*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 16,886, 21 ta' Diċembru, 1999*
*Taqsima B*

**L.N. 212 of 1999**

# EUROCONTROL ACT
# (CAP. 333)

## Civil Aviation (Route Charges for Navigation Services) (Amendment) Regulations, 1999

IN exercise of the powers conferred by section 6 of the Eurocontrol Act, the Minister for Transport and Communications, with the concurrence of the Minister of Finance, has made the following regulations:

**1.** (1) The title of these regulations is the Civil Aviation (Route Charges for Navigation Services) (Amendment) Regulations, 1999, and they shall be read and construed as one with the Civil Aviation (Route Charges for Navigation Services) Regulations, 1989, hereinafter referred to as "the principal regulations". Citation and commencement. L.N. 168 of 1989.

(2) These regulations shall come into force on the 1st January, 2000.

**2.** For paragraphs (3) and (4) of regulation 5 of the principal regulations there shall be substituted the following:— Amends regulation 5 of the principal regulations.

"(3) For the purpose of the preceding paragraph, the distance factor (d) shall be obtained by dividing by one hundred (100) the number of kilometres in the great circle distance between:

- the aerodrome of departure within, or the point of entry into, the specified airspace

and

- the aerodrome of first destination within, or the point of exit from, that airspace.

The aforesaid entry and exit points shall be the points at which the lateral limits of the specified airspace are crossed by the route described in the flight plan. This flight plan incorporates any changes made by the operator to the flight plan initially filed as

well as any changes approved by the operator resulting from air traffic flow management measures.

However, for flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made (circular flights), and for which the one most distant point from the aerodrome lies within the specified airspace, the distance factor shall be obtained by dividing by one hundred (100) the number of kilometres in the great circle distance between:

– the aerodrome within, or the point of entry into, the specified airspace

and

– the most distant point from the aerodrome

plus

the number of kilometres in the great circle distance between:

– the most distant point from the aerodrome

and

– the aerodrome within, or the point of exit from, that airspace.

The distance to be taken into account shall be reduced by twenty (20) kilometres for each landing and take-off in the specified airspace and shall be expressed to two places of decimals.

(4) For the purpose of the preceding paragraph, the weight factor (p) shall be the square root of the quotient obtained by dividing by fifty (50) the number of metric tons in the maximum certificated take-off weight of the aircraft as shown in the certificate of airworthiness, the flight manual or any other equivalent official document and shall be expressed to two places of decimals.

Where the maximum certificated take-off weight of the aircraft in not known to the bodies responsible for the collection of the charge, the weight factor shall be calculated by taking the heaviest aircraft of the same type known to exist.

Where an aircraft has multiple certificated maximum take-off weights, the weight factor shall be established on the basis of the highest maximum take-off weight authorised for the aircraft by its State of registration.

Where, however, an operator has indicated to the bodies responsible for the collection of the charge that he operates two or more aircraft which are different versions of the same type, the average of the maximum take-off weights of all his aircraft of that type shall be taken for the calculation of the weight factor for each aircraft of that type. The calculation of this factor per aircraft type and per operator shall be effected at least once a year.".

**3.** Paragraph (iv) of regulation 6 of the principal regulations shall be revoked and paragraphs (v), (vi) and (vii) thereof shall be renumbered as paragraphs (iv), (v) and (vi) respectively.

Amends regulation 6 of the principal regulations.

**4.** For the First and Second Schedules to the principal regulations there shall be substituted the following:

Substitutes First and Second Schedules to the principal regulations.

"FIRST SCHEDULE

Regulation 4(5)

The rate of interest on late payment shall be 7.82 per cent per annum.

SECOND SCHEDULE

Regulation 5(1)

| (1) | (2) | (3) | (4) |
|---|---|---|---|
| Country | Publication in which FIR is described | Unit rate in Euro | Established at the Average September 1999 Rate of Exchange of |
| Malta | Malta AIP | 33.70 | EUR 1 = Lm0.424253 ". |