
BR /2010

AIR NAVIGATION (OVERSEAS TERRITORIES) ORDER 2007

2007 : 3468

**AIR NAVIGATION (FEES FOR CERTIFICATES AND SERVICES)
REGULATIONS 2010**

ARRANGEMENT OF SECTIONS

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His Excellency, the Governor, in exercise of the powers conferred by Article 149 of the Air Navigation (Overseas Territories) Order 2007 as applied to Bermuda, makes the following Regulations:

Short title

1 These Regulations may be cited as the Air Navigation (Fees for Certificates and Services) Regulations 2010.

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 156(1) of the Air Navigation (Overseas Territories) Order 2007.

Fees

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

General provisions

4 (1) In connection with anything done pursuant to any of the items set out in the Schedule, the Minister responsible for Transport may—

- (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;
- (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.

Revocation

5 The Air Navigation (Fees for Certificates and Services) Regulations 2006 are revoked.

Commencement

6 These Regulations shall come into operation on 1 April 2010.

SCHEDULE**(Regulation 3)****PART I****LICENCES FOR FLIGHT CREW**

Column 1	Column 2
(a) For a private pilot's licence: Initial Issue Renewal	No charge
(b) For a commercial pilot's licence: Initial Issue Renewal	No charge
(c) For an airline transport pilot's licence: Initial Issue Renewal	No charge
(d) For a flight engineer's licence: Initial Issue Renewal	No charge
(e) For a flight radiotelephony operator's general licence: Initial Issue Renewal	No charge
(f) For a flight radiotelephony operator's restricted licence: Initial Issue Renewal	No charge
(g) For a flight radiotelegraphy operator's licence: Initial Issue Renewal	No charge
(h) For a flight radiotelegraphy operator's temporary licence: Initial Issue 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	\$2,500
(l)	For the variation of a General Certificate of Validation	No charge
(m)	For the appointment of authorised examiner for aircraft type rating or instrument rating: Initial Appointment or Re-appointment	\$1,000
(n)	For the approval or validation of foreign approval of flight simulator: per aircraft type	\$2,500
(o)	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 II

AIRWORTHINESS

(a) Initial issue and re-issue of a Certificate of Airworthiness with a maximum validity of 12 months:

CORPORATE AND GENERAL AVIATION		
(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
(vi)	For aircraft exceeding 300,000 kgs	\$86,000 plus \$125 per 500 kgs or part thereof exceeding 300,000 kgs.

The Certificate of Airworthiness fee includes the investigation cost. The actual travel, accommodation and subsistence costs will be charged separately, as per Part IV(c).

COMMERCIAL AIR TRANSPORT	
(i) For aircraft not exceeding 5,700 kgs	\$12,000
(ii) 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
(iii) 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
(iv) 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
(v) 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
(vi) For aircraft exceeding 300,000 kgs	\$93,000 plus \$125.00 per 500 kgs or part thereof exceeding 300,000 kgs

The Certificate of Airworthiness fee includes the investigation cost. The actual travel, accommodation and subsistence costs will be charged separately, as per Part IV(c).

(b)	For the issue of a "Permit to Fly"	No charge
(c)	For the approval of a modification:	No charge
(d)	For the approval of repairs to aircraft, engines or equipment:	No charge
(e)	For the initial approval and the renewal of the approval of maintenance organisations:	\$3,000
(f)	For the issue and renewal of an approval of an organisation in accordance with Article 10 of the Order.	\$3,000
(g)	For the issue of a "One Time" approval for a maintenance organisation	\$1,000
(h)	For a Certificate of Airworthiness for Export:	\$5,000
(i)	For an aircraft maintenance engineer's licence (AMEL): Initial Issue Renewal or variation or inclusion of rating	No charge
(j)	For a certificate of validation of AMEL: Initial Issue 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 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 IV(c).

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	\$6,000
(ii)	For aircraft exceeding 2 tonnes but not exceeding 15 tonnes	\$9,000
(iii)	For aircraft exceeding 15 tonnes	\$13,000

When an Air Operator's Certificate is granted, the applicant shall pay a charge of the amount specified in Column 2 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 based upon the estimated man-days attributed to regulatory oversight as specified in Column 2 of Table 2 and Part IV(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
(iv)	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):

(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

Upon application for renewal of an Air Operator's Certificate the applicant shall pay a charge of the amount specified in Column 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 IV(c).

(e)	For a variation of an Air Operator's Certificate:	\$500 plus any additional investigation fees
(f)	For the issue and renewal of an approval in accordance with Article 85 of the Order:	\$3,000
(g)	Special operations: For the grant of an approval for flight in specified weather conditions or in airspace in which specific navigation 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

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 IV

MATTERS NOT ELSEWHERE SPECIFIED

(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 plus investigation costs - \$200 minimum
(b)	For the grant of any permission, approval, variation 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)	Investigations conducted outside the territory in connection with any part of the Order.	\$1,600 per man-day or \$200 per man-hour, plus actual cost incurred including travel and accommodation costs and subsistence. Travel days shall be charged at \$800 per man-day

