

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

রবিবার, জুন ১৬, ২০১৩

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
বেসামরিক বিমান পরিবহন ও পর্যটন মন্ত্রণালয়
প্রজ্ঞাপন

তারিখ, ৩০ জ্যৈষ্ঠ ১৪২০ বঙ্গাব্দ/১৩ জুন ২০১৩ খ্রিস্টাব্দ

এস, আর, ও নং ১৮৪-আইন/২০১৩ — Civil Aviation Ordinance, 1960 (XXXII of 1960) এর Section 4, 5, 7 ও 8, Aircraft (Removal of Danger to Safety) Ordinance, 1965 (XII of 1965) এর section 10 এবং Telegraph Act, 1885 (XIII of 1885) এর section 4 এ প্রদত্ত ক্ষমতাবলে সরকার Civil Aviation Rules, 1984 এর নিম্নরূপ অধিকতর সংশোধন করিল, যাহা Civil Aviation Ordinance, 1960 (XXXII of 1960) এর Section 15 এর sub-section (2) এর বিধান মোতাবেক ইতোপূর্বে অত্র মন্ত্রণালয়ের ২২ চৈত্র ১৪১০ বঙ্গাব্দ মোতাবেক ৫ এপ্রিল ২০০৪ তারিখের প্রজ্ঞাপন এস, আর, ও নং-৮৮-আইন/২০০৪ দ্বারা প্রাক-প্রকাশ করা হইয়াছে, যথা:—

উপরি-উক্ত Rules এর—

(ক) rule 259 এর sub-rule (1) এর পরিবর্তে নিম্নরূপ sub-rule (1) প্রতিস্থাপিত হইবে, যথা:—

“(1) An aircraft shall not land at, or take-off from, any places unless that place is a Government aerodrome or airport and has been licensed under this part or is a place authorised by the Government for use as an aerodrome or airport and all international airport's shall have to be certified by the Chairman in accordance with the provision of the Convention.”;

(৪৪০৭)

মূল্য : টাকা ১২.০০

- (খ) rule 260 এর পর নিম্নরূপ নূতন rules 260A, 260B, 260C এবং 260D সন্নিবেশিত হইবে, যথা :—

“260A. Aerodrome Certification—(1) For the purpose of this Rules.—

- (a) “aerodrome certificate” means a certificate issued by the Chairman under this rule for operation of an international aerodrome or airport;
 - (b) “aerodrome manual” means a manual included in an application for aerodrome certificate pursuant to rule 260B and includes any amendments to the manual accepted by the Chairman;
 - (c) “aerodrome operator” means in relation to certificated aerodrome, the aerodrome certificate holder;
 - (d) “certified aerodrome” means an international aerodrome or airport whose operator has been granted an aerodrome certificate;
- (2) The operator of an international aerodrome or airport intended for air transport operations shall be in possession of an aerodrome certificate.
 - (3) An applicant may apply to be Chairman for an aerodrome certificate for authorising the applicant to operate and international aerodrome or airport at the place specified in the application. Such application must be in an approved form and include the aerodrome manual.
 - (4) Chairman may approve an application submitted under sub-rule (3) and grant an aerodrome certificate to the applicant. Before granting an aerodrome certificate, Chairman must be satisfied that—
 - (a) the aerodrome facilities, services and equipment are in accordance with the Standards as specified in rule 267;
 - (b) the aerodrome’s operating procedures make satisfactory provision for the safety of aircraft;

-
- (c) an aerodrome manual, as specified in rule 260B, has been prepared that contains all relevant information for the applicants international aerodrome or airport and submitted as per sub-rule (3) of this rule and an acceptable safety management system is in place at the aerodrome; and
- (d) the applicant will be able to operate and maintain the aerodrome properly.
- (5) The Chairman may refuse to grant an aerodrome certificate giving the applicant a written notice of the refusal, and the reasons for it.
- (6) The Chairman—
- (a) may grant an aerodrome certificate subject to any conditions necessary in the interests of safety;
- (b) shall give written notice to the applicant of the reasons for any conditions applied to the certificate;
- (c) shall set out a condition in an endorsement on the certificate or otherwise notified in writing to the certificate holder.
- (7) An aerodrome certificate shall remain in force for two years or until it is suspended or cancelled, which ever is earlier.
- (8) An aerodrome certificate holder must give the Chairman not less than 60 days written notice of the date on which the certificate is to be surrendered so that suitable promulgation action can be taken.
- (9) The Chairman may suspend or cancel an aerodrome certificate if there are reasonable grounds for believing that,—
- (a) condition to which the certificate was subject has been breached;
- (b) the aerodrome facilities, operations or maintenance are not of the standard required in the interests of the safety of air navigation.
- (10) Before suspending or canceling an aerodrome certificate, the Chairman shall give to the holder a notice that sets out the facts and circumstances that appear to justify the suspension or cancellation and invites the holder to show cause, in writing and within a reasonable period, why the certificate should not be suspended or cancelled.

-
- (11) The Chairman shall take into account any reasons the holder provides within the time allowed prior to making a decision about suspension or cancellation. Notice of suspension or cancellation has effect on the day it is served on the aerodrome certificate holder.
- (12) The Chairman may give its consent to, and issue an instrument of transfer of an aerodrome certificate to a transferee where—
- (a) the current holder of the aerodrome certificate notifies the Chairman in writing at least 60 days before ceasing to operate the aerodrome that the current holder will cease to operate the aerodrome as of the date specified in the notice;
 - (b) the current holder of the aerodrome certificate notifies the Chairman in writing the name of the transferee;
 - (c) the transferee applies in writing to the Chairman within 45 days before the current holder of the aerodrome certificate ceases to operate the aerodrome, for the aerodrome certificate to be transferred to the transferee;
 - (d) the requirement of sub-rule 4 (b) of this rule is complied; and
 - (e) the Chairman does not consent to the transfer of an aerodrome certificate, he shall give the applicant written notice of the refusal, and the reasons for it no later than 14 days after he refuses to transfer the certificate.
- (13) the Chairman may, after satisfied that the requirement of sub-rule 4(b) of this rule and sub-rules (5) & 6(a) of rule 260B are fulfilled amend and aerodrome certificate where—
- (a) there is a change in the operator of the aerodrome;
 - (b) there is a change in the use or operation of the aerodrome;
 - (c) there is a change in the boundaries of the aerodrome; and
 - (d) the holder of the aerodrome certificate requests the amendment.

- 260B. **Aerodrome Manual.**—(1) The operator of a certified aerodrome must have a manual, to be known as the Aerodrome Manual, for the aerodrome.
- (2) The Aerodrome Manual shall—
- (a) be typewritten or printed and signed by the aerodrome operator;
 - (b) be in a format that is easy to revise;
 - (c) have a system for recording the currency of pages and amendments, thereto, and should include a page for logging revisions; and
 - (d) be organized in a manner that will facilitate the preparation and review processes.
- (3) The aerodrome operator must provide the Chairman with a complete and current copy of the aerodrome manual, and must keep at least one complete and current copy of the aerodrome manual at the aerodrome in printed form. Other copies of the manual may be held in electronic form.
- (4) The operator of a certificated aerodrome must include the particulars in an aerodrome manual as specified by Chairman.
- (5) If the Chairman exempts the aerodrome operator from complying with any requirement set out in rule 260D, the aerodrome manual must show the identifying number given to that exemption by the Chairman and the date the exemption came into effect, and any conditions or procedures subject to which the exemption was granted.
- (6) If a particular information is included in the aerodrome manual because it is not applicable to the aerodrome the aerodrome operator must state in the manual—
- (a) that the particular is not applicable; and
 - (b) the reason for non-applicability.
- (7) The operator of a certified aerodrome must alter or amend the aerodrome Manual whenever necessary, in order to maintain the accuracy of the manual.

- (8) To maintain the accuracy of the aerodrome manual, the Chairman may issue written directives to the aerodrome operator to alter or amend the manual in accordance with the direction.
 - (9) An aerodrome operator must notify the Chairman, as soon as practicable of any alterations that the operator wishes to make to the aerodrome manual.
 - (10) The Chairman shall approve the aerodrome manual and any amendments, thereto provided these meet the requirements of the provisions of other rules.
 - (11) The operator of a certified aerodrome shall maintain a record for the holder of each copy of the aerodrome manual, in whole or in part, and shall provide updates of the manual appropriately to all the holders.
- 260C. **Obligations of the Aerodrome Operator.**—(1) The aerodrome operator shall comply with the standards specified in rule 267 and with any conditions endorsed in the certificate pursuant to sub-rule (6) of rule 260A and rule 260D.
- (2) The operator of certified aerodrome shall ensure that the operations and maintenance of the aerodrome are carried out with a reasonable degree of care and diligence.
 - (3) The aerodrome operator shall employ adequate numbers of qualified and skilled personnel for performing all critical activities in the aerodrome operation and maintenance processes.
 - (4) Where the Chairman has prescribed competency certification requirement for personnel referred to in sub-rule (3), the aerodrome operator shall employ only those persons possessing such certificates.
 - (5) The aerodrome operator shall implement a programme to upgrade the competency of the personnel referred to in sub-rule (3).
 - (6) Subject to any directives that the Chairman may issue, the aerodrome operator shall operate and maintain the aerodrome in accordance with the procedures set out in the aerodrome manual.

- (7) To ensure the safety of aircraft, the Chairman may give written directives to an aerodrome operator to alter the procedures set out in the aerodrome manual.
- (8) The aerodrome operator shall establish a safety management system of the aerodrome describing the structure of the organization and the duties, powers and responsibilities of the officials in the organizational structure, with a view to ensuring that operations are carried out in demonstrably controlled way and are improved where necessary.
- (9) The aerodrome operator shall oblige all the users of the aerodrome including organization which perform activities independently at the aerodrome in relation to flight or aircraft handling, to comply with requirements laid down by the aerodrome operator with regard to safety and order at the aerodrome, and shall monitor such compliance.
- (10) The aerodrome operator shall oblige all the users of the aerodrome including all organizations referred to in sub-rule (9) to co-operate in the programme to promote safety, and the safe use of the aerodrome by immediately informing it of the accidents, incidents, defects and faults which have bearing on safety.
- (11) The aerodrome operator shall arrange for an audit of the safety management system including an inspection of the aerodrome facilities and equipment. The audit shall cover the aerodrome operator's own functions. The aerodrome operator shall also arrange an external audit and inspection programme for evaluation of other users including all organizations working at the aerodrome referred to in sub-rule (9).
- (12) The audit referred to in sub-rule (3) shall be carried out every 12 months or less, as specified by the Chairman.
- (13) The aerodrome operator shall ensure that the audit reports including the report on the aerodrome facilities, services and equipment are prepared by suitably qualified safety experts.
- (14) The aerodrome operator shall retain a copy of the reports referred to in sub-rule (13) for a period of at least three years.

- (15) The reports referred to in sub-rule (13) shall be prepared and signed by the persons who carried out the audit and inspection.
- (16) Personnel authorized by the Chairman may inspect and carry out tests on the aerodrome facilities, services and equipment inspect aerodrome operators documents and records and verify the aerodrome operator's safety management system before the aerodrome certificate is granted or renewed and subsequently, at any other time, for the purpose of ensuring safety and order at the aerodrome.
- (17) An aerodrome operator shall, allow access to the personnel, authorized by the Chairman as referred in sub-rule (16), to any part of the aerodrome or, any aerodrome facility, including equipment records, documents and operator's personnel for the purpose referred to in sub-rule (16).
- (18) The aerodrome operator shall co-operate in conducting the activities referred to in sub-rule (16).
- (19) An aerodrome operator shall adhere to the requirements of notifying and reporting within the specified time limits, to the Chairman air traffic control and pilots, as required in these Rules.
- (20) An aerodrome operator shall review the issue of Aeronautical Information Publication (AIP), AIP Supplements, AIP Amendments, Notice to Airmen (NOTAMS) Pre-flight Information Bulletins and Aeronautical Information Circulars issued by the Chairman on receipt, thereof and immediately after such reviews, notify Chairman of any inaccurate information contained, therein, that pertains to the aerodrome.
- (21) An aerodrome operator shall notify the Chairman in writing at least 60 days before any change to an aerodrome facility or equipment or the level of service at the aerodrome that has been planned in advance and that is likely to effect the accuracy of the information contained in any Aeronautical Information Service (AIS) publication referred to in sub-rule (20).

- (22) Subject to the requirements of the sub-rule (23) and aerodrome of operator shall cause to be received at air traffic control and the flight operations units, immediate notice giving details of any of the following circumstances of which the operator has the information of—
- (a) any projections by an object through an obstacle limitation surface relating to the aerodrome; and
 - (b) the existence of any obstruction or hazardous condition affecting aviation safety at or near the aerodrome;
 - (c) reduction in the level of service at the aerodrome set out in AIS publications referred to in sub-rule (20).
 - (d) closure of any part of the movement area of the aerodrome; and
 - (e) any other condition that could affect aviation safety at the aerodrome and against which precautions are warranted.
- (23) When it is not feasible for an aerodrome operator to cause notice of a circumstance referred to in sub-rule (22) to be received at the air traffic control or a flight operations unit in these sub-rules, the operator shall give immediate notice directly to the pilot who may be affected by that circumstance.
- (24) An aerodrome operator shall inspect or arrange for inspection of an aerodrome, as the circumstances require, to ensure aviation safety—
- (a) as soon as practicable, after an aircraft accident or incident within the meaning of these terms defined in Rule 234 and the notification procedure for notifying incidents and accidents specified in Rules 233, 236 & 237;
 - (b) during any period of construction or/repair of the aerodrome facilities or equipment that is critical to the safety of aircraft operations; and
 - (c) at any other time when there are conditions at the aerodrome that could affect aviation safety.

- (25) An aerodrome operator shall remove, or arrange for the removal of other obstructions from the surface of the aerodrome or any vehicle that is likely to be hazardous.
- (26) Where low flying aircraft, at or near an aerodrome, or taxing aircraft are likely to be hazardous to people or vehicular traffic, the aerodrome operator shall—
 - (a) post the warning notices of the hazard on any public way that is adjacent to the manoeuvring area;
 - (b) inform the authority responsible for posting the warning notices on the public way that there is a hazard, if such a public way is not controlled by the aerodrome operator.

260D. **Exemptions**—(1) The Chairman may exempt, in writing, an aerodrome operator from compliance with specified provisions of these Rules.

- (2) Before the Chairman decided to exempt the aerodrome operator; he shall take into account all relevant considerations relating to the interest of safety.
- (3) An exemption is subject to the aerodrome operator complying with the conditions/procedures specified by the Chairman in the aerodrome certificate as being necessary in the interests of safety.
- (4) Where an aerodrome does not meet the requirement of a standard specified in Rule 267, the Chairman may determine, after carrying out aeronautical studies, only if and where permitted by the standards such conditions and procedures relating to the Standards as are necessary to ensure a level of safety equivalent to the established by the Standard.
- (5) The deviation from a Standard specified in Rule 267 and the conditions and procedures referred to in sub-rule (5) of rule 260A shall be set out in an endorsement on the aerodrome certificate or otherwise in writing. If an exemption is provided otherwise in writing it shall be incorporated in the aerodrome manual;

(গ) rule 267 এর পরিবর্তে নিম্নরূপ rule 267 প্রতিস্থাপিত হইবে যথা :—

“267. Aerodrome Standards—Chairman shall specify the Standards that Prescribe the physical characteristics and obstacle limitation surfaces to be provided for all aerodromes, and certain facilities and technical services normally provided at an aerodrome as per the provision of the Convention”;

(ঘ) rule 272 এর পরিবর্তে নিম্নরূপ rule 272 প্রতিস্থাপিত হইবে যথা :—

“272 Fees for grant or renewal of a license—The fees chargeable for the renew of license or aerodrome certificate, mentioned in rule 260 and 260A for an aerodrome shall be specified by the Chairman”.

এই প্রজ্ঞাপন ১৯ বৈশাখ ১৪১০ বঙ্গাব্দ মোতাবেক ০২ মে ২০০৪ খ্রিস্টাব্দ তারিখে কার্যকর হইয়াছে বলিয়া গণ্য হইবে।

রাষ্ট্রপতির আদেশক্রমে

বদরুল হাসান বাবুল

উপ-সচিব (সিএ)।