L.N. 429 of 2004

CIVIL AVIATION ACT
(CAP. 232)

Civil Aviation (Air Transport Licensing) (Fees) Regulations, 2004

IN exercise of the powers conferred by article 3 of the Civil Aviation Act, the Minister for Competitiveness and Communications, with the concurrence of the Prime Minister and Minister of Finance has made the following regulations:-

1. The title of these regulations is the Civil Aviation (Air Transport Licensing) (Fees) Regulations, 2004. Title.

2. In these regulations, unless the context otherwise requires:- Interpretation.

"the Act" means the Civil Aviation Act;

"Air Service Licence" means a licence issued under article 7 of the Act;

"air transport undertaking" means an undertaking whose business includes the carriage by air of passengers or cargo for payment or reward;

"the Director" means the Director of Civil Aviation and, to the extent of the authority given, any person authorised on that behalf by the Director;

"EEA Agreement" means the agreement in the European Economic Area signed at Oporto on the 2nd May, 1992 as adjusted by the Protocol signed at Brussels on the 17th March, 1993;

"EEA State" means a State which is a Contracting Party to the EEA Agreement;

"Scheduled Air Service" means a series of flights that possesses all the following characteristics:-

(a) it passes through the airspace over the territory of more than one State; and

(b) it is performed by aircraft for the transport of passengers, mail or cargo for remuneration, in such a manner that each flight is open to use by members of the public; and

(c) it is operated, so as to serve traffic between the same two or more points –

(i) either according to a published time table,

(ii) or with flights that are so regular or frequent that they constitute a recognisable systematic series;

"specific route" means an air route operated on a scheduled air service which commences in Malta and terminates in a non-EEA State or vice versa.

Initial fee for air service licence.

3. Upon making an application for the issue of an air service licence to an air transport undertaking, the applicant shall pay the Director a fee, called the initial issue fee, as prescribed in the Schedule to these regulations.

Renewal fee for air service licence.

4. For every year or part thereof following the first twelve months of validity of an air service licence from its date of issue, the holder of that licence shall pay the Director a fee, called the annual fee, in accordance with the Schedule to these regulations.

Fee to operate a specific route.

5. For the issue of an approval to operate a specific route in relation to an air service licence the holder of that licence shall pay the Director a fee of five hundred liri.

Fee for copy of air service licence.

6. For the issue of a copy of an air service licence an applicant shall pay the Director a fee of twenty liri.

Maximum authorised seating capacity basis.

7. The fees referred to in regulations 3 and 4 hereof shall be based on the maximum authorised seating capacity of the largest aircraft which is used by the applicant and listed in his Air Operator's Certificate or which is operated by him under a wet lease agreement.

Schedule

(Regulations 3 and 4)

Maximum authorised seating capacity	**Initial issue fee**	**Annual fee**
Less than 20 seats	Lm600	Lm200
More than 20 seats but less than 49 seats	Lm1000	Lm600
More than 50 seats but less than 99 seats	Lm1500	Lm1000
More than 100 seats but less than 199 seats	Lm2500	Lm1500
More than 200 seats	Lm3500	Lm2500