



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

রবিবার, জানুয়ারি ৫, ২০০৩

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
বেসামরিক বিমান পরিবহন ও পর্যটন মন্ত্রণালয়

প্রজ্ঞাপন

তারিখ, ২২শে পৌষ ১৪০৯বাং/৫ই জানুয়ারি ২০০৩ইং

এস, আর, ও নং ০৪-আইন/২০০৩—Civil Aviation Ordinance, 1960 (XXXII of 1960) এর section 5 এ প্রদত্ত ক্ষমতাবলে সরকার Civil Aviation Rules, 1984 এর নিম্নরূপ অধিকতর সংশোধন করিল, যথা ঃ—

উপরি-উক্ত Rules এর—

(১) rule (1) এর sub-rule (2) এর শর্তাংশের পর ফুলস্টপটির (.) পরিবর্তে কোলন (:) প্রতিস্থাপিত হইবে এবং অতঃপর নিম্নরূপ নূতন শর্তাংশ সন্নিবেশিত হইবে, যথা ঃ—

“Provided further that these Rules shall apply to aircrafts registered elsewhere than in Bangladesh where responsibilities have been transferred under a written agreement between the State of Registry and Bangladesh made under article 83 bis of the Convention.”;

(২) rule 105 এর পরিবর্তে নিম্নরূপ rule 105 প্রতিস্থাপিত হইবে, যথা ঃ—

“105. **Classification of operations.**—For the purposes of these Rules, flight operations shall be divided into the following classes, namely—

(1) **Commercial Air Transport Operation**—an aviation operation by an operator in which an aircraft is used for Scheduled Air Services or Non-scheduled Air Services involving—

(a) the carriage of passengers or cargo in the aircraft in return for payment or the promise of payment to the operator of the aircraft in respect of that flight; and

- (b) the carriage of persons other than persons employed by the operator as aircraft crew members, where payment or promise of payment is made to the operator or the owner of the aircraft in respect of that flight.

except that if the purpose of the flight is flight instruction and the payment or promise of payment is made in respect of that instruction, the flight shall be regarded as General Aviation Operation.

- (2) **Aerial Work Operation**—a specialized aviation operation in which an aircraft is flown or operated by the operator or owner of that aircraft to provide a service for any of the following purposes:—

- (a) agricultural operation;
- (b) construction works;
- (c) photography;
- (d) surveying;
- (e) observation and patrol by Government Departments;
- (f) aerial ambulance and rescue;
- (g) flight calibration navigation aids; or
- (h) any other operation of a character substantially similar to any of the operations specified in clauses (a) to (g) or as decided by the Chairman.

- (3) **General Aviation Operation**—any type of aviation operation other than Commercial Air Transport Operations and Aerial Work Operations, such as :—

- (a) transportation for personal or corporate use where payment or promise of payment to the operator or owner of the aircraft in respect of that flight is not involved;
- (b) flight instructions or training where payment or promise of payment is made to the operator or owner of the aircraft in respect of that flight;
- (c) on-demand carriage of persons and/or goods on payment or promise of payment by a commercial operator not as a scheduled or non-scheduled air carrier;
- (d) any other operation of a character substantially similar to any of the operations specified in clauses (a) to (c) or as decided by the Chairman.”;

(৩) rule 106 এর পরিবর্তে নিম্নরূপ নূতন rule 106 প্রতিস্থাপিত হইবে, যথা ঃ—

“106. **Classification of aircrafts.**—In accordance with the type of operations in which it is being employed at any time, operations of aircraft shall be classified as follows :—

- (a) **Commercial Air Transport Aircraft**—when an aircraft is being employed in commercial air transport operations;

- (b) **Aerial Work Aircraft**—when an aircraft is being employed in aerial work operations;
- (c) **General Aviation Aircraft**—when an aircraft is being employed in general aviation operations.”;

(৪) rule 107 এর sub-rule (3) এর পর নিম্নরূপ নতুন sub-rules (4), (5), (6) ও (7) সন্নিবেশিত হইবে, যথা ঃ—

- (4) Single-engine aeroplane shall not be operated for carriage of passengers in Commercial Air Transport Operations, other than as provided under rule 105(2) in Aerial Work Operations and under rule 105(3) in General Aviation Operations.
- (5) Only multi-engine aeroplanes of over 5700Kg. maximum certificated take-off mass certified in accordance with Design Standards and Code of Performance issued or approved by the Chairman, shall be operated for carriage of passengers and/or cargo in Commercial Air Transport Operations.
- (6) Helicopters certified only in accordance with the Design Standards and Code of Performance issued or approved by the Chairman, shall be operated for carriage of passengers and/or cargo in Commercial Air Transport Operations.
- (7) An aircraft shall be operated in compliance with the Code of Performance issued or approved by the Chairman, the terms of its certificate of Airworthiness and operating limitations contained in its Flight Manual.”;

(৫) rule 109 এর পরিবর্তে নিম্নরূপ rule 109 প্রতিস্থাপিত হইবে, যথা ঃ—

“109. **General Aviation Operations**.—An aircraft shall not be used in general aviation operations except under the authority of, and in accordance with a licence or certificate issued by the Chairman for general aviation operations and in compliance with the provisions of these Rules and such conditions as the Chairman may impose from time to time.”;

(৬) rule 110 এর পরিবর্তে নিম্নরূপ rule 110 প্রতিস্থাপিত হইবে, যথা ঃ—

“110. **Aerial Work Operations**.—An aircraft shall not be used in aerial work operations except under the authority of, and in accordance with a licence or certificate issued by the Chairman for aerial work operations and in compliance with the provisions of these rules and such conditions as the Chairman may impose from time to time.”

(৭) rule 111 এর পরিবর্তে নিম্নরূপ rule 111 প্রতিস্থাপিত হইবে, যথা ঃ—

“111. **Non-scheduled Air Services Operations**.—(1) An Aircraft shall not be used in non-scheduled air services operations except under the authority of, and in accordance with a licence issued by the Chairman for air transport operations and in compliance with the provisions of these rules and such conditions as the Chairman may impose from time to time.

- (২) Unless authorized by the Chairman, the holder of a non-scheduled air services operations licence shall not engage in air transport operations over a route or section of a route on which the holder of a scheduled air services licence is operating.

Explanation : Non-scheduled Air Services Operations also include: Charter Operations using a chartered aircraft including a foreign registered aircraft under a contractual arrangements between a duly certificated or licensed air carrier and an entity hiring or leasing its aircraft.”:

- (৮) rule 112 এর পরিবর্তে নিম্নরূপ rule 112 প্রতিস্থাপিত হইবে, যথা ঃ—

“112. **Scheduled Air Services Operations.**—An aircraft shall not be used in commercial air transport operations except under the authority of, and in accordance with a licence or certificate issued by the Chairman for commercial air transport operations and in compliance with the provisions of these Rules and such conditions as the Chairman may impose from time to time.”:

- (৯) rule 113 এর পরিবর্তে নিম্নরূপ rule 113 প্রতিস্থাপিত হইবে, যথা ঃ—

“113. **Approval of contract regarding operations.**—The holder of a Commercial Air Transport Operations, Aerial Work Operations or General Aviation Operations licence may, subject to the approval of the Chairman, enter into a contract or arrangement with other persons under whom the holder may operate the service for which the licence was issued.”:

- (১০) rule 119 এর পরিবর্তে নিম্নরূপ rule 119 প্রতিস্থাপিত হইবে, যথা ঃ—

“119. **Flight Crew Operating Manuals.**—Subject to the provisions of rule 211, the Chairman for the purpose of ensuring the safety of air navigation may direct the owner or operator of an aircraft registered in Bangladesh to make any alteration in the Flight Crew Operating Manual or equivalent document for that aircraft.”:

- (১১) rule 120 এর পরিবর্তে নিম্নরূপ rule 120 প্রতিস্থাপিত হইবে, যথা ঃ—

“120. **Carriage of documents in aircraft.**—(1) Subject to this rule and rule 115, an aircraft registered in Bangladesh shall, when flying, carry—

- (a) its Certificate of Registration;
- (b) its Certificate of Airworthiness;
- (c) its Maintenance Release and other document approved for use as an alternative for the Maintenance Release under these Rules;
- (d) the licences of the operating crews;
- (e) the Flight Manual for the aircraft;
- (f) any licence in force with respect to the radio equipment in the aircraft;
- (g) if the aircraft is carrying passengers, a list of the names, places of embarkation and places of destination of the passengers;

- (h) if the aircraft is carrying cargo, the Bills of Lading and manifests for the cargo;
 - (i) the records kept with respect to the aircraft under rule 210;
 - (j) if the aircraft complies with Noise Certification Standards under Part XVI of these Rules, appropriate attesting documents;
 - (k) Operations Manual, if applicable;
 - (l) current and suitable Charts to cover the route of the proposed flight and any route along which it is reasonable to expect that the flight may be diverted;
 - (m) Minimum Equipment List, if applicable;
 - (n) weight and balance schedule;
 - (o) Journey Log Book;
 - (p) Cabin Crew Manual, if applicable;
 - (q) list of dangerous goods carried, if applicable;
 - (r) Aeroplane Search Procedure Checklist in case of bomb threat or suspected sabotage;
 - (s) Air Transport Operating Licence;
 - (t) Cockpit Normal and Emergency Checklist unless these form part of Flight Manual;
 - (u) Third Party Liability Insurance Certificate; and
 - (v) any other documents or checklists as may be directed by the Chairman.
- (2) An aircraft operating wholly within Bangladesh is not required when flying to carry the documents specified in paragraphs (a), (g), (h) and (j) of sub-rule (1).
- (3) The Chairman may exempt an aircraft from carrying the Flight Manual referred in clause (e) of sub-rule (1) if he is satisfied that the aircraft carries an Operations Manual or other documents containing performance data required by the Pilot-in-Command for the application of aeroplane performance operating limitations and any other information necessary for the operation of the aeroplane within the terms of the Flight Manual and the Certificate of Airworthiness of that aircraft.”;

(১২) rule 123 এর পরিবর্তে নিম্নরূপ rule 123 প্রতিস্থাপিত হইবে, যথা :-

“123. **Operator's responsibilities.**—(1) An operator other than a private operator shall provide and ensure :—

(a) **Maintenance facilities**—

- (i) with an adequate organization, nominate a person or group of persons for management, facilities and working environment including trained maintenance and other personnel, necessary

technical data, equipment, environment controlled workshops and stores, tools, aircraft component, spare parts and materials in adequate quantities available to perform the work for which it is approved.

- (ii) in which all maintenance and operations personnel in particular and other appropriate personnel are provided initial and continuation or re-current training appropriate to their assigned task and responsibilities and particularly in connection with the introduction into service of new equipment or equipment with which the personnel are not familiar, under a training programme approved by the Chairman, and
- (iii) which have an independent quality control or assurance system to monitor compliance with and adequacy of maintenance procedures or by providing a system of inspection to ensure that all maintenance is properly performed;

(b) **Operational procedures—**

- (i) to exercise operational control and establish and maintain a method of supervision of flight operations approved by the Chairman.
- (ii) to establish procedure and ensure that no in-flight emergency or abnormal situation is simulated when passengers and/or cargo are carried, and
- (iii) to ensure that essential information concerning the search and the rescue services in the area over which the aeroplane will be flown is easily available on the flight deck; and

(c) **Accident Prevention Programme—**to establish and maintain an Accident Prevention and Flight Safety Programme.

- (2) The operator of an aeroplane following an accident or incident of his aircraft on which a flight recorder is carried shall, to the extent possible, preserve all maintenance records of the flight recorders and the associated flight recorders such as the Flight Data Recorder and the Cockpit Voice Recorder, in safe custody pending their disposition as directed by the Chairman or Chief Investigator of the Investigation Board constituted by the Chairman.”;

(১৩) rule 124 এর পরিবর্তে নিম্নরূপ rule 124 প্রতিস্থাপিত হইবে, যথা ঃ—

“124. **Operations Manual.**—(1) An operator, other than the operator engaged in personal transportation, shall provide an Operations Manual for the use and guidance of concerned operations personnel to perform their duties and the manual shall contain detailed instructions, information and procedures at least under the following chapters as appropriate :

- (a) Operations Administration and Supervision;
- (b) Accident prevention and Flight Safety Programme;

- (c) Personnel Training;
 - (d) Fatigue and Flight time Limitations;
 - (e) Flight Operations;
 - (f) Aeroplane Performance;
 - (g) Route Guides and Charts;
 - (h) Minimum Flight Altitudes;
 - (i) Aerodrome Operating Minima;
 - (j) Search and Rescue;
 - (k) Dangerous Goods;
 - (l) Navigation;
 - (m) Communications;
 - (n) Security;
 - (o) Human Factors.
- (2) An operator shall ensure that the contents of the Operations Manual including all amendments or revisions do not contravene the conditions contained in the Air Transport Operating License or equivalent document or any applicable regulations, and are acceptable to, or where applicable, approved by the Chairman.
 - (3) Unless otherwise approved by the Chairman, an operator must prepare the Operations Manual in the English Language.
 - (4) An operator may issue an Operations Manual in separate volumes.
 - (5) An operator shall provide the Chairman at least two copies of approved Operations Manual.
 - (6) An operator shall ensure that all operations personnel have easy access to a copy of each Volume of the Operations Manual relevant to their duties.
 - (7) The operator shall supply crew-members with a personal copy, Volumes or Chapters of the Operations Manual relevant to their duties.
 - (8) An operator shall ensure that the Operations Manual is amended or revised so that instructions and information contained in it are kept up-to-date, and that all Operations Personnel are made aware of such changes relevant to their duties.
 - (9) Each holder of an Operations Manual, or appropriate Volumes of it, shall keep it up-to-date with the amendments or revisions supplied by the operator.
 - (10) An operator shall submit the intended amendments and revisions in advance of the effective date for approval of the Chairman.
 - (11) The approval shall be obtained before the amendment becomes effective and where immediate amendments are required in the interest of safety, they may be published and applied immediately only after any approval required has been applied for.

- (12) An operator shall incorporate all amendments and revisions required by the Chairman.
- (13) An operator must ensure that information taken from approved document, and any amendment of such contains no information contrary to any approved documentation, except in case of using more conservative data and procedures.
- (14) An operator must ensure that the contents of the Operations Manual are presented in a form in which they can be used without difficulty.”;
- (১৪) rule 125 এর পরিবর্তে নিম্নরূপ rule 125 প্রতিস্থাপিত হইবে, যথা ঃ—

“125. **Flight time, flight duty periods and rest periods records.**—An operator, other than the operator engaged in personal transportation, shall maintain current records of the individual flight time, flight duty periods and rest periods of the members of the operating crews employed by him in accordance with the directives issued by the Chairman.”;

(১৫) rule 126 এর—

(ক) sub-rule (1) এর পরিবর্তে নিম্নরূপ sub-rule (1) প্রতিস্থাপিত হইবে, যথা ঃ—

“(1) An commercial air transport operator of any aircraft with a maximum take-off mass as specified in its certificate of airworthiness exceeding 5700 Kg. (12,500 lbs) and any other operator specified by the Chairman, shall establish and maintain a Training and Checking Programme to ensure that the operator’s operating crews maintain their competency.”;

(খ) sub-rule (4) এর পর নিম্নরূপ নতুন sub-rules (5), (6) এবং (7) সন্নিবেশিত হইবে, যথা ঃ—

“(5) An operator shall, after the applicable training and checking requirements of this rule are completed, ensure that for each Commercial Air Transport Operation no more than one member of operating flight crew has, in the aeroplane type used,—

- (a) accumulated less than an additional 75 (seventy five) hours in the type of operations to which this rule applies; or
- (b) completed less than 75 (seventy five) operating cycles in the type of operations to which this rule applies.

(6) The Chairman may, upon application by the operator, authorize deviations from the requirements of sub-rule (5) in any of the following circumstances:—

- (a) a newly certificated operator or ATOL holder dose not employ any pilots who meet the minimum requirements prescribed in sub-rule (5); or
- (b) a current operator or ATOL holder acquires an aeroplane type not used before by him.

(7) If the deviation mentioned in sub-rule (6) is approved by the Chairman in respect of an operator, it shall be incorporated in the Flight Operations Manual.”;

(১৬) rule 127 এর পরিবর্তে নিম্নরূপ rule 127 প্রতিস্থাপিত হইবে, যথাঃ—

“127. Route qualifications of pilot-in-command and co-pilot engaged in Commercial Air Transport Operations.—(1) An operator shall not utilize a pilot as pilot-in-command or co-pilot, and a pilot shall not act in the capacity of the pilot-in-command or co-pilot of an aeroplane engaged in Scheduled Air Services Operations under rule 105 (1) (a) and Non-scheduled Air Services Operations under the rule 105(1)(b) on a route or route segment for which that pilot is not currently qualified until he has complied with sub-rules (2), (3), (4), (5) and (6).

(2) Each such pilot shall demonstrate to the operator an adequate knowledge of—

(a) the route to be flown, the aerodromes and the designated alternate aerodromes to be used include the knowledge of—

(i) the terrain and Minimum Safe Altitudes ;

(ii) the seasonal meteorological conditions ;

(iii) the meteorological, communication and air traffic facilities, services and procedures;

(iv) the search and rescue procedures ;

(v) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place ; and

(b) procedures applicable to flight paths over heavily populated areas and areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach to land procedures, and applicable operating minima where part of the demonstration may be accomplished in a flight simulator adequate for the purpose and approved by the Chairman.

(3) Each pilot shall have made at least an actual approach in to each aerodrome of landing on the route accompanied by a pilot who is qualified for the aerodrome, as a member of the flight crew or as an observer on the flight deck, unless—

(a) the approach to the aerodrome is not over difficult terrain and the instrument approach procedures and aids available are similar to those with which the pilot is familiar, and a margin as directed by the Chairman added to the normal operating minima, or there is reasonable certainty that approach and landing can be made in visual meteorological conditions ; or

(b) the descent from the initial approach altitude can be made by day in visual metrological conditions; or

(c) the operator qualifies the pilot-in-command to land at the aerodrome concerned by means of an adequate pictorial presentation; or

(d) the aerodrome concerned is adjacent to another aerodrome at which the pilot-in-command is currently qualified to land.

- (4) Each pilot shall have been certified as competent for the particular route by a designated check pilot approved by the Chairman.
- (5) Each pilot possesses such other qualifications as the Chairman specifies in relation to that route having regard to any special difficulties of that route.
- (6) An operator shall not continue to utilize a pilot as pilot-in-command on a route, unless within the preceding 12(twelve) months, the pilot has made at list 1(one) trip between the terminal points of that route as a pilot-member of the flight crew, as a check pilot, or as an observer on the flight deck.
- (7) In the event that more than 12 months elapse in which a pilot has made under sub-rule (6) a trip on a route in close proximity and over similar terrain prior to again serving as a pilot-in-command on that route, that pilot must requalify in accordance with rules (2), (3) and (5).
- (8) An operator shall maintain a record, sufficient to satisfy the Chairman of the qualifications of the pilot and of the manner in which such qualifications have been achieved.”;

(১৭) rule 128 এর পরিবর্তে নিম্নরূপ rule 128 প্রতিস্থাপিত হইবে, যথাঃ—

“128. Route qualifications of pilot-in-command and co-pilot engaged in aerial work operations.—

(1) An operator shall not utilize a pilot as a pilot-in-command or co-pilot, and a pilot shall not act, in the capacity of pilot-in-command or co-pilot of an aeroplane engaged in Aerial Work Operations under the rule 105 (2) unless the pilot has obtained adequate knowledge of—

(a) the route to be flown, the aerodromes which are to be used and the designated alternate aerodromes which are to be used. This shall include knowledge of—

- (i) the terrain and Minimum Safe Altitudes,
- (ii) the seasonal meteorological conditions,
- (iii) the meteorological, communication and air traffic facilities, services and procedures,
- (iv) the search and rescue procedures, and
- (v) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place ; and

(b) procedures applicable to flight paths over heavily populated areas and areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach to land procedures, and applicable operating minima, and part of the demonstration may be accomplished in a flight simulator adequate for the purpose and approved by the Chairman.”;

(১৮) rule 129 এর পরিবর্তে নিম্নরূপ rule 129 প্রতিস্থাপিত হইবে, যথা ঃ—

“129. **Recent experience of Pilot-in-command and Co-pilot engaged in Commercial Air Transport Operations.**—(1) An operator shall not assign a pilot to act, and a pilot shall not act, as a Pilot-in-command or co-pilot of an aeroplane unless that pilot has made at least 3 (three) take-offs and landings within the preceding 90 (ninety) days or such period as may be determined by the Chairman on the same type of aeroplane or an appropriate flight simulator approved by the Chairman.

(2) An operator shall not assign a co-pilot nor a pilot shall act as a co-pilot to operate at the flight controls during take-off and landing unless, that co-pilot has operated the flight controls as a Pilot-in-command or as co-pilot, during three take-offs and landings, within the preceding 90 (ninety) days or such period as may be determined by the Chairman on the same type of aeroplane or an appropriate flight simulator approved by the Chairman.”;

(১৯) rule 133 এর পরিবর্তে নিম্নরূপ rule 133 প্রতিস্থাপিত হইবে, যথা ঃ—

“133. **Pilot-in-command and his authority.**—(1) For each flight the operator shall designate one pilot to act as the Pilot-in command.

(2) In addition to being responsible for the operation and safety of the aircraft during flight time the Pilot-in-command shall be responsible for the safety of persons and cargo carried and for the conduct and safety of the members of the crew.

(3) The Pilot-in-command shall have the authority to disembark any person, or any part of the cargo, which in his opinion may represent a potential hazard to the safety of the aircraft or its occupants.

(4) The Pilot-in-command shall have the right to refuse a person to be carried in the aeroplane who appears under the influence of alcohol or drugs to the extent that the safety of the aircraft or its occupants is likely to be endangered.

(5) The Pilot-in-command shall have the right to refuse transportation of inadmissible passengers, deportees or persons in custody if their carriage poses any risk to the safety of the aeroplane or its occupants.

(6) The Pilot-in-command shall have final authority as to the disposition of the aircraft while he is in command and for the maintenance of discipline by all persons on board.”;

(২০) rule 147 এর পর নিম্নরূপ নতুন rule 147A সন্নিবেশিত হইবে, যথা ঃ—

“147A. **Flight Preparations.**—A flight shall not be commenced until flight preparation forms have been completed certifying that the Pilot-in-command is satisfied that—

(a) the aeroplane is airworthy ;

(b) the instruments and equipments as prescribed by the Chairman for the particular type of operation to be undertaken, are installed and are sufficient for the flight ;

- (c) a maintenance release as prescribed by the Chairman has been issued in respect of the aeroplane ;
- (d) the mass of the aeroplane, centre of gravity location and load carried are properly distributed and are safely secured as prescribed in rule 143 in a manner that the flight can be conducted safely taking into account the flight conditions expected ;
- (e) a check has been completed indicating that the operating limitations of the approved Flight Manual and Operations Manual can be complied with for the flight to be undertaken; and
- (f) the requirements of rules 144, 145 and 147 relating to operational flight planning have been complied with.”;

(২১) rule 152 এর পরিবর্তে নিম্নরূপ rule 152 প্রতিস্থাপিত হইবে, যথা ঃ—

“152. Reporting of accidents, incidents, defects and occurrences.—(1)

Following occurrence of any of the under mentioned events a written report shall be submitted to the Chairman within a specified period as mentioned :—

(a) accident or serious incidents or incident under rule 235—

(i) the Pilot-in-command, the owner, the operator and the hirer, if any, of an aeroplane shall submit a report to the Authority of any accident or serious incident or incident under rule 235 that has endangered or may have endangered safe operation of a flight;

(ii) notification shall be made immediately after being aware of the occurrence of the accident or incident followed by a written report to the Chairman, within 72 (seventy two) hours of the event, unless exceptional circumstances prevent this ;

(b) technical defects and exceeding technical limitations— the Pilot-in-command shall ensure that all technical defects and exceeding technical limitations occurring under rule 205, while he was responsible for the flight, are recorded in the Aircraft Maintenance Log on Termination of the sector flight.

(c) air traffic incidents—the Pilot-in-command shall submit an air traffic incident report in accordance with ICAO PANS RAC whenever an aircraft in flight has been endangered by—

(i) a near collision or airmis as under rule 94 with any other flying device,

(ii) faulty air traffic procedures or lack of compliance with applicable procedures by air traffic services (ATS) or by the flight crew, or

(iii) defects in any aerodromes or failure of ATS facilities which have come to his notice ;

(d) bird-hazards and strikes—the Pilot-in-command shall—

- (i) immediately inform the appropriate ground station whenever a potential bird-hazard is observed.
- (ii) submit a written bird-strike report after landing whenever an aeroplane for which he is responsible suffers a bird strike ;
- (e) **in-flight emergencies with dangerous goods on board**—if an in-flight emergency occurs and the situation permits, the Pilot-in-command shall inform the appropriate Air Traffic Services unit of any dangerous goods on board ;
- (f) **unlawful interference**—if an act of unlawful interference under rule 285 occurs on board an aeroplane, the Pilot-in-command shall submit a report, as soon as practicable, to the local authority and the Chairman ;
- (g) **irregularities of ground and navigational facilities and hazardous meteorological conditions**—the pilot in-command shall notify the appropriate ground station, as soon as practicable, whenever a potentially hazardous condition as mentioned below is encountered during flight :—
 - (i) an irregularity in a ground or navigational facility ;
 - (ii) a meteorological phenomenon (as referred in rule 151) ;
 - (iii) a volcanic ash cloud ; or
 - (iv) a high radiation level.
- (2) Where no period is specified, the report shall be submitted as soon as possible but not exceeding 10 (ten) days from the occurrence.
- (3) Where a defect in the aircraft is reported under sub-rule (1), the operator of the aircraft shall take such action in relation to that defect as is required under these Rules.”;

(২২) rule 157 এর—

(ক) sub-rule (2) এর পরিবর্তে নিম্নরূপ sub-rule (2) প্রতিস্থাপিত হইবে, যথা ঃ—

“(2) An operator shall establish with the approval of the Chairman, the minimum number of cabin attendants for each type of aircraft and shall ensure that crew members are periodically tested as to their competency in the use of the emergency and life saving equipments carried in the aircraft to which they are assigned.”

(খ) sub-rule (5) এর পরিবর্তে নিম্নরূপ sub-rule (5) প্রতিস্থাপিত হইবে, যথা ঃ—

“(5) The training and competency check of crew-members and the familiarization of passengers as required under the provisions of this rule shall be carried out under a Training Programme approved by the Chairman.”;

(২৩) rule 158 এর sub-rule (3) এর পর নিম্নরূপ নতুন sub-rule (4) সন্নিবেশিত হইবে, যথা ঃ—

“(4) Notwithstanding anything contained in sub-rules (1) & (2) the Chairman may declare certain flights or all flight as non-smoking flight.”;

(২৪) rule 161 এর পরিবর্তে নিম্নরূপ rule 161 প্রতিস্থাপিত হইবে, যথা ঃ—

“161. **Airplane performance, operating limitations and flights over water.**—(1) Unless otherwise specifically authorized by the Chairman, no operator or a person shall operate an aeroplane on routes or any part of a route on which the aeroplane does not meet the following performance capability—

(a) in the case of aeroplanes having single power-unit in such conditions of weather and light, and over such routes and diversions, there from that permit a safe forced landing to be executed in the event of engine failure ; or

(b) in the case of aeroplanes having more than one power-units, the following requirements—

(i) take-off the aeroplane shall be able, in the event of a critical power-unit failing at any point in the take-off, either to discontinue the take-off and stop within accelerate-stop distance available, or to continue the take-off and clear all obstacles along the flight path by an adequate margin until the aeroplane is in a position to comply with the sub-rule 1(b), clause (ii) below ;

(ii) **enroute one power-unit inoperative:** the aeroplane shall be able, in the event of the critical power-unit becoming inoperative at any point along the route or planned diversions there from, to continue the flight to an aerodrome or any alternate aerodrome, after clearing all obstacles in the approach path by a safe margin, and without flying below the minimum flight altitude at any point, shall be able to land and come to a stop.

(iii) **enroute two power-unit inoperative:** in the case of aeroplanes having three or more power-units, on any part of a route where the location of enroute alternate aerodromes and the total duration of the flight are such that the probability of a second power-unit becoming inoperative must be allowed to ensure general level of safety and the aeroplane shall be able, in the event of any two power-units becoming inoperative, to continue the flight to an enroute alternate aerodrome and land,

(iv) **landing:** the aeroplane shall at the aerodrome of intended landing and at any alternate aerodrome, after clearing all obstacles in the approach path by a safe margin, be able to land with the assurance that it can come to stop or, for a seaplane, to a satisfactorily low speed, within the landing distance available.

- (2) Without prejudice to the provisions of sub-rule (1) an aeroplane in respect of which there is in force under these Rules a Certificate of Airworthiness, the aeroplane shall not fly over water on commercial operation so as to be more than 60 (sixty) minutes flying time (at normal cruising speed with one engine inoperative) from the nearest shore, unless approved by the Chairman or the aeroplane has more than two engines.
- (3) A helicopter shall be operated in commercial operation only in conditions of weather and light, and over such routes and diversion there from, that will permit a safe forced landing to be executed in the event of engine failure unless the helicopter and the operations complies with the code of performance standard contained in the certificate of airworthiness and/or approved flight manual issued or approved by the Chairman.”;

(২৫) rule 166 এর sub-rule (1) এর clause (e) এর পরিবর্তে নিম্নরূপ clause (e) প্রতিস্থাপিত হইবে, যথা ঃ—

“(e) an aircraft maintenance log book in respect of each aircraft for which a Certificate of Registration is in force.”;

(২৬) rule 171 এর sub-rule (6) এর পর নিম্নরূপ নতুন sub-rule (7) সন্নিবেশিত হইবে, যথা ঃ—

“(7) The Chairman may notify through ANO fee for issue of Certificate of Registration including issue of a duplicate copy of a Certificate of Registration.”;

(২৭) rule 180 এর—

(ক) sub-rule (2) এর পরিবর্তে নিম্নরূপ sub-rule (2) প্রতিস্থাপিত হইবে, যথা ঃ—

“(2) On aircraft having a fixed wing surface, the marks shall appear on the lower surface of the wing structure, and shall be on the left wing unless they extend across the whole surface of both wings.”.

(খ) sub-rule (6) এর পর নিম্নরূপ নতুন sub-rule (7) সন্নিবেশিত হইবে, যথা ঃ—

“(7) On rotary wing aircraft the marks shall appear on each side of the fuselage and also on the lower surface of the fuselage as close to the line of symmetry as is practicable and shall be placed with the tops of the letters towards the nose.”;

(২৮) rule 181 এর clause (g) এর শর্তাংশের পর বিদ্যমান ‘ফুলস্টপের’ (.) এর পরিবর্তে ‘কমা’ (,) প্রতিস্থাপিত হইবে এবং অতঃপর নিম্নরূপ নতুন clauses (h) এবং (i) সন্নিবেশিত হইবে, যথা ঃ—

“(h) in the case of rotary wing aircraft where owing to the structure of the aircraft the greatest height practicable for the marks on the sides of the fuselage (or equivalent structure) is less than 30 (thirty) centimetres the

marks shall also appear on the lower surface of the fuselage as close to the line of symmetry as is practicable and shall be placed with the tops of the letters towards the nose.

- (i) the height of the letters constituting each group of marks shall be at least 50 (fifty) centimetres :

Provided that if the lower surface of the fuselage is not large enough for the marks to be of 50 (fifty) centimetres in height, marks of the greatest height practicable in the circumstances shall be displayed.”;

(২৯) rule 186 এর sub-rule (3) এর পর নিম্নরূপ নতুন sub-rules (4), (5) এবং (7) সন্নিবেশিত হইবে, যথাঃ—

“(4) A Certificate of airworthiness or a Certificate of Validation issued in respect of an aircraft shall cease to be in force—

- (a) if the aircraft sustains damage which in the opinion of the Chairman is of a nature that the aircraft is no longer airworthy, and he may prohibit the aircraft from resuming flight until it is restored to an airworthy condition, or in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft which is no longer airworthy to fly without passengers except the persons required to be on board for safe operation of the flight, to an aerodrome at which it can be restored to an airworthy condition ;
- (b) if the aircraft, or such of its equipment as is necessary for the airworthiness of the aircraft, is overhauled, repaired or modified, or if any part of the aircraft or of such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Chairman either generally or in relation to a type of aircraft or to the particular aircraft ; or
- (c) until the completion of any inspection of the aircraft or of any such equipment as mentioned in sub-rule (4) (b), being an inspection made for the purpose of ascertaining whether the aircraft remains airworthy and—
- (i) classified as mandatory by the Chairman ; or
- (ii) required by a maintenance schedule approved by the Authority in relation to that aircraft ; or
- (d) until the completion to the satisfaction of the Chairman of any modification of the aircraft or of any such equipment as mentioned in sub-rule (4) (b), being a modification required by the Chairman for the purpose of ensuring that the aircraft remains airworthy.

- (5) Every certificate of airworthiness shall specify the category or categories of aircraft mentioned below, as are in the opinion of the Chairman, appropriate to the aircraft, and the Certificate shall be issued subject to the condition that the aircraft shall be operated for the purposes as mentioned in sub-rule (6) and classes of operations as endorsed on the ATOL :—

Categories of Aircraft

- (a) Transport category ;
 - (b) Normal category ;
 - (c) Utility category ;
 - (d) Acrobatic category ;
 - (e) Commuter category ;
 - (f) Sailplanes category;
 - (g) Manned free balloons; and
 - (h) Special category.
- (6) The purposes for which the aircraft may fly are as follows :—
- (a) **Transport category**—Non-acrobatic manoeuvre and any classes of operations;
 - (b) **Normal category**—Non-acrobatic manoeuvre and any classes of operations other than Commercial Air Transport Operations;
 - (c) **Utility category**—limited acrobatic manoeuvre and any classes of operations other than Commercial Air Transport Operations;
 - (d) **Acrobatic category**—Acrobatic manoeuvre and any classes of operations other than Commercial Air Transport Operations;
 - (e) **Commuter category**—Non-acrobatic manoeuvre and any classes of operations ;
 - (f) **Sailplanes category**—For General Aviation Operations ;
 - (g) **Manned free balloons**—For General Aviation Operations ; and
 - (h) **Special category**—Any purpose as may be specified in the certificate of Airworthiness but not including the carriage of passengers unless expressly permitted.
- (7) Nothing in these Rules shall oblige the Chairman to accept an application for the issue of a certificate of Airworthiness or Validation or for the variation or renewal of the Certificate when the application is not supported by the reports from the approved persons or organisations as the Chairman may specify.
- (8) The Chairman may notify through ANO fee for issue and renewal of Certificate of Airworthiness including issue of a duplicate copy of a Certificate of Airworthiness.”;

(৩০) rule 190 এর—

(ক) sub-rule (1) এর পরিবর্তে নিম্নরূপ sub-rule (1) প্রতিস্থাপিত হইবে, যথাঃ—

“(1) A person engaged in, or intending to be engaged in, any stage of design, manufacture, distribution, maintenance or mass control of aircraft, aircraft components or aircraft materials, or ramp handling of aircraft, or in the training of candidates for, or in the conducting of, Aircraft Maintenance Engineers, licence examinations may apply to the Chairman for a Certificate of Approval in respect of those activities and for the renewal of such certificate.”

(খ) sub-rule (5) এর পর নিম্নরূপ নতুন sub-rule (6) সন্নিবেশিত হইবে, যথাঃ—

“(6) The Chairman may notify through ANO fee for issue and renewal of Certificate of Approval including issue of a duplicate copy of the certificate.”

(৩১) rule 191 এর পরিবর্তে নিম্নরূপ rule 191 প্রতিস্থাপিত হইবে, যথাঃ—

“**191. Maintenance Systems and Directions.**—(1) The Chairman may give directions specifying requirements for maintenance of aircraft registered in Bangladesh.

(2) The Chairman may give a directions to the owner or operator of an aircraft registered in Bangladesh or holder of an Air Transport Operating Licence issued by the Chairman, requiring him to submit a proposed system of maintenance of the aircraft, including any subsequent amendments of the system of maintenance for approval.

(3) The Chairman may approve a proposed system of maintenance with or without amendments and direct the person to institute the approved system for the use and guidance of his maintenance and operational personnel, details of which shall be set out in a manual or manuals, which shall at least include—

- (a) instructions for maintenance, control and maintenance procedures;
- (b) reference to the maintenance schedule or programme as applicable; and
- (c) quality control or quality assurance system as applicable.

(4) A person who has been directed to institute a system of maintenance shall furnish copies of the Maintenance System Manual to—

- (a) The Chairman; and
- (b) such other persons associated with the maintenance of the aircraft as the Chairman directs.

(5) A person who has been directed to institute a system of maintenance shall not fail to comply with the requirements of the system in so far as they apply to him or to take all steps reasonably required to ensure that persons in his employ or working under an arrangement with him comply with the requirements of the system in so far as those requirements apply to them.

- (6) A person who has been directed to institute a system of maintenance may, at any time, request the Chairman to approve a change in the system and the approval may be given accordingly following which the person shall ensure that the change is incorporated in all copies of the Maintenance System Manual and that notice of those changes is forwarded to all persons to whom copies of the Manual have been furnished.
- (7) A person who has been directed to institute a system of maintenance shall ensure the airworthiness of the aeroplane and the serviceability of both operational and emergency equipment must be performed in accordance with procedures acceptable to the Chairman and by :
- the accomplishment of pre-flight inspections ;
 - the rectification to an approved standard of any defect and damage affecting safe operation, taking into account the Minimum Equipment List and Configuration Deviation List if available for the aeroplane type ;
 - the accomplishment of all maintenance in accordance with the approved operator's Aeroplane Maintenance Programme ;
 - the analysis of the effectiveness of the operator's approved Aeroplane Maintenance Programme ;
 - the accomplishment of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Chairman or the regulatory authority responsible for issue of Type Certificate of the aircraft ; and
 - the accomplishment of modifications in accordance with and approved standard and, for non-mandatory modifications, the establishment of an embodiment policy.
- (8) An operator shall ensure that the Certificate of Airworthiness for each aeroplane operated remains valid in respect of—
- the requirements in sub-rule (7) ;
 - any calendar expiry date specified in the Certificate ; and
 - any other maintenance condition specified in the Certificate.
- (9) An operator shall not operate an aeroplane unless it is maintained and released to service by an organisation approved in accordance with rule 190 and is holder of a valid Certificate of Approval issued by the Chairman.”;

(৩২) rule 195 এর পরিবর্তে নিম্নরূপ rule 195 প্রতিস্থাপিত হইবে, যথা ঃ—

“195. Permissible unserviceabilities, Minimum Equipment List.—

(1) The Chairman may, for the purposes of these Rules, approve a defect in or damage to an aircraft registered in Bangladesh as a permissible unserviceability in relation to the aircraft.

- (2) The Chairman may direct that the use of an aircraft registered in Bangladesh with a permissible unserviceability is subject to such conditions as he directs.
- (3) The Chairman may direct that an operator shall establish, for each aeroplane, a Minimum Equipment List (MEL) listing permissible unserviceabilities approved by the Chairman which shall be based upon, but not less restrictive than the relevant Master Minimum Equipment List (MMEL), if such list exists and is accepted by the Chairman.
- (4) An operator shall not operate an aeroplane other than in accordance with the MEL unless permitted by the Chairman, and any such permission will in no circumstances permit operation outside the constraints of the MMEL.”;

(৩৩) rule 199 এর পরিবর্তে নিম্নরূপ rule 199 প্রতিস্থাপিত হইবে, যথা ঃ—

“199. Maintenance of an aircraft registered in Bangladesh when it is outside of Bangladesh.—(1) Unless the Chairman otherwise approved, the owner, operator or Pilot-in-command of an aircraft registered in Bangladesh when it is outside Bangladesh, shall not in the maintenance of the aircraft, use, or permit the use of, any aircraft component, aircraft material or other thing if its use in Bangladesh would be an offence against these Rules.

- (2) The owner, operator or Pilot-in-command of an aircraft registered in Bangladesh, when it is outside Bangladesh, shall not authorised or permit any maintenance to be carried out on the aircraft except by persons holding Certificate of Validation of Authorisation issued by the Chairman.”;

(৩৪) rule 207 এর পর নিম্নরূপ নতুন rule 207A সন্নিবেশিত হইবে, যথা ঃ—

“207A. Continuing airworthiness information.—The operator of an aeroplane over 5700 kg. maximum certificated take-off mass shall obtain and assess continuing airworthiness information and recommendations available from the manufacturer and the airworthiness authority responsible for the type and design, and shall implement resulting actions considered necessary in accordance with the procedure issued by the Chairman.”;

(৩৫) rule 234 এর—

- (ক) clause (a) এর sub-clauses (i) ও (ii) এর পরিবর্তে নিম্নরূপ sub-clauses (i), (ii) ও (iii) প্রতিস্থাপিত হইবে, যথা ঃ—

“(i) any person suffers death or serious injury as a result of being in or upon the aircraft or with direct contact with the aircraft or anything detached from the aircraft or direct exposure to jet blast ; or

(ii) the aircraft sustains substantial damage or structural failure ; or

(iii) the aircraft is missing or is completely inaccessible.”;

- (খ) clause (f) এর পর বিদ্যমান সেমিকোলনটির (;) পরিবর্তে কমা (,) প্রতিস্থাপিত হইবে এবং অতঃপর নিম্নরূপ নতুন clause (g) সন্নিবেশিত হইবে, যথা ঃ—

“(g) “serious incident” means an incident involving circumstances indicating that an accident nearly occurred.”;

- (৩৬) rule 235 এর sub-rule (1) এর পরিবর্তে নিম্নরূপ sub-rule (1) প্রতিস্থাপিত হইবে, যথা ঃ—

“(1) When an accident, serious incident or incident occurs :—

(a) to an aircraft registered in Bangladesh, or

(b) to any aircraft in Bangladesh territory, the Pilot-in-command, the owner, the operator and the hirer, if any, shall each be responsible for ensuring that a notification of the accident or serious incident or incident is furnished by telegram or telephone immediately after the occurrence followed by a written report to the Chairman.”;

- (৩৭) rule 277 এর sub-rule (3) এর পরিবর্তে নিম্নরূপ sub-rule (3) প্রতিস্থাপিত হইবে, যথা ঃ—

“(3) A Noise Certificate shall contain at least the following information concerning the aircraft, namely,—

(a) State of Registry; nationality and registration marks ;

(b) Manufacturer's serial number ;

(c) Manufacturer's type and model designation; engine type/model; propeller type/model, if applicable ;

(d) Statement of any additional modifications incorporated for the purpose of compliance with the applicable Noise Certification Standard ;

(e) The maximum mass at which compliance with the applicable Noise Certification Standards has been demonstrated ;

(f) The average noise levels at the reference points for which compliance with the International Civil Aviation Organisation (ICAO) Standard has been demonstrated ; and

(g) The chapter of Annex XVI, Volume 1 of International Civil Aviation Organisation (ICAO) according to which the aircraft was certificated.”;

(৩৮) rule 284 এর—

(ক) sub-rule (1) এর পরিবর্তে নিম্নরূপ sub-rule (1) প্রতিস্থাপিত হইবে, যথা §—

“(1) An operator shall establish and maintain for crew members and appropriate employees a security training programme approved by the Chairman and shall adopt a security programme and apply it in proportion to the threat to civil aircraft operation and its facilities as known to the appropriate authorities, and shall ensure that the programme is compatible with the aerodrome security arrangements.”.

(খ) sub-rule (3) এর পর নিম্নরূপ নতুন sub-rule (4) সন্নিবেশিত হইবে, যথা §—

“(4) An operator shall ensure that there is on board a checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage.”;

(৩৯) rule 285 এর sub-rule (4) এর পর নিম্নরূপ নতুন sub-rule (5) সন্নিবেশিত হইবে, যথা §—

“(5) The Pilot-in-command of an aircraft registered in Bangladesh and equipped with a flight crew compartment door separate from the passenger compartment and engaged in carriage of passengers, shall ensure that the door is capable of being locked from within the flight crew compartment only and remains locked during the flight.”;

(৪০) rule 294 এর পরিবর্তে নিম্নরূপ rule 294 প্রতিস্থাপিত হইবে, যথা §—

“294. **Particulars and Conditions of Licence.**—(1) A licence granted under this Part shall contain Operations Specifications consisting of the following sections :—

Section-1. General provisions :

(i) Name and address of Operator ;

(ii) Number of the license ;

(iii) Date of issue and period of validity ;

(iv) Classes of operations (mentioned in rule 105) authorised ;

(v) The types and the Registration Marks of the aircraft authorised for use ;

Section-2. Enroute authorisations and limitations ;

Section-3. Aerodrome authorisations and limitations ;

Section-4. Aircraft maintenance authorisations ;

Section-5. Aircraft mass (weight) and balance authorisation ;

Section-6. Minimum Equipment List authorisation, if applicable ;

Section-7. Aircraft leasing authorisation, if applicable ; and

any additional Sections as may be considered appropriate by the Chairman.

- (2) A licence for the operation of air transport services, scheduled or non-scheduled, shall be subject to the conditions hereinafter specified and to such other rules as may from time to time be made by the Government.
- (3) any person desires to have a licence to operate air transport services in Bangladesh shall either be a body corporate created by Statute or be registered in accordance with the provisions of the Companies Act, 1994 and shall be subject to the provisions of the Statute or the Companies Act and the rules made thereunder.
- (4) A copy of the Memorandum and Articles of Association of the company, in duplicate, or, as the case may be, the Statute creating the body corporate as mentioned in sub-rule (3) shall be forwarded to the Chairman along with the application for licence.
- (5) The licensee shall conduct its business in accordance with the Statute or, as the case may be, the Companies Act, 1994, and the air navigation orders, and shall supply such information as may be required by the Government and shall comply within the notified period with the instructions which may be issued.
- (6) The licensee shall so conduct its air transport operations as not to involve in the breach of any obligations imposed upon the Government.
- (7) Before the commencement of operation the licensee shall submit to the Chairman for his approval :—
 - (a) copies of the proposed Engineering, Operation and Route Manuals ;
 - (b) detailed schedule of each route to be operated showing points of call;
 - (c) frequency to be operated on each route with the proposed time-table;
 - (d) type of aircraft to be used ;
 - (e) equipment available ;
 - (f) management proposed with details of traffic maintenance and operational organisations.
- (8) The licensee shall submit for previous approval of the Chairman all proposals for fares to be charged for the carriage of passengers and freight on each route to be operated by it and no rules and regulations made by the licensee for the carriage of passengers and freight shall be published without the previous approval of the Chairman.

- (9) No alternation in the route or the frequency or the time and fare-table shall be effected without the approval in writing of the Chairman and any change proposed shall be submitted to the Chairman sufficiently in advance.
- (10) Except by a special permission of the Government, no licence shall be given to a body corporate for the carriage of freight or passengers on a route on which any Bangladeshi operator is already operating under a licence.
- (11) The Chairman or an authorised officer shall have the right of access, in the normal course of discharge of his duties, to the licensee's workshop, stores and offices.”;
- (৪১) rule 295 এর শিরোনাম এর পরিবর্তে নিম্নরূপ শিরোনাম প্রতিস্থাপিত হইবে, যথা :—
“Special Provisions for the Commercial Operators.”;
- (৪২) rule 303 এর পরিবর্তে নিম্নরূপ rule 303 প্রতিস্থাপিত হইবে, যথা :—
“303. Fees.—The Chairman may notify through ANO fees for the application form for Air Transport Operating License (ATOL), issue of ATOL, renewal of ATOL and issue of a duplicate copy of the ATOL.”;
- (৪৩) rule 327 এর sub-rule (4) এর পরিবর্তে নিম্নরূপ sub-rule (4) প্রতিস্থাপিত হইবে, যথা :—
“(4) Refuelling of an aircraft when passengers are embarking, on board or disembarking, shall be carried out according to the procedures approved or issued by the Chairman.”।

রাষ্ট্রপতির আদেশক্রমে

মোঃ শফিকুল ইসলাম
ভারপ্রাপ্ত সচিব।