

Regulation Governing Catering Service

As promulgated by MOTC decree on February 8, 1999.

Amended by MOTC Order No. 00084 on November 27, 2001.

Amended by MOTC Order No. 091B000044 on June 10, 2002.

Amended by MOTC Order No. 091B000154 on December 17, 2002.

Amended by MOTC Order No. 10550066371 on June 2, 2016.

Article 1

This Regulation is enacted in accordance with the provisions of Article 77-1 of Civil Aviation Act.

Article 2

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

1. Application form (attachment 1).
2. Prospectus: including the operating plan, operating revenue and expenditure forecast for the next three (3) years, number of catering Truck carts and tax-insured wagons, on-site facility capacity requirements, and capital raising plan.
3. Letter of intent by civil air transport commissioning a catering service business:
4. The applicant shall also enclose the following documents depending on its nature:
 - (1) Company at 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.

Civil air transport enterprise applying for running catering service business shall submit the documents specified in Subparagraphs 1, 2, and 4 of the preceding paragraph, in duplicate, to the CAA for establishment permission from MOTC.

Article 3

The catering service applicant shall within a approved preparatory period complete registration with a relevant authority and, 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 the catering service license (see Attachment 2) issued by the CAA:

1. Company registration certifications.
2. Company charter.
3. Resume of directors, supervisors and managers.
4. Certificate of liability insurance carried.
5. List of major appliances as catering Truck carts and tax-insured wagons and on-site facilities.

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

Article 4

The equity capital of a catering service business shall not be lower than NT\$20 million.

Article 5

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

1. The business items applied for must be actually required.
2. There should be adequate quantity of diner carts and tax-insured wagons

to go around.

3. Should be able to combine harmoniously with the airport facility.
4. Should not affect the safety and operational order at an airport.

If any application submitted by catering services for setting up or adding business items or business location of catering 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 catering services, or to reject the application.

Article 6

Catering 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 catering service license.

Article 7

For purpose of adding new business locations, the catering service operator shall enclose documents specified in Subparagraphs 1 through 4 of Article 2, in duplicate, and a photocopy of the original catering service license shall also be sent to the CAA for permission from MOTC.

The applicant shall proceed in accordance with the provisions of Article 3 after enclosing an application as required in the preceding paragraph and obtaining permission from MOTC, and shall only start operations after enclosing the original catering service license to the CAA for application for renewal.

Article 8

Failure to start operations 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, the catering 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.

Article 9

Before a catering 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.

Article 10

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

Article 11

Catering service business 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 12

Catering service operator 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 13

Catering 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. Catering service operators shall also perform periodical safety inspections and keep inspection records.

Article 14

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

Article 15

The catering 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 16

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

Article 17

The CAA may conduct inspection to catering service operators regarding to their personnel and appliances in every aspect and to supervise their operations. Catering service operators shall not refuse, avoid, or obstruct such inspections. The CAA shall notify catering service operators of deficiencies

found in inspection and set a time limit to correct the deficiencies.

If a catering 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 catering services or business locations or abolition of the permission from MOTC.

Article 18

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 catering services.

Article 19

Catering service operators applying for a catering service license shall pay a permit charge of NT\$36,000, or NT\$2,100 for a renewal (or replacement) of license.

Article 20

This Regulation shall become effective on the date of promulgation.