

SUBSIDIARY LEGISLATION 499.08

**CIVIL AVIATION (EXEMPTION
FROM OPERATOR LICENCE) ORDER**

*Amended by:
VIII. 2010.61.*

24th December, 1987

*LEGAL NOTICES 79 of 1987 and 72 of 1993, consolidated, as amended
by Act VIII of 2010.*

- 1.** The title of this Order is Civil Aviation (Exemption from Operator Licence) Order. Title.
*Amended by:
VIII. 2010.61.*
- 2.** In this Order - Interpretation.
- "the Act" means the Civil Aviation Act; Cap. 232.
- "crew" means every person employed or engaged in an aircraft in flight on the business of the aircraft;
- "dry lease agreement" means an agreement whereby an aircraft is leased without crew by its registered owner to another person;
- "foreign air transport undertaking" means an undertaking whose business includes the carriage by air of passengers or cargo for payment or reward and whose principal place of business is outside Malta;
- "maximum total weight authorised" shall have the same meaning as is assigned to it under article 2 of the Civil Aviation (Air Operators' Certificates) Act; Cap. 218.
- "pilot in command" shall have the same meaning as is assigned to it under article 2 of the Air Navigation Order. S.L.499.09
- 3.** (1) An aircraft whose maximum total weight authorised does not exceed 2700 kilograms shall not be subject to the requirement of an operator licence when used on a flight - Exemption from operator licence.
*Amended by:
VIII. 2010.61.*
- (a) in which persons are carried for the purpose of being given instructions in flying; or
- (b) in which passengers are carried for pleasure or sightseeing purposes around Malta; or
- (c) in which the pilot in command gives a consideration to the owner of the aircraft in order to fly the aircraft.
- (2) The flights carried out by a Maltese registered aircraft dry leased to a foreign air transport undertaking shall be exempt from the requirements of an Operator Licence in terms of article 6(1) of the Act for the duration of the dry lease agreement.
- 4.** The exemption referred to in regulation 3(1) shall in no way be construed to mean that the operator or the owner of the aircraft, or the pilot in command, is exempted from complying with the requirements of the Air Navigation Order, and such other conditions as the Minister may impose. Compliance with Air Navigation Order.
S.L.499.09

