

L.N. 183 of 2007**CIVIL AVIATION ACT
(CAP. 232)****Air Navigation (Amendment) Order, 2007**

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 the Order is the Air Navigation (Amendment) Order, 2007, and the Order shall be read and construed as one with the Air Navigation Order, 1990, hereinafter referred to as “the principal Order”. Citation.
L.N. 176 of 1990.

2. Article 4 of the principal Order shall be amended as follows: Amends article 4 of the principal Order.

(a) paragraph (b) of sub-article (3) thereof shall be substituted as follows:

“(b) nationals of any EEA State and Switzerland;” and

(b) paragraph (c) of sub-article (3) thereof shall be substituted as follows:

“(c) undertakings formed in accordance with the law of an EEA State or Switzerland and having their registered office, central administration or principal place of business within the European Economic Area or Switzerland;”.

3. Article 19 of the principal Order shall be amended as follows:- Amends article 19 of the principal Order.

(a) paragraph (b) of sub-article 8 thereof shall be substituted as follows:

“(b) Every holder of a medical certificate issued under article 18 or 19 who –

(i) suffers any personal injury involving incapacity to undertake his functions as a member of the flight crew; or

(ii) suffers any illness involving incapacity to undertake those functions throughout a period of twenty days or more; or

(iii) in the case of a woman, has reason to believe that she is pregnant, shall inform the Director in writing of such injury, illness or pregnancy, as soon as possible in the case of injury or pregnancy, and as soon as the period of twenty days has elapsed in the case of illness.”;

(b) the following new paragraph (c) shall be added to sub-article (8) immediately after paragraph (b):—

“(c) The medical certificate shall be deemed to be suspended upon the occurrence of such injury or the expiry of such period of illness or the confirmation of the pregnancy; and —

(i) in the case of injury or illness the suspension shall cease upon the holder being medically examined under arrangements made by the Director and pronounced fit to resume his or her functions as a member of the flight crew or upon the Director exempting, subject to such conditions as he thinks fit, the holder from the requirement of a medical examination; and

(ii) in the case of pregnancy, the suspension may be lifted by the Director for such period and subject to such conditions as he thinks fit and shall cease upon the holder being medically examined under arrangements made by the Director after the pregnancy has ended and is pronounced fit to resume her functions as a member of the flight crew.”.

Amends article 63
of the principal
Order.

4. Sub-article (7) of article 63 of the principal Order shall be substituted as follows:

“(a) Subject to the provisions of article 60, a student air traffic controller’s licence shall remain in force for a maximum period of two years, and its validity may be renewed by the Director from time to time, upon his being satisfied that the applicant is a fit person and is qualified as aforesaid.

(b) Subject to the provisions of article 60, an air traffic controller's licence shall remain in force for the period indicated in the licence and if no period is indicated in the licence, subject to the aforesaid, it shall remain in force for the lifetime of the holder.”.

5. Sub-article (3) of article 66 of the principal Order shall be substituted as follows: Amends article 66 of the principal Order.

“(3) Upon the pregnancy of the holder of an air traffic controller's licence or an apron controller's licence being confirmed, the licence shall be deemed to be suspended and the suspension may be lifted by the Director for such period and subject to such conditions as he thinks fit and shall cease upon the holder being medically examined under arrangements made by the Director after the pregnancy has ended and is pronounced fit to resume her functions as an air traffic controller or an apron controller.”.

6. In Section II of the Thirteenth Schedule to the principal Order, paragraph (e) of Rule 5 shall be substituted as follows: Amends the Thirteenth Schedule to the principal Order.

“

“(e) Except with the permission in writing of the Director and in accordance with any conditions therein specified, an aircraft shall not fly at a height less than 500 feet above the ground or water.”.

7. In Part III of the Sixteenth Schedule to the principal Order, paragraphs 10, 11, 12, 13 and 14 shall be re-numbered as paragraphs 11, 12, 13, 14 and 15 respectively, and immediately after paragraph 9 thereof there shall be added the following new paragraph:— Amends the Sixteenth Schedule to the principal Order.

“10. Ground Examinations Charges for Flight Crew

Upon making an application for an examination to be conducted by the Director in respect of theoretical knowledge for the Instrument Rating or the Commercial Pilot's Licence or Air Transport Pilot Licence, the applicant shall pay a charge of Lm25 per paper.”.

