
AIC

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PRIVATE FLIGHT OR GENERAL AVIATION OPERATIONS IN MALAYSIA (MALAYSIAN AND FOREIGN REGISTERED AIRCRAFT)

1. INTRODUCTION

- 1.1 This Aeronautical Information Circular (AIC) is issued in the exercise of the powers conferred under Section 24o of the Civil Aviation Act 1969. This AIC sets forth the requirements for the Private Flight or General Aviation (local and foreign registered) Operations in Malaysia.

2. DEFINITIONS

- 2.1 **Article 16, Chicago Convention - Search of aircraft.** The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, and to inspect the certificates and other documents prescribed by this Convention.
- 2.2 **Article 37, Chicago Convention - Adoptions of International Standards and Procedures.** Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.

To this end the International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with:

- a) Communications systems and air navigation aids, including ground marking;
- b) Characteristics of airports and landing areas;
- c) Rules of the air and air traffic control practices;
- d) Licensing of operating and mechanical personnel;
- e) Airworthiness of aircraft;
- f) Registration and identification of aircraft;
- g) Collection and exchange of meteorological information;

- h) Log books;
- i) Aeronautical maps and charts;
- j) Customs and immigration procedures;
- k) Aircraft in distress and investigation of accidents;

and such other matters concerned with the safety, regularity, and efficiency of air navigation as may from time to time appear appropriate.

2.3 **Regulation 179, Civil Aviation Regulations 1996 - Restriction with respect to carriage for valuable consideration in aircraft registered outside Malaysia.** An aircraft registered in a Contracting State other than Malaysia or in a foreign state shall not take on board or discharge any passengers or cargo in Malaysia, where valuable consideration is given or promised in respect of the carriage of such passengers or cargo except with the permission of the Minister granted under this regulation to the operator or charterer of the aircraft, or to the government of the state in which the aircraft is registered, and in accordance with any conditions to which such permission may be subject.

2.4 **Regulation 24, Civil Aviation Regulations 1996 - Issue of air operator's certificate.**

- (1) A Malaysian aircraft shall not fly on any flight for the purpose of public transport otherwise than under and in accordance with the terms of an air operator's certificate granted to the operator of the aircraft under subregulation (2) certifying that the holder of the certificate is competent to secure that the aircraft operated by him on such flight is operated safely.
- (2) The Director General shall grant an air operator's certificate to any person applying for it if he is satisfied that that person is competent, having regard in particular to his previous conduct and experience, his equipment, organization, staffing, maintenance and other arrangements, to secure the safe operation of an aircraft of the type specified in the certificate on flights of the description and for the purposes so specified.

2.5 **Air Operator Certificate (AOC) (Annex 6 Part I).** A certificate authorizing an operator to carry out specified commercial air transport operations.

2.6 **Aerial Work (Annex 6 Part II).** An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

2.7 **Public Transport (Civil Aviation Regulations 1996).** In relation to such aircraft-

- (a) hire or reward is given or promised for the carriage of passengers or cargo;
- (b) any passenger or cargo is carried gratuitously by an air transport undertaking, not being -
 - (i) a person in the employment of the undertaking, including, in the case of a body corporate, any of its directors;

- (ii) a person who with the authority of the Director General is making any inspection or witnessing any training, practice or test for the purposes of these Regulations; or
 - (iii) cargo intended to be used by any such passenger as aforesaid, or by undertaking; or
- (c) for the purposes of Part V, hire or reward is given or promised for the right to fly the aircraft on that flight, not being a single-seater aircraft of which the authorised maximum total weight does not exceed 910 kilogrammes and in respect of which a certificate of airworthiness of the Special Category is in force, otherwise than under a hire-purchase agreement.
- 2.8 **Commercial Air Transport Operation (Annex 6 Part I).** An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.
- 2.9 **Private Flight (Civil Aviation Regulations 1996).** A flight which is neither for the purpose of aerial work nor public transport.
- 2.10 **General Aviation Operation (Annex 6 Part II).** An aircraft operation other than a commercial air transport operation or an aerial work operation.
- 2.11 **Operator (Annex 6 Part II).** A person, organization or enterprise engaged in or offering to engage in the operation.
- 2.12 **Pilot-In-Command (Annex 6 Part II).** The pilot designated by the operator or the owner as being in command and charged with the safe conduct of a flight.
- 2.13 **State of the Operator (Annex 6 Part I).** The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.
- 2.14 **State of Registry (Annex 6 Part II).** The State on whose register the aircraft is entered.
- 2.15 **State of Design (Annex 8).** The State having jurisdiction over the organization responsible for the type design.
- 2.16 **Safety Oversight (Doc 9734).** A function by means of which States ensure effective implementation of the safety-related *Standards and Recommended Practices (SARPs)* and associated procedures contained in the Annexes to the Convention on International Civil Aviation and related ICAO documents.
- 3. RESPONSIBILITY OF OPERATOR/PILOT-IN-COMMAND (PIC) AND CONDUCT OF OPERATIONS**
- 3.1 All Malaysian private flight aircraft shall not fly on any flight for the purpose remuneration or hire.
- 3.2 The operators and/or Pilot-In-Command (PIC) of the Malaysian private flight aircraft shall ensure that, their operations are within the scope of the private flight.
- 3.3 All private flight or general aviation operations of foreign registered aircraft shall not fly on any flight for the purpose of public transport in Malaysia without permission from the Minister of Transport.

- 3.4 The operators and/or PIC of the general aviation operations foreign registered aircraft shall ensure that, their operations are non commercial air transport operations.

4. COMPLIANCE

- 4.1 Pursuance to Article 37 of the Chicago Convention, all Malaysian private flight aircraft and general aviation operations foreign registered aircraft shall comply with ICAO Annex 6 Part II. Malaysia does not file any differences for ICAO Annex 6 Part II and in compliance with all the *Standard and Recommended Practices (SARPs)*.
- 4.2 It is the responsibility of the operator and/or PIC to ensure that their operations in Malaysia are accordance with ICAO Annex 6 Part II and Civil Aviation Regulations 1996.

5. SAFETY OVERSIGHT FUNCTION


- 5.1 In order to maintain effective safety oversight to general aviation operations of foreign registered aircraft, the Department of Civil Aviation (DCA), Malaysia requires that the aircraft is to be registered under Malaysian registry if their principle base is in Malaysia and has been operating in the country more than six (6) months.
- 5.2 For foreign registered aircrafts currently operating in Malaysia and has exceeded the period of six (6) months, the operator or the owner, with immediate effect shall initiate the process to register the aircraft into the Malaysian registration. In the event that the operator or the owner fails to register the foreign registered aircraft, DCA shall be notified of the reason(s) for non registration. For extended stay in Malaysia, the following conditions have to be met:
- a) Ensuring that the minimum aircraft airworthiness standards are maintained.
 - b) Ensuring and validating the airworthiness certificate for the aircraft (C of A).
 - c) Overseeing the continuing airworthiness of the aircraft according to the standards, regardless of where it is operated in the world.
 - d) Ensuring that personnel performing maintenance work on the aircraft meets the minimum experience, knowledge and skill requirements in accordance with the requirements.
 - e) Ensuring that flight crew operating the aircraft meets the minimum experience, knowledge and skill requirements to safely operate the aircraft in accordance with the requirements.
 - f) Ensuring that operational personnel related with the aircraft operation continues to meet the standards practice.
 - g) Ensuring timely and appropriate actions are in place to correct all deficiencies highlighted by the flight crew on the maintenance of the aircraft and its operation.
 - h) Informing the organisation responsible for the type design on the faults, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft.

- i) Ensuring that mandatory continuing airworthiness information from the State of Design is assessed and appropriate action is taken in a timely manner.
- j) To report to DCA on any incident or accident occurred to the aircraft.

6. RESPONSIBILITIES OF THE STATE OF THE OPERATOR FOR SAFE OPERATIONS

- 6.1 In order to ensure compliance to paragraph 5, all operators/owners are required to cooperate with DCA on the following:
- a. For conduct of random ramp inspection surveillance program,
 - b. ICAO Annex 6 Part II protocol to ensure compliance to ICAO SARPs,
 - c. To provide a letter from the State of Registry's National Aviation Authority (NAA) acknowledging the aircraft base and operational control responsibility together with the contact person at their NAA,
 - d. To ensure embarkation and disembarkation of passengers or cargo only at the airport with Custom, Immigration and Quarantine (CIQ) facilities.
- 6.2 All operators and/or PIC of foreign registered aircraft are required to have a permit number from DCA for every flight. For this purpose, all operators and/or PIC is required to apply to DCA using *Form AT 001-GA* at Attachment A. The permit number has to be included in item 18 "other information" of the ICAO flight plan.
7. Foreign registered aircraft which failed to meet the requirements of paragraph 5 and 6 are considered unsafe operations and will not be given clearance to fly in Malaysian airspace. DCA will not be responsible for any inconvenience caused.
8. All operators and/or PIC shall ensure that their operations are in compliance with this AIC.

DATO' AZHARUDDIN ABDUL RAHMAN
Director-General
Department of Civil Aviation
Malaysia

	DEPARTMENT OF CIVIL AVIATION MALAYSIA NO.27 PERSIARAN PERDANA, LEVEL 4, PODIUM A, PRECINCT 4 FEDERAL GOVERNMENT ADMINISTRATIVE CENTRE 62618 PUTRAJAYA MALAYSIA. Tel. 6 - 03 – 8871 4221/4222/4239/4338 Fax. 6 - 03 – 8889 2642 Email: airtransport@dca.gov.my	<p style="text-align: center;">Form AT 001-GA</p>
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PERMIT FOR FOREIGN REGISTERED AIRCRAFT
OPERATIONS IN MALAYSIA

The following information is to be completed by applicant:

1. Description of Aircraft:
 - a. Type of aircraft,
 - b. Capacity/Configuration of aircraft (passenger/cargo whichever is applicable),
 - c. Nationality and registration marks of the aircraft,
 - d. Aircraft Maximum Take-Off Weight,
2. Name of Pilot-In-Command (PIC) and number of crew,
3. Name, nationality and address of registered owner of aircraft,
4. Name, nationality and address of aircraft operator (if different from registered owner),
5. Purpose of flight,
6. For passenger flights – names, nationality, ID (Passport No.) and number of passengers on board,

No.*	Names/Nationality	ID/Passport NO.

*Please provide attachment if insufficient space.

7. For cargo flights give nature of cargo, weight and dimensions (inbound/outbound or transit)

No.*	Type of Cargo	Weight (kg)/Dimension

*Please provide attachment if insufficient space.

8. Details of route, point of departure, landing in Malaysia and final destination. Proposed time table (ETA/ETD in UTC) at points in Malaysia. Point of Departure and Arrival (specify IATA Three letter codes or ICAO Four letter location indicator),
9. Name, address and telephone number of operator's local agents, if applicable,
10. Name and address of Ground Handler at point of landing in Malaysia,
11. Name and address of consignor, if applicable,
12. Name and address of consignee, if applicable,
13. Any other information that may be relevant to the proposed operation,
14. I hereby apply for the departing and/or landing right for general aviation in Malaysia, particulars of which are given above:

Name of applicant (in full)

Designation

Signature and Company's endorsement

AFTN/SITA/Telephone/Hand phone/Fax No:

Notes:

- a) Before submitting AT 001-GA application form to DCA, a separate request for approval is required if the aircraft is intended to land at Military Airfield i.e. Kuantan (WMKD), Labuan (WBKL). It can be contacted at:

MARKAS OPERASI UDARA (Defence Operation Rooms)
JABATAN ARAH OPERASI,
ARAS 10.13 WISMA PERTAHANAN,
JALAN PADANG TEMBAK,
50634 KUALA LUMPUR,
MALAYSIA.

(Attn: Major Rambedan TUDM / Major Murali TUDM / Major Tarlochan Singh TUDM)

Fax: 03 - 2698 6403

Tel : 03 - 2071 6516.

- b) Similarly, a separate request for approval is required from PETRONAS if the aircraft land at WMKE (Kerteh). It can be contacted:

MANAGER
PETRONAS WILAYAH TIMUR, KERTEH AIRPORT,
MANAGEMENT DEPARTMENT (KAMD)
24300 KERTEH, KEMAMAN,
TERENGGANU, MALAYSIA
(ATTN: MAJOR (R) ADLE MUSTAFA)
Tel : 09 - 8261566 / 8262601
Fax: 09 - 8261615 / 8262501

- c) Please provide a copy each of the Certificate of Airworthiness (C of A), Certificate of Registration (C of R), Air Operator Certificate (AOC) and copy of pilots licences issued by the Civil Aviation Administration of the State of Registrar.
- d) Kindly settle ANFC Billing before departure.
- e) Application contains details as in AT 001-GA shall reach the Director General of Civil Aviation by letter or AFTN at least **one week** prior to the aircraft departure or landing. If sufficient notice/information is not given, the application may not be considered.
- f) This permit shall be made for every departure from and arrival to Malaysian airports.