

L.N. 445 of 2004

**CIVIL AVIATION ACT
(CAP. 232)**

Air Navigation (Amendment) (No. 4) Order 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 Order:-

1. The title of this Order is the Air Navigation (Amendment) (No. 4) Order 2004, and it shall be read and construed as one with the Air Navigation Order, 1990, referred to as “the principal Order”. Citation.
L.N. 176 of 1990.

2. In article 2 of the principal Order immediately after the definition “EC Regulation 1592/2002”, there shall be inserted the following new definitions: Amends article 2
of the principal
Order.

““EC Regulation 1702/2003” means the Implementing Rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations;

“EC Regulation 2042/2003” means the Implementing Rules on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and in the approval of organisations and personnel involved in these tasks;”.

3. Article 7 of the principal Order shall be amended as follows:- Amends article 7
of the principal
Order.

(a) in paragraph (1) thereof, after the words “in respect thereof a certificate of airworthiness” there shall be inserted the words “and an airworthiness review certificate,”;

(b) at the end of the first proviso to paragraph (1) thereof, for the words “other country, of” there shall be substituted the words “other country, or as defined within EC Regulation 1592/2002, of”; and

(c) in paragraph (2) thereof, after the words “the provisions of article 8” there shall be inserted the words “,EC Regulation 1702/2003”.

Amends article 8
of the principal
Order.

4. Article 8 of the principal Order shall be amended as follows:-

(a) in paragraph (1) thereof, after the words “ in respect of any aircraft a certificate of airworthiness” there shall be added the words “, together with an airworthiness review certificate,”;

(b) in paragraph (6) thereof, after the words “ or a certificate of validation” there shall be inserted the words “or an airworthiness review certificate”;

(c) for sub-paragraph (b) (ii) of paragraph (6) thereof, there shall be substituted the following:-

“(ii) required by a maintenance schedule or maintenance programme approved by the Director in relation to that aircraft; or”; and

(d) in sub-paragraph (c) of paragraph (6) thereof after the words “State of Manufacture” there shall be inserted the words “or by the European Aviation Safety Agency (EASA)” .

Amends article 9
of the principal
Order.

5. Article 9 of the principal Order shall be amended as follows:-

(a) in sub-paragraph (a) of paragraph (1) thereof, after the words “a maintenance schedule” there shall be inserted the words “or maintenance programme”;

(b) in paragraph (2) thereof, after the words “The approved maintenance schedule” there shall be inserted the words “or maintenance programme”;

(c) in sub-paragraph (b) of paragraph (3) thereof, the words “JAR 66” and “JAR 145” shall be substituted by the words “JAR-66/PART-66” and “JAR-145/PART-145” respectively;

(d) in the proviso to sub-paragraph (d) of paragraph (3) thereof, after the words “a maintenance schedule” there shall be inserted the words “or maintenance programme” and after the words “ to that schedule” there shall be inserted the words “or maintenance programme”; and

(e) in sub-paragraph (a) of paragraph (4) thereof, after the words “the maintenance schedule” there shall be inserted the words “or maintenance programme” .

6. Article 10 of the principal Order shall be amended as follows: Amends article 10 of the principal Order.

(a) in sub-paragraph (a) (i) of paragraph (6) thereof, the words “JAR 66” and “JAR 145” shall be substituted by the words “JAR-66/PART-66” and “JAR-145/PART-145” respectively; and

(b) in sub-paragraph (a) (ii) of paragraph (6) thereof, the words “JAR 66”, wherever they appear, shall be substituted by the words “JAR-66/PART-66”.

7. Article 11 of the principal Order shall be amended as follows:- Amends article 11 of the principal Order.

(a) paragraph (1) thereof shall be substituted by the following:-

“(1) The Director may grant JAR-66/PART-66 Aircraft Maintenance Licences, subject to such conditions as specified within JAR-66, or EC Regulation No 2042/2003 requirement, upon his being satisfied that the applicant is a fit person to hold the licence and has furnished such evidence and passed such examinations and tests as the Director may require of him for the purpose of establishing that he has sufficient knowledge, experience, competence and ability.”; and

(b) in paragraph (2) thereof the words “JAR 66” wherever they appear, shall be substituted by “JAR-66/PART-66”.

8. In paragraph (2) of article 13 of the principal Order, immediately after the words “set out in JAR OPS 1 and JAR OPS 3” there shall be added the words “,and satisfy EC Regulation 1702/2003”. Amends article 13 of the principal Order.

9. Paragraph (1) of the Fifth Schedule to the principal Order shall be substituted by the following:- Amends the Fifth Schedule to the principal Order.

“1. Aircraft operated for public transport purposes registered in Malta shall be equipped in accordance with the requirements set forth in the edition of JAR-OPS 1 Commercial Air Transportation (Aeroplanes) Sub Parts K and L and JAR-OPS 3 Commercial Air Transportation (Helicopters) Sub-Parts K and L applicable in Malta at the time, and satisfy EC Regulation 1702/2003.”.

Amends the
Sixteenth Schedule
to the principal
Order.

10. Part II of the Sixteenth Schedule to the principal Order shall be amended as follows:-

(a) in paragraph 1 thereof, for the words from “Certificate of Airworthiness – Issue” to the words “the applicant shall pay:” there shall be substituted the words:

“EASA Form 25 Certificate of Airworthiness – Issue

Upon making an application for the first issue of a Certificate of Airworthiness together with the Associated Airworthiness Review Certificate EASA Form 15a or 15b valid for one year of part thereof, the applicant shall pay:”;
and

(b) in paragraph 2 thereof, for the words from “Certificate of Airworthiness – Renewal” to the words “the applicant shall pay:” there shall be substituted the words:

“EASA Form 25 Certificate of Airworthiness –
Continuance

Upon making an application for the continuance of a Certificate of Airworthiness by the renewal of the associated Airworthiness Review Certificate EASA Form 15a or 15b valid for one year or part thereof, the applicant shall pay:”.