

# **Regulations Governing Airport Ground Handling Services**

The Regulations, which consist of 16 articles, were enacted and promulgated as per the MOTC Decree of Jiao-

Hang-Fa-Zi No. 7410 on December 15, 1985

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Amended as per the MOTC Decree of Jiao-Hang-Fa-90-Zi No. 00080 on November 27, 2001

Amended and promulgated as per the MOTC Decree of Jiao-Hang-Fa-Zi No. 091B000039 on June 4, 2002

Amended as per the MOTC Letter of Jiao-Hang-Fa-Zi No. 091B000153 on December 17, 2002

Articles 2 and 6 amended as per the MOTC Decree of Jiao-Hang-Zi No. 0970085023 on April 11, 2008

Article 16 amended as per the MOTC Decree of Jiao-Hang-Zi No. 10550066371 on June 2, 2016

## **Article 1**

This Regulation is enacted in accordance with the provisions of Article 75-1 of the Civil Aviation Act.

## **Article 2**

To apply for operating an airport ground handling service, one shall enclose the following documents, in duplicate, to the Civil Aviation Administration (hereinafter referred to as the “CAA”) of the Ministry of Transportation and Communications (hereinafter referred to as the “MOTC”) for establishment permission from MOTC:

1. Application form (see Attachment 1);
2. Prospectus: including the operating plan, operating revenue and expenditure forecast for the next three (3) years, human resource planning, type and quantity of major appliances, on-site facility capacity requirements, and capital raising plan;
3. Letter of intent issued by a Civil Air Transport Enterprise or General Aviation Enterprise for outsourcing its ground handling services or supporting documents issued by the airport for outsourcing the operation of airbridges; and
4. The applicant shall also enclose the following documents depending on its nature:

- (1) Company at the preparatory stage: The roster and identity documents of its promoters (or shareholders) as well as the draft of its articles of incorporation are required.
- (2) Established company: The draft amendment to its articles of incorporation and company registration documents are required.

### **Article 3**

A civil air transport enterprise may, for its own business needs, operate private airport ground handling services after applying to the CAA and obtaining permission from MOTC.

Those applying for operating private airport ground handling services shall enclose the documents specified in Subparagraphs 1, 2, and 4 in the preceding article, in duplicate, to the CAA for establishment permission from MOTC.

### **Article 4**

An airport ground handling service applicant shall, within the approved preparatory period, complete registration with a relevant authority according to law and shall, within 30 days from the registration approval date, enclose the following documents, in duplicate, to the CAA for permission from MOTC. The applicant may start operations only after obtaining an airport ground handling service license (see Attachment 2) issued by the CAA:

1. Company registration certifications;
2. Company charter;
3. Resumes of the directors, supervisors, and managers;
4. Certificates of liability insurance; and
5. List of major appliances and on-site facilities.

Those applying for operating private airport ground handling services shall, within the approved preparatory period, submit the documents specified in Subparagraphs 1 through 5 in the preceding paragraph, in duplicate, to the CAA for permission from MOTC. The applicants may start operating the private airport ground handling services only after obtaining a private ground handling service license (see Attachment 3) issued by the CAA:

Loss of the license set forth in the preceding two paragraphs, a replacement application shall be submitted to the CAA.

#### **Article 5**

The equity capital of an airport ground handling service shall not be lower than NT\$20 million.

#### **Article 6**

In screening an application for setting a ground handling service, adding business items or adding a new business location, CAA shall take into consideration the following factors:

1. The business items applied for must be actually required;
2. The major appliances, their quantity, and human resource planning shall meet actually required;
3. Shall be able to combine harmoniously with the airport facilities; and
4. Shall not affect the safety and operational order at the airport.

If any application submitted by airport ground handling services for setting up or adding business items or business location of ground handling service does not conform to the requirements set forth in the preceding paragraph, the CAA may report MOTC to grant partial permission to the application for ground handling services, business location, or to reject the application.

#### **Article 7**

Airport ground handling service operators shall report with applicable regulations when changing the company name, organization, representatives, directors, supervisors, managers, amount of capital, company location, shareholders who own 5% or more of the capital stocks, or establishment of a branch company, within 15 days upon such change or establishment, submit a report to the CAA for recordation.

Changes in the company name, organization, representatives, amount of capital, and company location referred to in the preceding paragraph, an application shall be submitted to the CAA for renewal of the airport ground handling service license.

## **Article 8**

For the purpose of adding business items or operating airport ground handling service at an airport outside the permitted airport, an airport ground handling service operator shall enclose the documents specified in Subparagraphs 1 through 4 of Article 2, in duplicate, and a photocopy of the original airport ground handling service license shall also be sent to the CAA for permission from MOTC.

The applicant shall proceed in accordance with the provisions of Paragraph 1 of Article 4 after enclosing an application as required in the preceding paragraph and obtaining permission from MOTC, and shall only start operations after enclosing the original airport ground handling service license to the CAA for application for renewal.

For the purpose of removing business items or terminating airport ground handling services at an airport as permitted, an airport ground handling service operator shall submit an application to the CAA for permission from MOTC, and then enclose the original airport ground handling service license to the CAA for renewal.

## **Article 9**

For the purpose of adding business items of ground handling service or operating private airport ground handling services at an airport outside the permitted airport, a private airport ground handling service operator shall enclose the documents specified in Subparagraphs 1, 2, and 4 of Article 2, in duplicate, and a photocopy of the original private airport ground handling service license to the CAA for permission from MOTC.

The applicant shall proceed in accordance with the provisions of Paragraph 2 of Article 4 after submitting an application as required in the preceding paragraph and obtaining permission from MOTC, and shall only start operations after enclosing the original private airport ground handling service license to the CAA for renewal.

For the purpose of removing business items of ground handling services or terminating airport ground handling services at the permitted airport, a

private airport ground handling service operator shall submit an application to the CAA for permission from MOTC, and then enclose the original private airport ground handling service license to the CAA for renewal.

#### **Article 10**

Failure to start operations more than 12 months from the date when the CAA license was issued or it has suspended operations over 6months after starting its operations, an airport ground handling service operator shall surrender its license to the CAA within 30 days for cancellation, unless an extension justified by special circumstances is applied for and approved through due process.

The CAA shall report those failing to comply with the provisions in the preceding paragraph to MOTC for revoking its permission. The CAA shall then cancel their licenses and notify relevant authorities.

Failure to start operations in the preceding paragraph more than 12 months from the date when the CAA license was issued, or it has suspended operations over 6 months after starting its operations, a private airport ground handling service operator shall surrender its license to the CAA within 30 days for cancellation, unless an extension justified by special circumstances is applied for and approved through due process.

The CAA may report those failing to comply with the provisions in the preceding paragraph to MOTC for revoking its permission, the CAA shall then cancel the license.

#### **Article 11**

Before an airport ground handling service operator terminates its operation, advance notice must be served to MOTC through CAA. Within 30 days from termination, it should surrender the issued license for cancellation. If the license has not been surrendered within the 30-day period, CAA will issue a public notice advising that the license has been revoked.

To terminate its ground handling services, a private airport ground handling service operator shall submit a report to MOTC for record through the CAA and shall, within 30 days from termination, it should surrender the issued

license for cancellation. If the license has not been surrendered within the 30-day period, CAA will issue a public notice advising that the license has been revoked.

## **Article 12**

Airport ground handling service operators shall determine the service charges and report the rates to the CAA for approval and recordation by MOTC.

## **Article 13**

Airport ground handling service operators shall, within six months after the end of each year, submit relevant operational and financial reports to the CAA for approval and recordation by MOTC.

## **Article 14**

Airport ground handling service operators shall apply for permission from the airport operator to use on-site facilities at the airport. The various appliances shall be placed in designated area as requested.

## **Article 15**

Airport ground handling service operators shall establish standard operation procedures and emergency response plans for ramp operations, and shall submit these documents to the airport operator for recordation. Airport ground handling service operators shall also perform periodical safety inspections and keep inspection records.

## **Article 16**

Any employee of airport ground handling service operators works at runway, taxiway or ramp area shall observe ground operations safety, and follow the directions and rules prescribed by the airport operator.

Permission from the air traffic control shall be obtained before entering the runway or taxiway.

## **Article 17**

The airport ground handling service operator shall have its appliances under proper maintenance on a regular basis and stay clean, and shall keep the maintenance record. Any change in type and quantity of major appliances shall be listed and reported to the airport operator for recordation.

## **Article 18**

When signing service contract with a civil air transport enterprise, the airport ground handling service operator shall submit a report to the airport operator for recordation.

## **Article 19**

The CAA may conduct inspection to airport ground handling service operators regarding to their personnel and appliances in every aspect and to supervise their operations. Airport ground handling service operators shall not refuse, avoid, or obstruct such inspections. The CAA shall notify airport ground handling service operators of deficiencies found in inspection and set a time limit to correct the deficiencies.

If an airport ground handling service operator fails to make improvements within the time limit or refuses, avoids, or obstructs the inspections, the CAA may take necessary actions such as imposing restrictions on its ground handling services or business locations or abolition of the permission from MOTC.

## **Article 20**

The provisions of Articles 6, 8, 13 through 17, and 19 shall apply to civil air transport enterprises operating private airport ground handling services.

## **Article 21**

The provisions of this Regulation shall apply when foreign civil air transport enterprises under Paragraph 2 of Article 75 of the Civil Aviation Act apply to operate airport ground handling services or carry out private airport ground handling services.

**Article 22**

Airport ground handling service operators applying for an airport ground handling service license or private airport ground handling service operators applying for a private airport ground handling service license shall pay a permit charge of NT\$36,000, or NT\$2,100 for a renewal (or replacement) of license.

**Article 23**

Those having obtained permission to operate airport ground handling services or private airport ground handling services before the promulgation of the amendment to this Regulation shall, within six months from the promulgation and effective date of this Regulation, apply to the CAA for renewal of their airport ground handling service license or private airport ground handling service license.

Those applying for license renewal in accordance with the provisions in the preceding paragraph shall be exempt from paying the permit renewal fee.

**Article 24**

This Regulation shall become effective on the date of promulgation.