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# AIC

# MALAYSIA

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**17 / 2005**  
**21 JUL**

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## AIR OPERATOR CERTIFICATION AND SUPERVISION

### 1. INTRODUCTION

- 1.1 This AIC is issued in the exercise of the power conferred under section 24O of the Civil Aviation Act 1969.
- 1.2 Pursuant to Regulation 24 Civil Aviation Regulations 1996 (CAR 1996) the following are the requirements for Air Operator certification and supervision:
- (a) An operator shall not operate an aircraft for the purpose of public transport otherwise unless, and in accordance with, the terms and conditions of an Air Operator Certificate (AOC).
  - (b) An applicant for an AOC, or variation of an AOC, shall allow the DCA to examine all safety aspects of the proposed operation.
  - (c) An applicant for an AOC must:
    - (1) Hold an Air Service License (ASL) or Air Service Permit (ASP) issued by the Ministry of Transport;
    - (2) Has his principal place of business and, the registered office located in Malaysia;
    - (3) Has registered the aircraft which are to be operated under the AOC in Malaysia; and
    - (4) Satisfy the DCA that he is able to conduct safe operations.

### 2. REQUIREMENTS

#### 2.1 Air Operator Certificate - General

- 2.1.1 Notwithstanding sub-paragraph 1.2 (c) (3) above, an operator may operate, with written consent from the DCA, aircraft registered in foreign country under a lease agreement accepted by the DCA.
- 2.1.2 An operator shall grant the DCA access to his organisation and aircraft and shall ensure that, with respect to maintenance, access is granted to any associated maintenance organisation, to determine continued compliance with CAR 1996 and any associated requirements and procedures.

- 2.1.3 An AOC will be varied, suspended or revoked if the DCA is no longer satisfied that the operator can maintain safe operations.
- 2.1.4 An AOC is not transferable.
- 2.1.5 The operator must satisfy the DCA that;
- (a) Its organisation and management are suitable and properly matched to the scale and scope of the operation; and
  - (b) Procedures for the supervision of operations have been defined.
  - (c) Employs adequate and suitably qualified personnel to conduct safe operations.
- 2.1.6 The operator must have nominated an Accountable Manager acceptable to the DCA who has corporate authority for ensuring that all operations and maintenance activities can be financed and carried out to the standard required by the DCA and any other requirements defined by the operator.
- 2.1.7 The operator must have nominated post holders, acceptable to the DCA, who are responsible for the management and supervision of the following areas:
- (a) Flight operations;
  - (b) The Engineering Maintenance systems;
  - (c) Crew training; and
  - (d) Others (as required)
- 2.1.8 A person may hold more than one of the nominated posts if acceptable to the DCA but for an operator who operates 2 aircraft or less, a minimum of two persons are required to cover the areas of responsibility specified in paragraph 2.1.7 above.
- 2.1.9 The operator must ensure that every flight is conducted in accordance with the provisions of the Operations Manual.
- 2.1.10 The operator must arrange appropriate ground handling facilities to ensure the safe handling of its flights.
- 2.1.11 The operator must ensure that its aircraft are equipped in accordance with CAR 1996 and its crews and other associated personnel are trained and qualified, as required for the area and type of operations.
- 2.1.12 The operator must comply with the maintenance requirements, in accordance with DCA AN 70 (for aircraft whose maximum take-off weight (MTOW) of 5700 kg or more or AN 68 (for aircraft whose MTOW is 5700 kg and less), for all aircraft operated under the terms of its AOC.
- 2.1.13 The operator must provide the DCA with a copy of the Operations Manual, as specified in Regulation 47 CAR 1996.

2.1.14 The operator must maintain operational support facilities at the main operating base, appropriate for the area and type of operation.

2.1.15 The operator shall make available to each member of his operating staff an approved up to date Operations Manual.

## **2.2 Issue, variation and continued validity of an AOC**

2.2.1 An operator will not be granted an AOC, or a variation to an AOC and that AOC will not remain valid unless:

- (a) Operate within the terms and condition specified in the ASL / ASP;
- (b) Aircraft operated have a valid Certificate of Airworthiness,
- (c) The maintenance system has been approved by the DCA in accordance with DCA AN 70 or AN 68; and
- (d) Has satisfied the DCA that he has the ability to:
  - (1) Establish and maintain an adequate organisation;
  - (2) Establish maintenance system and procedures in accordance with AN 70 or AN 68, as appropriate.
  - (3) Comply with maintenance requirements, consistent with the nature and extent of the operations
  - (4) Comply with required training programmes;
  - (5) Comply with term and conditions of the AOC.

2.2.2 If the DCA is not satisfied that the requirements of subparagraph 2.2.1 above have been met, the DCA may require the conduct of one or more demonstration flights, operated as if they were public transport flights.

## **2.3 Administrative requirements**

2.3.1 An operator shall ensure that the following information is included in the initial application for an AOC and, when applicable, any variation or renewal applied for:

- (a) The official name and business name, address and mailing address of the applicant;
- (b) A description of the proposed operations;
- (c) A description of the management organisation;
- (d) The name of the Accountable Manager;
- (e) The names of major post holders, including those responsible for flight operations, the engineering maintenance system, crew training and

others (as required) together with their qualifications and experience;  
and

(f) The Operations Manual.

2.3.2 In respect of the operator's engineering maintenance system only, the following information must be included in the initial application for an AOC and, when applicable, any variation or renewal applied for, and for each aircraft type to be operated;

- (a) The Operator's Maintenance Management Manual;
- (b) The operator's aircraft maintenance programme(s)/ schedules );
- (c) The Aircraft Technical Log;
- (d) Definition of responsibilities and where appropriate, the technical specification(s) of the maintenance contract(s) between the operator and any DCA approved maintenance organisation;
- (e) The type and number of aircraft.

2.3.3 The application for an initial issue of an AOC must be submitted at least 90 days before the date of intended operation except that the Operations Manual may be submitted later but not less than 60 days before the date of intended operations.

2.3.4 The application for the variation of an AOC must be submitted at least 30 days, or as otherwise agreed, before the date of intended operations.

2.3.5 The application for the renewal of an AOC must be submitted at least 30 days, or as otherwise agreed, before the end of the existing period of validity.

2.3.6 Other than in exceptional circumstances, the DCA must be given at least 10 days prior notice of a proposed change of a nominated post holder.

## **2.4 Contents and conditions of the Air Operator Certificate:**

2.4.1 Operation Specifications forms part of an AOC.

2.4.2 The AOC specifies the following:

- (a) Certificate Number
- (b) Name and location (principal place of business) of the operator;
- (c) Date of issue and period of validity;
- (d) Description of the type of operations authorised;

2.4.3 The Operation Specifications specify the following:

**Part A- GENERAL**

- (a) Type(s) of aircraft authorised for use;
- (b) Registration markings of the authorised aircraft;

**Part B- ENROUTE AUTHORIZATIONS AND LIMITATIONS**

- (a) Authorised areas of operation;
- (b) Special limitations; and
- (c) Special authorisations/approvals:
  - (1) CAT II/CAT III (including approved minima).
  - (2) Minimum Navigation Performance Specification (MNPS).
  - (3) Extended Twin-Engine Operations (ETOPS).
  - (4) Area Navigation (RNAV).
  - (5) Reduced Vertical Separation Minimum (RVSM).
  - (6) Required Navigation Performance (RNP).

**Part C – AERODROME AUTHORIZATIONS AND LIMITATIONS**

**Part D – MAINTENANCE**

- (a) Aircraft and Component Inspection, checks and overhaul time limits.
- (b) Reliability Program.
- (c) Concession.
- (d) Part Pooled Authorization.
- (e) Part Borrowing Authorization.
- (f) Ferry Flight Authorization.

**Part E – MASS AND BALANCE**

- (a) Mass and balance Control.
- (b) Aircraft Weighing.

**Part F – INTERCHANGE OF EQUIPMENT OPERATIONS**

## **Part G – AIRCRAFT LEASING OPERATIONS**

### **2.5 Transportation of Dangerous Goods.**

A specific certificate will be issued to operator who qualifies.

### **2.6 The management and organisation of an AOC holder.**

#### **2.6.1 General**

2.6.1.1 An operator must have a sound and effective management structure in order to ensure the safe conduct of air operations. Nominated post holders must have proven competency in civil aviation together with appropriate technical/operational qualifications in aviation.

**2.6.2 “Competency”.** “Competency” means that an individual must have a technical qualification and managerial experience acceptable to the DCA, as appropriate.

#### **2.6.3 Nominated post holders**

- (a) A description of the functions and the responsibilities of the nominated post holders, including their names, must be contained in the Operations Manual and the DCA must be given notice in writing of any intended or actual change in appointments or functions.
- (b) The operator must make arrangements to ensure continuity of supervision in the absence of nominated post holders.
- (c) A person nominated as a post holder by the holder of an AOC must not be nominated as a post holder by the holder of any other AOC, unless acceptable to the DCA.
- (d) Persons nominated as post holders must be employed full time to fulfil the management functions associated with the scale and scope of the operation.

#### **2.6.4 Adequacy and supervision of staff**

2.6.4.1 Crew members.

2.6.4.1.1 The operator must employ sufficient flight and cabin crew for the planned operations, trained and checked in accordance with CAR 1996 and any additional requirements defined by the operator.

2.6.4.2 Ground Staff

2.6.4.2.1 The number of ground staff is dependent upon the nature and the scale of operations. Operations and ground handling departments, in particular, must be staffed by trained personnel who have a thorough understanding of their responsibilities within the organisation.

- 2.6.4.2.2 An operator contracting other organisations to provide certain services retains responsibility for the maintenance of proper standards. In such circumstances, a nominated post holder must be given the task of ensuring that any contractor employed meets the required standards.
- 2.6.4.3 Supervision
- 2.6.4.3.1 The number of supervisors to be appointed is dependent upon the structure of the operator and the number of staff employed.
- 2.6.4.3.2 The duties and responsibilities of these supervisors must be defined, and any commitments arranged so that they can discharge their supervisory responsibilities.
- 2.6.4.3.3 The supervision of crew members and ground staff must be exercised by individuals possessing experience and personal qualities sufficient to ensure the attainment of the standards specified in the Operations Manual and associated manual.

## **2.6.5 Function and Purpose**

2.6.5.1 The safe conduct of air operations is achieved by an operator and DCA working in harmony towards a common aim. The functions of the two bodies are different, well defined, but complementary. In essence, the operator complies with the standards set through putting in place a sound and competent management structure. The DCA working within a framework of law (statutes) sets and monitors the standards expected from operator.

## **2.6.6 Responsibilities of Management**

2.6.6.1 The responsibilities of management of AOC operator should include at least the following five main functions:

- (a) Determination of the operator's flight safety and maintenance policy;
- (b) Allocation of responsibilities and duties and issuing instructions to individuals, sufficient for implementation of company policy and the maintenance of safety standards;
- (c) Monitoring of flight safety and maintenance standards;
- (d) Recording and analysis of any deviations from company standards and ensuring corrective action;
- (e) Evaluating the safety record of the company in order to avoid the development of undesirable trends.

## **2.7 Accommodation facilities**

2.7.1 An operator must ensure that working space available at each operating base is sufficient for personnel pertaining to the safety of flight operations and maintenance operations. Consideration must be given to the needs of ground

staff, those concerned with operational control, the storage and display of essential records, and flight planning by crews.

2.7.2 Office services must be capable, without delay, of distributing operational instructions and other information to all concerned.

## **2.8 Documentation**

2.8.1 The operator must make arrangements for the production of manuals, amendments and other documentation.

## **2.9 Principal place of business**

2.9.1 DCA requires an operator to have his principal place of business located in Malaysia.


2.9.2 The term 'principal place of business' is interpreted as meaning the country in which the administrative headquarters and the operator's financial, operational and maintenance management are based.

## **3. APPENDIX**

3.1 Appendix 1 is a sample of the AOC application form, therein referred to and shall be taken, read and construed as an essential and integral part of this AIC.

**DATO' IR KOK SOO CHON**  
**Director General**  
**Department of Civil Aviation**  
**Malaysia**



|  |  |   |  |  |
|--|--|---|--|--|
|   | <b>JABATAN PENERBANGAN AWAM</b>  | DCA Borang 38<br>AOC App/Ren  |  |  |
| <b>AOC APPLICATION</b>   |  |   |  |  |
| <p style="text-align: center;"><b>Please check appropriate items</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> <b>Initial</b><br/> <input type="checkbox"/> <b>Renewal</b> </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> <b>New: Route / Equipment / Ac Type</b><br/> <input type="checkbox"/> <b>New Operating Base / Station</b> </td> </tr> </table> |  |   | <input type="checkbox"/> <b>Initial</b><br><input type="checkbox"/> <b>Renewal</b> | <input type="checkbox"/> <b>New: Route / Equipment / Ac Type</b><br><input type="checkbox"/> <b>New Operating Base / Station</b> |
| <input type="checkbox"/> <b>Initial</b><br><input type="checkbox"/> <b>Renewal</b>   | <input type="checkbox"/> <b>New: Route / Equipment / Ac Type</b><br><input type="checkbox"/> <b>New Operating Base / Station</b> |   |  |  |
| <b>1. Name and mailing address of company</b>  |  | <b>2. Address of principal base where the operations will be conducted (do not use post office box)</b> |  |  |
| <b>3. Proposed startup date</b>  |  |   |  |  |
| <b>4. Management Personnel with resume and organizational structure</b>  |  |   |  |  |
| <b>Full Name</b>   | <b>Title</b>   | <b>Telephone</b>  |  |  |
| <b>5. Proposed type of operation (check as many as possible)</b>   |  |   |  |  |
| <input type="checkbox"/> <b>Schedule</b><br><input type="checkbox"/> <b>Non-Schedule</b>   | <input type="checkbox"/> <b>Passenger</b><br><input type="checkbox"/> <b>Charter</b>   | <input type="checkbox"/> <b>Cargo</b><br><input type="checkbox"/> <b>Aerial Work</b>                    |  |  |
| <b>6. Proposed type of Maintenance Accomplishment</b>  |  |   |  |  |
| <input type="checkbox"/> <b>Own</b>  |  | <input type="checkbox"/> <b>Sub-Contract</b><br>Name of Maintenance Organisation:                       |  |  |
| <b>7. Aircraft Data</b>  |  | <b>8. Geographical area of intended operations and airports.</b>  |  |  |
| Numbers and types of aircraft (by make, model and series)  | Number of passenger seats or cargo payload capacity  |   |  |  |

**9. Additional information that provides a better understanding of the proposed operation or business including training of personnel and leasing contract. (attach additional sheets, if necessary)**

|                  |             |                       |
|------------------|-------------|-----------------------|
| <b>Signature</b> | <b>Date</b> | <b>Name and Title</b> |
|------------------|-------------|-----------------------|

**To be Completed by DCA Office**

**Date:**

**Remarks:**

|                  |             |                       |
|------------------|-------------|-----------------------|
| <b>Signature</b> | <b>Date</b> | <b>Name and Title</b> |
|------------------|-------------|-----------------------|