

Regulations Governing Private Aircraft Activities

Full text promulgated by the MOTC Order No. 0970085028 on April 22, 2008.

There are 14 Articles in the Regulations.

Article 1

This regulation is enacted in accordance with Paragraph 4 of Article 7-1 of Civil Aviation Act (hereafter referred to as this Act.)

Article 2

To apply for flight activities of private airplanes or helicopters, applicants shall obtain a letter of agreement from the aircraft home base provider in advance and submit the following documents in duplicate to the Civil Aeronautics Administration (hereafter referred to as CAA) to be transferred to the Ministry of Transportation and Communications (hereafter referred to as MOTC) for approval for preparatory operations.

- 1) Application (Attachment 1)
- 2) Plan of usages of aircraft: including usages, frequency of use, home base location and flight destinations
- 3) Specifications of the aircraft to be used
- 4) Equipment, structure, and training programs for flight and maintenance operations
- 5) Source of pilots and training
- 6) Depending on the status of the applicant, the following documents shall be submitted:
 - A. Individuals: Identification certificate
 - B. Businesses: List of principal shareholders, roster of board directors and supervisors, and business registration certificate
 - C. Other legal persons: Roster of board directors and supervising directors, and legal person registration certificate

Where the application of a civil air transport enterprise for flight activities of private airplanes or helicopters as described in the preceding paragraph is found to involve one of the following scenarios, CAA may recommend MOTC to restrict the scope of operation or to deny the applicant:

- 1) The airport takeoff and landing quota or time slot is insufficient.
- 2) The airport facilities are insufficient.

Article 3

Applicants with approval for preparatory operations for private aircraft activities as described in the previous article shall submit the maintenance plan in duplicate (including maintenance structure, personnel, training programs and maintenance capacity) for CAA approval before bringing in aircrafts.

The aircrafts importing from overseas shall be no more than 10 years of age.

Article 4

An applicant with approval to begin preparatory operations for aircraft activities according to Article 2 shall within the specified preparatory period equip itself with aircrafts, enable itself to engage in safe operation in line with related regulations and pass the review of operational standards conducted by CAA, and submit the following documents in duplicate to CAA for MOTC approval. The applicant shall not begin flight activities before receiving permission from CAA. When terminating the activity, file with CAA for MOTC record.

- 1) Aircraft purchase contract or ownership certificate
- 2) Certificate of liability insurance taken
- 3) Inventory of maintenance and repair equipment, hangar and field facilities, or contract authorizing a qualified business concern to be responsible for the aforementioned
- 4) Lists of equipment, organization and personnel for flight and maintenance operations
- 5) List of pilots

When the maximum takeoff weight of a private aircraft exceeds 5,700kg, an additional aviation security program is required.

When a document prescribed in Paragraph 1 is in a foreign language, the applicant shall attach an abridged Chinese version with the document.

Article 5

The operator of private aircraft activities shall be the sole owner of the aircraft.

Article 6

When changing or increasing aircrafts, the operator of private activities shall submit the documents prescribed in Items 1 to 5 of Paragraph 1 of Article 2 to CAA for MOTC approval to begin preparatory operations. The operator shall then conduct the preparatory operations according to provisions in Article 3 and Article 4.

Before changing aircraft home base, the operator of private aircraft activities shall obtain a letter of agreement from the provider of the facilities and apply to CAA for permission.

Article 7

A private aircraft shall take off from and land in an airport and all aircraft activities shall be applied for according to the following regulations:

- 1) The aircraft owner or agent shall submit the following documents to apply to CAA two working days prior to the expected takeoff time when using a civil airport or 4 workdays before the expected takeoff time when using a civil and military airport:
 - A. Application (Attachment 2)
 - B. Certificate of liability insurance taken
 - C. Passenger list (Attachment 3) – changes of passenger names shall be presented to CAA and the airport before takeoff.
- 2) Inform concerned airports of voluntary cancellation of approved flights in advance.
- 3) Flight permission is valid within 24 hours before and after the expected departure and arrival times indicated in the flight notification (Attachment 4).

The agent referred to in Item 1 of Paragraph 1 shall be restricted to representation for a civil air transport enterprise or a general aviation enterprise running business charters when applying for domestic aviation, or representation for a civil air transport enterprise running international carrier services or a general aviation enterprise operating international business charters when applying for international aviation. An aircraft maintenance service may act as an agent to process applications for aviation for maintenance ferry or test flight purposes.

CAA shall provide the aircraft takeoff and landing quota, time slot and facilities of an airport for public transportation as a priority and shall judge the traffic condition to determine whether to restrict or disapprove a flight application described in Paragraph 1.

Article 8

An individual or business engaged in private aircraft activities shall register with competent authorities and report to CAA for record within 15 days after the registration when one of the following situations occur:

- 1) Change of address
- 2) Change of name of individual
- 3) Change of name of legal person, representative, board director, and supervisor

Article 9

An individual or business engaged in private aircraft activities is required to take liability insurance. The Rules of Compensation for Damage Caused to Passengers and Freight are applicable to the liability insurance amount described in the preceding paragraph.

Article 10

An individual or business engaged in private aircraft activities carrying dangerous goods shall be subject to the Regulations Governing the Safe transport of Dangerous Goods by Air.

Article 11

An individual or business engaged in private aircraft activities shall not undertake any profitable flight operations or lease aircrafts to others under any circumstances.

Article 12

An individual or business engaged in private aircraft activities shall keep passenger lists and cargo manifests for at least 2 years for record.

Article 13

CAA shall dispatch personnel to inspect the staff, equipment, flight operations, and activities of individuals or businesses engaged in private aircraft activities. The inspected shall not under any circumstances evade, impede, or refuse inspection. CAA shall notify the inspected to improve

within a specified time period any defects found during inspection.

Article 14

This Regulation shall become effective on the date of promulgation.

Application for Permission for Preparatory Operations for Private Aircraft Activities

Recipient: Civil Aeronautics Administration,

Ministry of Transportation and Communications

Subject: To apply for preparatory operations for

Issuing Date: _____

Issuing No.:

1. Name of Business/Individual	Chinese:
	English:
2. Address and Telephone Number of Business/Individual	
3. Aircraft Docking (Address)	
4. Models and Number of Aircrafts to Be Used	
5. Submitted Certificates	<ul style="list-style-type: none"> (1) Individual identification certificate (2) List of principal shareholders, roster of board directors and supervisors, and business registration certificate (3) Roster of board directors and supervising directors, and legal person registration certificate (4) Plan of usages of aircraft (5) Specifications of aircrafts to be used (6) Equipment, structure, and training programs for flight and maintenance operations (7) Source of pilots and training (8) Letter of agreement from provider of aircraft-docking facilities
6. Remark	

Applicant: (Signature)

Attachment 2

Ministry of Transportation and Communications
Civil Aeronautics Administration
Application for Private Aircraft Aviation

Recipient: Civil Aeronautics Administration, Ministry of Transportation and Communications		Issuance	Date	
Subject:			Document No.	
Application Referral			Instruction	

The application below has been completed in accordance with the Regulation for Private Aircraft Activities from the Ministry of Transportation and Communications of the Republic of China. The applicant hereby requests for permission for the said aircraft to fly within the regulated air route and vows to abide by all civil aviation laws and related regulations.

Issuing no.:

Applicant: _____ (Signature) _____yy _____mm _____dd

Aircraft	(1)	Nationality mark and registration number	
	(2)	Model	
Owner	(3)	Name	
	(4)	Nationality	
	(5)	Address	
(6)	Pilot name and nationality		
(7)	Flight Type		<input type="checkbox"/> Instrument Flight <input type="checkbox"/> Visual Flight
(8)	Flight Number		
(9)	Flight Route		
(10)	Arrival time and date and airport		
(11)	Departure time and date and airport		
(12)	Number of passengers (entry, exit or transit)		
Cargo	(13)	Cargo type and total weight (to load, unload or transit)	
Agent	(14)	Name (and name of person in charge)	
	(15)	Address	
(16)	Remark		

Private Aircraft Passenger List

Date of Flight Application: Aircraft Model and Flight No.: Takeoff from: Pilot:

Aircraft Owner: Nationality mark and Registration No.: Landing at: Copilot:

No.	Name	Nationality	ID or Passport No.	Date of Birth	Gender
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					

The applicant hereby vows to never undertake any operations of civil air transport enterprise and general aviation enterprise with this aircraft or lease this aircraft for profitable gains, and take the legal responsibility for any violation.

Signature of aircraft owner or agent _____

Remark	Any changes to this name list shall be submitted to CAA and the airport.
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Ministry of Transportation and Communications
Civil Aeronautics Administration
Notification for Civil Aircraft Aviation Permission

Recipient :

Carbon :

Copy

Recipient

Date:

Approval Record Number: Yunfa No. _____

Date of Flight					
Aircraft Model					
Flight No.					
Name of Business or Individual					
Flight Route					
Times of Departure and Arrival					
Agent					
Remark					