

L.N. 321 of 2005

CIVIL AVIATION ACT
(CAP. 232)

Air Navigation (Amendment) (No.2) Order, 2005

IN exercise of the powers conferred by article 3 of the Civil Aviation Act, the Minister for Competitiveness and Communications has made the following Order:-

1. The title of this Order is the Air Navigation (Amendment) (No. 2) Order, 2004, and it shall be read and construed as one with the Air Navigation Order, 1990, hereunder referred to as “the principal Order”. Citation.
L.N. 176 of 1990.

2. For article 20 of the principal Order, there shall be substituted the following:- Substitutes article 20 of the principal Order.

“Validation
of licences.

20. (1) Subject to subarticles (2) and (6) hereof, the Director may issue a certificate of validation rendering valid for the purposes of this Order any flight crew licence granted under the law of any country other than Malta and not being a JAR-FCL licence referred to in subarticle (3) of article 18 of this Order. A certificate of validation may be issued subject to such conditions and for such periods as the Director may think fit.

(2) Pursuant to Council Directive 91/670 EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation the Director shall, subject to subarticles (4) and (5) hereof, issue a certificate of validation rendering valid a relevant licence granted under the law of an EEA State or Switzerland.

(3) For the purposes of this article, a relevant licence is one based on requirements equivalent to those for the equivalent licence granted by the Director under article 19 of this Order.

(4) (a) The Director may ask the Commission for an opinion on the equivalence of a licence submitted for validation pursuant to subarticle (2) hereof within three weeks of receipt by the Director of all necessary information in respect of an application for validation.

(b) If the Director does not ask the Commission for such an opinion he shall, within three months of receipt of all necessary information in respect of the application, either issue the certificate of validation or inform the applicant of any additional requirements or tests which are necessary to enable the Director to grant the certificate of validation.

(5) (a) If after the examination of a licence the Director has reasonable doubts as to the equivalence of that licence, the Director may stipulate any additional requirement or test as may be necessary to enable the certificate of validation to be issued.

(b) Any such additional requirements or tests shall be notified as soon as reasonably practicable to the licence holder, to the authority which issued the licence and to the Commission.

(6) Pursuant to the said Council Directive, the Director shall issue a certificate of validation rendering valid any licence issued in accordance with the requirements of Annex 1 to the Chicago Convention, if the bearer satisfies the special validation requirements laid down in the Annex to the said Council Directive.”.

Amends article 76
of the principal
Order.

3. In article 76 of the principal Order, immediately after subarticle (4) thereof, there shall be inserted the following:-

“(5) The Director may cause a person to install an obstruction light on top of any object deemed to be an obstacle for aircraft approaching or taking off from an airfield.”.

Amends the
Thirteenth Schedule
to the principal
Order.

4. In the Thirteenth Schedule to the principal Order, in subparagraph (ii) of paragraph (a) and in paragraph (c) of subrule (1) of rule 5, for the words “1,500 feet” wherever they appear there shall be substituted the words “1,000 feet”.