



**CIVIL AVIATION DEPARTMENT
MALDIVES**

**NOTICE OF PROPOSED RULE MAKING
NPRM NO: 2007-01**

5 April 2007

CAR PART 1: COMMENCEMENT AND INTERPRETATION

CONTENTS

1. Purpose of this NPRM	3
2. Background to the Proposal	3
2.1 Regulatory Structure	3
2.2 Maldivian Civil Aviation Regulations	3
2.3 Air Safety Circulars	3
2.4 Civil Aviation Advisory Publications	4
2.5 Exemptions from Regulations	4
2.6 Key Stakeholders	4
3. Submissions on the NPRM	4
3.1 Submissions are invited	4
3.2 How to make a submission	4
3.3 Final date for submissions	5
3.4 Availability of the NPRM	5
3.5 Further information	5
4. Proposed Rule Amendments	6
Appendix 1: NPRM Submission Form	
Appendix 2: List of MCAR Parts	

1. Purpose of this NPRM

The purpose of this NPRM is to make changes to the existing CAR Part 1 – Commencement and Interpretation, to give force of regulations through Civil Aviation Regulations to the proposed new regulations titled as Maldivian Civil Aviation Regulations.

2. Background to the Proposal

Following a regulation review study carried out by CAD, it has been recommended that new rules be developed to replace the existing rules to achieve full compliance with ICAO standards where possible and also to harmonise civil aviation regulations with internationally recognised standards.

CAD has decided to make significant changes to the existing regulatory in the manner described below.

Before publishing any new regulatory material, CAD will consult the industry by issuing a Notice of Proposed Rule Making (NPRM).

2.1 Regulatory Structure

The regulatory structure consists of the following publications.

- Maldives Civil Aviation Act, Act No 2/2001
- Maldivian Civil Aviation Regulations (MCAR)
- Air Safety Circulars (ASC)
- Civil Aviation Advisory Publications (CAAP)
- Exemptions from Regulations

2.2 Maldivian Civil Aviation Regulations

MCARs will replace existing Civil Aviation Regulations and Maldivian Airworthiness Requirements. When a new MCAR part has been published, the relevant CAR parts will be amended, giving references to the MCAR part and the MAR contents may need to be amended. It is anticipated that CAR and MAR will cease to exist by January 2009.

The structure of MCAR is given in Appendix 2. The MCAR parts will be developed by CAD, by adapting internationally recognised standards. When adapting internationally recognised standards, preference will be given to achieve harmonisation with European Standards (EASA standards).

2.3 Air Safety Circulars

MCAR parts would be accompanied by Air Safety Circulars that provide explanatory information and examples of how to comply with the rules. ASC's could also be used to issue emergency regulations or regulations which are temporary in nature. The numbering used for ASC's are as follows:

ASC 145-1: First ASC issued under MCAR 145

ASC 201-2: Second ASC (general) issued under MCAR 201

2.4 Civil Aviation Advisory Publications

CAAP's are used to publish voluminous advisory material or standards. A CAAP can only be published with the issue of an ASC or if it has reference with in an MCAR Part, which would explain the purpose of the particular CAAP.

All CAAP's are associated with a particular MCAR. One such example is given below.

CAAP 66-1: Engineer Licensing Guidance Document

2.5 Exemptions from Regulations

Exemptions allow relief from one or more requirements of a regulation. An exemption to a regulation can only be issued by CAD. The numbering to be used for issue of exemptions is as follows:

EXE/FCL-1: First exemption issued under MCAR FCL

EXE/139-4: Fourth exemption issued under MCAR 139

2.6 Key Stakeholders

The following are identified by the CAD as key stakeholders in the proposed amendments to regulations contained in this NPRM:

Island Aviation Services Limited
Maldivian Air Taxi Pvt Ltd
Trans Maldivian Airways Pvt Ltd
Maldives Airports Company Limited
Regional Airports, Ministry of Transport and Communications

3 Submissions on the NPRM

3.1 Submissions are invited

Interested persons are invited to participate in the making of the proposed rules by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rule making is taken.

3.2 How to make a submission

Comments on this proposal may be forwarded (*preferably by e-mail*), using the NPRM Submission Form given in Appendix 1. The NPRM Submission Form is also available on the CAD website www.aviainfo.gov.mv.

Submissions may be sent by the following methods:

by mail: Civil Aviation Department
7th Floor, P.A Complex
Hilaalee Magu, Male' 20307
Republic of Maldives

fax: + 960 3323039

e-mail: safety@aviainfo.gov.mv

3.3 Final date for submissions

Comments must be received before 3 May 2007

3.4 Availability of the NPRM

Any person may obtain a copy of this NPRM from

CAD website: www.aviainfo.gov.mv

or from:

Civil Aviation Department
7th Floor, P.A Complex
Hilaalee Magu, Male' 20307
Republic of Maldives

3.5 Further Information

For further information contact the Regulation Project Coordinator:

Ibrahim Iyas
Airworthiness Engineer
Civil Aviation Department
7th Floor, P.A Complex
Hilaalee Magu, Male' 20307
Republic of Maldives

Tel: + 960 3324988
Mob: + 960 7791275
e-mail: safety@aviainfo.gov.mv

4 Proposed Rule Amendments

The text of the amendment is arranged to show deleted text and new text as shown below:

~~Text to be deleted is shown with a line through it.~~

New text to be inserted is highlighted with grey shading

CIVIL AVIATION REGULATIONS PART 1 – COMMENCEMENT AND INTERPRETATION

1.2.4 RULES OF CONSTRUCTION

(a) In these Regulations unless the context otherwise requires:-

- (1) the masculine gender imports the feminine gender;
- (2) words used in the singular import the plural and words used in the plural import the singular;
- (3) references to “by the regulations” or “under these Regulations” are references to “by or under these Regulations”

(b) These Regulations may contain references to Maldivian Civil Aviation Regulations (MCARs) and such regulations (MCARs) shall take effect as if issued or published under these Regulations.



Mahmood Raze
EXECUTIVE DIRECTOR

NPRM No:	Title:
Date of your Submission:	Comment Close-Off Date (as specified in NPRM):

**Please return this response sheet to the Civil Aviation Department by comment close-off date –
 by e-mail to safety@aviainfo.gov.mv, by post to CAD, 7th floor P.A Complex, Hilaalee Magu, Male’,
 or by fax to + 960 3323039**

Please indicate your acceptance or otherwise of the proposal by ticking the appropriate box below. Any additional constructive comments, suggested amendments or alternative action will be welcome and may be provided on this response sheet or by separate correspondence.

The proposal is **acceptable without change.**

The proposal is **acceptable but would be improved if the following changes were made:**

The proposal is **not acceptable but would be acceptable if the following changes were made:** (Please provide explanatory comment and use additional pages if required)

The proposal is **not acceptable under any circumstance:** (Explanatory comment must be provided using additional pages if required)

Individual’s Details (complete if your submission is on behalf of yourself)		Organisation’s Details (if your submission is on behalf of the organization you represent)	
Your Name:		Organisation:	
Address:		Address:	
Phone:	Fax:	Phone:	Fax:
E-mail:		E-mail:	
Mobile:		Your Name and Position:	
Signature:		Signature:	

List of MCAR Parts

1	Definitions and Abbreviations
11	Administrative and Enforcement Procedures
12	Accident, Incident and Statistics
19	Transition Rules
21	Certification Procedures for Aircraft and Related Products and Parts
26	Additional Airworthiness Requirements
39	Airworthiness Directives
47	Aircraft Registration and Marking
65	Air Traffic Services Personnel Licences and Ratings
66	Aircraft Maintenance Licensing
FCL 1	Flight Crew Licensing (Aeroplane)
FCL 2	Flight Crew Licensing (Helicopter)
FCL 3	Flight Crew Licensing (Medical)
M	Continuing Airworthiness
OPS 1	Commercial Air Transportation (Aeroplanes)
OPS 3	Commercial Air Transportation (Helicopters)
92	Carriage of Dangerous Goods (not required if OPS 1 meets ICAO requirements of Annex 18)
103	Microlight Aircraft - Certification and Operating Rules
105	Parachuting - Operating Rules
139	Aerodromes - Certification, Operation and Use
140	Aviation Security Service Organisations - Certification
145	Approved Maintenance Organisations
147	Approved Maintenance Training Organisations
157	Notice of Constuction, Alteration, Activation, and Deactivation or Aerodromes
171	Aeronautical Telecommunication Service Organistions - Certification
172	Air Traffic Service Organisations - Certification
174	Aviation Meteorological Service Organisations - Certification
175	Aeronautical Information Service Organisations - Certification
187	Fees and Charges
201	Miscellaneous/General