

**SUBSIDIARY LEGISLATION 499.16**

**STATISTICAL RETURNS IN RESPECT OF  
CARRIAGE OF PASSENGERS, FREIGHT AND MAIL  
REGULATIONS**

9th March, 2001

*LEGAL NOTICE 51 of 2001, as amended by Legal Notices 82 of 2004  
and 411 of 2007.*

1. The title of these regulations is the Statistical Returns in respect of Carriage of Passengers, Freight and Mail Regulations. Title.

2. In these regulations, unless the context otherwise requires - Interpretation.

"aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically, but shall not include any area the use of which for affording facilities for the landing and departure of aircraft has been abandoned and has not been resumed;

"carrier" means an air transport undertaking with a valid operating licence. Where carriers have joint venture or other contractual arrangements requiring two or more of them to assume separate responsibility for the offer and sale of air transport products on a flight or combination of flights, the carrier actually having the commercial rights to operate the flight shall be reported;

"commercial air services" means all flights operated for hire or reward and which include scheduled and non-scheduled flights, domestic helicopter flights, air taxi flights and all cargo flights;

"Director" means the Director of Civil Aviation and, to the extent of the authority given, any person authorised in that behalf by the Director;

"flights" means the number of flights performed between each pair of airports on a flight stage;

"flight stage" shall be construed to mean the operation of an aircraft from take-off to its next landing. A technical stop should not result in any flight stage being classified differently than would have been the case had the technical stop not been made. The classification of traffic (passengers, freight, mail) irrespective of its nature, shall be identical to the classification of the flight stage flown by the aircraft;

"freight on board" means any property carried on an aircraft other than stores and baggage and includes express and diplomatic bags but not passenger baggage or mail;

"ICAO" means the International Civil Aviation Organization;

"infant" means a person whose age is between two and twelve years;

"mail on board" means dispatches of correspondence and other objects carried on an aircraft which have been dispatched by and intended for delivery to postal administrations;

"non-scheduled flights" mean those flights provided for hire or reward other than those reported under scheduled flights, and include air taxi flights;

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"operator of an aerodrome" is the person who is licensed under the Air Navigation Order to operate an aerodrome for public use;

"passengers on board" mean all passengers whose air journey begins or terminates at the reporting airport, including connecting passengers. Direct transit passengers are also to be counted. Direct transit passengers are passengers who continue their journey on a flight having the same flight number as the flight on which they arrived;

"passenger seats available" shall be construed to mean the total number of passenger seats available for sale between each pair of airports on a flight stage, excluding seats not actually available for the carriage of passengers because of the weight of fuel or other load. Where information is not available on the exact aircraft configuration, estimated data should be provided;

"scheduled flights" mean those flights performed by aircraft for hire or reward for the transport of passenger, freight and mail, in such a manner that on each flight seats are available for individual purchase by any person, whether directly from the carrier or from its authorised agents, operated between two or more airports, either according to a published timetable or so regular or frequent that they constitute a recognisably systematic series.

Data collection characteristics.

3. (a) A carrier shall forward to the operator of an aerodrome located in Malta and licensed for public use, air transport data in connection with commercial air services carried out at that aerodrome specifying the carriage of passengers, passenger seats available, freight and mail, for every flight stage to and from that aerodrome.
- (b) The air transport data shall be submitted to the operator of the aerodrome in the reporting form shown in the Schedule or in an electronic format as agreed with the operator of the aerodrome.
- (c) The carrier shall submit the air transport data specified in this regulation within twelve hours from arrival at or departure from the aerodrome.

Submission of data.  
Substituted by:  
L.N. 82 of 2004.

4. The aerodrome operator shall submit the air transport data as well as data on civil aircraft movements at the aerodrome in a format and on a periodic basis to the Director as the latter may require.

5. Any person collecting, or in any other manner dealing with, air transport data as aforesaid, shall abide by any requirement which may be imposed by the Director General of the National Statistics Office in terms of the Malta Statistics Authority Act.

Requirements imposed by principal statistician. Cap. 422.

6. Any carrier which fails to submit to the operator of the aerodrome the air transport data within the time limit as provided in these regulations, or furnishes him with incorrect or incomplete air transport data, shall be liable to a fine (*multa*) not exceeding one hundred and sixteen euros and forty-seven cents (116.47), and in the case of a continuing offence to a further fine not exceeding four euros and sixty-six cents (4.66) for each day during which the offence continues.

Penalties.  
*Amended by:*  
*L.N. 411 of 2007.*

Substituted by:  
L.N. 82 of 2004.

SCHEDULE  
(Regulation 3(b))  
FLIGHT DECLARATION

Flight No.       Arrival  Departure  Technical Transit  Date

(Please ✓ one box only)

Flight Classification: Scheduled  Non-Scheduled  All cargo  Other

ATA/ATD:  STA/STD:

Name of Carrier: \_\_\_\_\_ Carrier Code:     Crew on Board

**Aircraft Information**

Type of Aircraft:       Registration:

Passenger seats available:

**Load Information (enplaned/deplaned only)**  
 Note: For a multi-seg. flight through one flight number, passenger weight based from an EMBAR is to be reported for each origin destination

Airport Code	Passengers			Baggage Kgs*	Mail Kgs*	Cargo Kgs*
	Male	Female	Infant			

\* Weight to be given to the nearest kilo

**Transfer Passenger Information (for departing flights only)**

Airport Code	No. of Passengers	Direct Transit Passengers