliver or cause to be delivered for loading on an aircraft any dangerous goods.

10.22 EXCEPTED CARRIAGE OF DANGEROUS GOODS

- (a) The provisions of this Division shall not apply to dangerous goods which are specified in the Technical Instructions as being permitted to be loaded or carried.
- (1) for the purpose of ensuring the proper navigation or safety of the aircraft; or
 - (2) solely for the personal use or for sale to the passengers or crew members,
- so long as the provisions of the Technical Instructions relating to the aforesaid dangerous goods are complied with.
- (b) The provisions of this Division except for Regulation 10.21 (a)(2) shall not apply to other dangerous goods specified in the Technical Instructions as being permitted to be carried or loaded provided that
- (1) the dangerous goods do not exceed the appropriate quantity limitations specified therein; and
 - (2) such other conditions including those related to methods of loading (as appropriate) referred to in Regulation 10.26 as are specified therein are complied with.

10.23 DOCUMENTATION

- (a) An aircraft shall not carry dangerous goods as cargo unless the shipper of the goods has furnished the operator of the aircraft with a dangerous goods transport document unless such

a document is not required by the Technical Instructions in respect of the dangerous goods shipped.

- (b) The dangerous goods transport document shall be completed in duplicate by the shipper and shall contain:-
 - (1) such particulars as are required by the Technical Instructions; and
 - (2) a signed declaration that the Technical Instructions have been complied with in that the dangerous goods are full and accurately described, are properly classified, packed, marked and labelled, and are in a proper condition for carriage by air.
- (c) The operator of an aircraft shall preserve for not less than six months any dangerous goods transport document which has been furnished to him in accordance with this Regulation.

10.24 SHIPPER'S RESPONSIBILITIES

Before shipping any package containing dangerous goods for carriage by air the shipper shall ensure that:-

- (1) the goods are not of a category whose carriage by air is prohibited by the Technical Instructions;
- (2) the goods are classified and packed and the packagings used are in accordance with the Technical Instructions;
- (3) the package is in a fit condition for carriage by air; and
- (4) the dangerous goods cargo document has been completed and the declaration therein signed.

10.25 OPERATOR'S RESPONSIBILITIES

- (a) The operator of an aircraft shall not load or cause to be loaded on an aircraft any package or unit load device which appears to be leaking or damaged and shall ensure that other cargo or baggage loaded on that aircraft is in a fit state for carriage by air.
- (b) The operator shall unload or cause to be unloaded from an aircraft any package containing dangerous goods which appears to be leaking or damaged and shall ensure that other cargo or baggage loaded on that aircraft is in fit state for carriage by air and has not been contaminated.
- (c) The operator shall, after unloading from an aircraft a package which was leaking or damaged or a unit loading device containing dangerous goods, inspect the aircraft for signs of damage or contamination and shall remove or repair any contamination or damage.
- (d) The operator of an aircraft shall not permit it to fly for the purpose of carrying passengers or cargo if he knows or suspects that radio active materials have leaked in or contaminated the aircraft unless the radiation level resulting from fixed contamination to any accessible surface and the non- fixed contamination are less than the values specified in the Technical Instructions.
- (e) The operator of an aircraft in which any package or unit load device is to be carried shall by means of inspection ensure:
 - (1) that the package is marked and labelled in accordance with the provisions of Technical Instructions;

- (2) that the package is not leaking or damaged so that the contents may escape before accepting it, before loading it on board the aircraft and upon unloading it from the aircraft;
 - (3) that the unit load device is free of evidence of leakage from or damage to any dangerous goods therein before loading on the aircraft.
- (f) An inspection check list shall be used for the purpose of each of the inspections required by paragraph (e)(1) and (e)(2) (in so far as it relates to inspection of a package before acceptance) and the results of the inspection recorded therein in accordance with the form thereof. The operator of the aircraft shall preserve for not less than six months any acceptance list completed in accordance with this paragraph.

10.26 METHOD OF LOADING BY OPERATOR

- (a) The operator of an aircraft shall ensure that any package containing dangerous goods is loaded, stowed and unloaded from the aircraft in accordance with the provisions of the Technical Instructions applicable to that category of dangerous goods.
- (b) An aircraft shall not carry any dangerous goods either in any compartment occupied by passengers or in the flight crew compartment, except in the circumstances permitted in the Technical Instructions.

10.27 PROVISION OF INFORMATION AND TRAINING PROGRAMMES

- (a) The operator of aircraft in which dangerous goods are to be carried shall, before the flight begins, provide the pilot in command with written information specifying the matters required by the Technical Instructions to be furnished in such circumstances and shall preserve a copy for not less than 6 months.
- (b) The operator of an aircraft in which passengers are to be carried or his agent shall notify them of the categories of dangerous goods which may be taken on board an aircraft either as checked baggage or accompanying them in such fashion as the Director approves.
- (c) The operator of an aircraft and a shipper of dangerous goods by aircraft and in each case, an agent thereof shall inform any of their respective employees whose duties include a function connected with the carriage of passengers or cargo by air of the provisions of the Technical Instructions and for this purpose shall establish and undertake training programmes as required by the Technical Instructions and as approved by the Director.

10.28 PRODUCTION OF DOCUMENTS AND RECORDS

The operator of an aircraft shall, upon being requested so to do by an authorized person, produce to that person the written permission referred to in Regulation 10.21 (a)(2) and any document, list or written information required to be preserved by any provision of this Division.

10.29 AERIAL AGRICULTURE OPERATIONS

Subject to Regulation 10.21 (a)(2), nothing in this division shall apply to any aircraft flying in order to drop articles for the purposes of agriculture, horticulture or forestry.

10.30 SAVING

The provisions of this Division do not limit or affect the provisions of Regulation 10.19.