

REPUBLIC OF VANUATU

CHAPTER 159

THE CIVIL AVIATION (REGULATIONS) (AMENDMENT)  
ORDER NO. 21 OF 1993

To amend the Civil Aviation (Regulations) Order No. 22 of 1984.

IN EXERCISE of the powers conferred by Section 3(1) of the Civil Aviation Act [CAP.159], I, AMOS BAGABITI, Minister of Transport, Public Works, Civil Aviation, Ports & Marine and Urban Water Supply, hereby make the following regulations:-

**AMENDMENT OF REGULATION 14 OF ORDER NO. 22 OF 1984**

1. The Civil Aviation (Regulations) Order No. 22 of 1984 in this Order referred to as the "principal Order", is amended in regulation 14:-

- (a) by repealing sub-regulations (2) and (3);
- (b) after regulation 14 by inserting the following new regulation -

**"SPECIAL FLIGHT PERMIT**

14A (1) The Director or an authorised person may on the application of a person grant a Special Flight Permit for the purpose of authorising an aircraft to fly in Vanuatu on a particular flight in a specified period for the purpose of:-

- (a) delivering the aircraft to a person under a contract of sale or with a view to sale;
- (b) carrying out a demonstration, experiment or test in respect of the aircraft;
- (c) bringing the aircraft to or from a place where a demonstration, experiment or test with respect to the aircraft is to take place or has taken place, as the case may be;
- (d) bringing the aircraft to or from a place where maintenance on the aircraft is to be carried out, or has been carried out, as the case may be;
- (e) assisting in searching for, bringing aid to or rescuing persons in danger on a particular occasion;

- (f) assisting in dealing with a state of emergency;
  - (g) gaining endorsement or renewal of a pilot licence under Section 234 in respect of an aircraft of the type or category in which that aircraft is included, that aircraft being an aircraft in respect of which no certificate of airworthiness has been issued under Section 172;
  - (h) obtaining flying practice in the aircraft for the purpose of flying that aircraft for a purpose specified in any of paragraphs (a) to (g) inclusive.
- (2) In giving permission for a flight under sub-regulation (1), the Director or an authorised person may give such directions with respect to the flight as the Director or the authorised person thinks necessary for the purpose of ensuring the safety of air navigation.
- (3) Where the Director or an authorised person gives permission for a flight under sub-regulation (1), the Director or the authorised person may direct that :-
- (a) subsection 14(1)(a), (b), (c), (d), (e), (f), (g), (h); or
  - (b) such of those provisions as the Director or the authorised person specifies;
- do not, or does not, apply in relation to the flight."

**AMENDMENT OF REGULATION 114**

2. Regulation 114 of the principal Order is hereby repealed and the following regulation is substituted -

**"INSTRUMENTS AND EQUIPMENT**

114. The Director may specify those instruments, items of equipment, and safety devices to be carried for a particular class of operation. These instruments, items of equipment, and safety devices may be additional to those specified in the aeroplane flight manual."

**REPEAL OF REGULATIONS 115, 116, 117, 118, 119 AND 120**

3. Regulations 115, 116, 117, 118, 119 and 120 of the principal Order are hereby repealed.

**REPLACEMENT OF REGULATION 122**

4. Regulation 122 of the principal Order is hereby repealed and the following regulation is substituted -

**"EMERGENCY AND SURVIVAL EQUIPMENT**

122. The Director may prescribe those items and quantity of emergency and survival equipment required to be carried on a Vanuatu aircraft for a particular class or classes of operation."

**REPLACEMENT OF REGULATION 134**

5. Regulation 134 of the principal Order is hereby repealed and the following regulation is substituted -

**"SIGNALS TO AIRCRAFT**

134. (1) A light signal directed at a particular aircraft from aerodrome control shall both by day and by night have the meaning specified in Aeronautical Information Publication (AIP).

(2) Nothing in this regulation or the Aeronautical Information Publication shall be construed as absolving a pilot in command of his responsibility for avoidance of collision."

**REPLACEMENT OF REGULATION 136**

6. Regulation 136 of the principal Order is repealed and the following regulation is substituted -

**"SIGNALS FROM AIRCRAFT**

136. The signals which shall be used by a pilot in command of an aircraft to acknowledge light signals from aerodrome control shall be those specified in the Aeronautical Information Publication (AIP)."

**REPLACEMENT OF REGULATION 139**

7. Regulation 139 of the principal Order is hereby repealed and the following regulation is substituted -

**"GROUND SIGNALS**

139. When displayed at an aerodrome, ground signals shall take the form, and for all aircraft shall have the meaning, specified in relation to the signals in the Aeronautical Information Publications (AIP)."

**REPEAL OF REGULATION 173**

8. Regulation 173 of the principal Order is hereby repealed.

**AMENDMENT OF REGULATION 188**

9. Regulation 188 of the principal Order is amended by repealing paragraph (f) and substituting the following paragraph -

"(f) a certificate of compliance shall be given in accordance with regulation 189 or in a form and manner approved by the Director or as prescribed in Vanuatu Airworthiness Requirements."

**INSERTION OF NEW REGULATION 212A**

10. After regulation 212, insert the following new regulation -

**"ALTERNATIVE TO LOGBOOK**

212A. (1) The Director may in writing approve the use of an alternative document or documents to the log book referred to in regulation 212.

(2) An approval will be subject to such conditions as the Director considers necessary in the interests of the safety of air navigation.

(3) The conditions referred to in regulations 212, 214 and 215 relating to the use, preservation, and carriage of the log books apply equally to an alternative document to a log book approved in accordance with subregulation (1) of this regulation."

**AMENDMENT OF REGULATION 217 -**

11. Regulation 217 of the principal Order is amended by inserting after subregulation (3) the following subregulation -

"(3A) The Director may grant to the holder of a licence or certificate issued by the competent authority of a contracting State a Vanuatu aircraft maintenance engineers licence;

Provided the applicant satisfies the Director that he :-

(a) is the holder of a licence equivalent to the licence sought, granted by a competent authority, and in force in accordance with the law of a country other than Vanuatu;

(b) has complied with the minimum conditions required under the convention and with such other requirements as the competent authority specifies; and

(c) does not suffer from any disability likely to affect his or her technical skill or judgement."

**REPLACEMENT OF REGULATION 220**

12. Regulation 220 of the principal Order is repealed and the following regulation is substituted -

**"PRIVILEGES OF LICENCES**

(1) An aircraft maintenance engineers licence shall authorise the holder, subject to such conditions as may be specified in the licence or published in Vanuatu Civil Airworthiness Requirements (CAWR), to issue :-

(a) a maintenance release; or

(b) a certificate of compliance after maintenance has been carried out to an aircraft component."

**AMENDMENT OF REGULATION 228**

13. Regulation 228 of the principal Order is amended in subregulation (1) by deleting paragraphs (a), (d), (f), (k), (m), (ae) and (ai).

**AMENDMENT OF REGULATION 232**

Regulation 232 of the principal Order is amended -

- (a) in paragraph (c) by deleting the words "21 years" and substituting the words "18 years";
- (b) by repealing paragraph (d);
- (c) in paragraph (e) by deleting the words "23 years" and substituting the words "21 years";
- (d) by repealing paragraph (f);
- (e) in paragraph (g) by deleting the words "21 years" and substituting the words "18 years";
- (f) by repealing paragraph (h);
- (g) in paragraph (i) by deleting the words "21 years" and substituting the words "18 years".

**AMENDMENT OF REGULATION 235**

15. Regulation 235 of the principal Order is amended -

- (a) by repealing paragraph (a);
- (b) in paragraph (b)(i) by deleting the words "50 years" and substituting the words "40 years";
- (c) in paragraph (b)(ii) by deleting the words "50 years" and substituting the words "40 years";
- (d) by repealing paragraph "(c)" and substituting the following paragraph -

"(c) In the case of a commercial, senior commercial or airline transport pilot licence for any aircraft category:-

(i) ~~where the holder is less than 40 years of age at the time the licence is granted or renewed, 1 year;~~

(ii) where the holder is 40 years of age or more at the time the licence is granted or renewed, 6 months.";

- (e) by repealing paragraphs (d), (e), (f) and (h).

**REPEAL OF REGULATIONS 241, 243 and 256**

16. Regulations 241, 243 and 256 of the principal Order are repealed.

**AMENDMENT OF REGULATION 260**

17. Regulation 260 of the principal Order is amended by repealing the table of fees and substituting the following table of fees:-

Licence, Rating or Certificate	Fee for Issue	Fee for Renewal	Fee for each Technical Examination Paper taken	Fee for Flight or Practical Test
<b>Flight Crew</b>				
	Vatu	Vatu	Vatu	Vatu
Private Pilot Licence	2000	2000	4000	10000*
Commercial Pilot Licence	4000	4000	7000	10000*
Senior Commercial Pilot Licence	Note(4)	4000	-	-
Airline Transport Pilot Licence	5000	5000	10000	10000*
Flight Navigator Licence	4000	4000	15000	10000*
Flight Engineer Licence	4000	4000	15000	10000*
Instrument Rating Class 1	2000	2000	12000	10000*
Instrument Rating Class 2	2000	2000	12000	10000*
Flight Instructor Rating Categories A, B, C, D and E	2000	2000	10000	10000* (Renewal flight test 7000*)
Aircraft Type Rating	2000	-	7000	10000*
Glider Towing Rating	2000	-	-	10000*
Chemical Rating	2000	2000	7000	10000*
Licence or Rating Extension	2000	-	7000	10000*
Special Flight Tests not otherwise provided for	-	-	-	10000*
Foreign Licence Validations	2000	-	Fee appropriate to licence or rating involved	Fee appropriate to licence or rating involved
<b>Aircraft Maintenance Engineer</b>				
Aircraft Maintenance Engineer	4000	4000	10000	-
Each Aircraft Maintenance Engineer Rating	2000	-	10000	-
Maintenance Approval	4000	4000	10000	10000
Certificate of Competency	4000	4000	10000	10000

- NOTE: (1)\* The fee in respect of any flight test is the minimum amount chargeable. The actual fee will be based on full cost recovery and is subject to a quotation given at the time of application for the test.
- (2) No fee shall be payable for oral and practical technical examinations which are supplementary to written examinations. If oral or practical examinations are conducted instead of written examinations, the fee shall be the same as that prescribed for the written examination.
- (3) The fee for review and recount of marks in each examination paper shall be 4000 Vatu.
- (4) In accordance with ICAO recommendation a Senior Commercial Pilot Licence will no longer be issued. Current valid licences will be renewed until upgraded to ATPL.

**AMENDMENT OF REGULATION 261**

18. Regulation 261 of the principal Order is amended -

- (a) in subregulation (1) -
  - (i) by deleting the figure "3,000" and substituting the figure "6,000"; and
  - (ii) by deleting the figure "1,000" and substituting the figure "2,000".
- (b) in subregulation (3) -
  - (i) by deleting the figure "20,000" and substituting the figure "40,000";
  - (ii) by deleting the figure "10,000" where it first occurs and substituting the figure "20,000";
  - (iii) by deleting the figure "5,000" where it first occurs and substituting the figure "10,000";
  - (iv) by deleting the figure "10,000" where it appears the second time and substituting the figure "20,000";
  - (v) by deleting the figure "5,000" where it appears the second time and substituting the figure "10,000";
  - (vi) by deleting the figure "3,000" and substituting the figure "6,000".

**AMENDMENT OF REGULATION 262**

19. Regulation 262 of the principal Order is amended -

- (a) in subregulation (1) by deleting the figure "10,000" and substituting the figure "20,000";
- (b) in subregulation (2) by deleting the figure "10,000" and substituting the figure "20,000".

**AMENDMENT OF REGULATION 263**

20. Regulation 263 of the principal Order is amended -

- (a) in subregulation (1) by deleting the figure "10,000" and substituting the figure "20,000";
- (b) in subregulation (3) by deleting the figure "1,000" and substituting the figure "4,000";
- (c) in subregulation (4) by deleting the figures "5,000" and "2,000" and substituting the figures "10,000" and "4,000" respectively;
- (d) in subregulation (5) by deleting the figures "10,000" and "2,000" and substituting the figures "40,000" and "20,000" respectively;

- (e) in subregulation (6) by deleting the figure "1,000" wherever it occurs and substituting the figure "2,000".

**INSERTION OF NEW REGULATION 264A**

21. The following regulation is inserted after regulation 264 of the principal Order -

**"TRANSITIONAL SAVING OF LICENCES ETC**

264A Every License, permit, certificate, approval, order or any other document issued or thing done under the law in force immediately before the coming into operation of these Regulations, in respect of any matter for which provision is made in these Regulations, shall continue to have effect according to its tenor until the date, if any, of its expiry, as if it had been issued or done under these Regulations."

**COMMENCEMENT**

2. This Order shall come into force on the day of its publication in the Gazette.

MADE at Port Vila this 9<sup>th</sup> day of June, 1993.



AMOS BANGARITI

Minister of Transport, Public Works,  
Civil Aviation, Ports & Marine and  
Urban Water Supply