

FIJI AERONAUTICAL INFORMATION CIRCULAR



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OPERATION OF FOREIGN REGISTERED AIRCRAFT IN FIJI

1. GENERAL

Any foreign registered aircraft intending to be operated by an Operator/Owner or Individual domiciled in Fiji is subject to the relevant requirements of Fiji's civil aviation legislation. Air Navigation Regulations 3, 4, 5, 6, 53, 54, 55, 56, 57, 58, 59, 60, and 61 refer.

This AIC is not prejudicial to any requirements of any other Authority and does not apply to foreign registered aircraft transiting through Fiji whether private or public transport.

2. OPERATION OF FOREIGN REGISTERED AIRCRAFT FOR PUBLIC TRANSPORT

The leasing by operators of foreign registered aircraft for the purposes of public transport has become a common practice worldwide. In order to provide the Authority and the intended operators with a measure of flexibility, the Authority will not impose a time limit on an agreement but will require the operator to "demonstrate a need" for any extended time frame.

Any time frame for the aircraft to remain on the foreign registration beyond three months would need to be so directed or permitted by the Minister.

The operator should be aware that the following factors may influence the length of time a foreign registered aircraft may be authorized to operate under an Air Operator Certificate issued by Fiji:

- The continued airworthiness of the aircraft;
- The continued safe operation of the aircraft whilst operating under an Air Operator Certificate issue by Fiji; and
- The Authority may not have the resources or expertise to provide the proper oversight.

It is a requirement that foreign registered aircraft operated by Operators/Owners or Individuals domiciled in the Republic of Fiji territory engaged in public transport be

subject to an agreement between the Civil Aviation Authority of Fiji (CAAF) and the regulatory authority of the State of Registry of the aircraft.

This agreement, known as a Regulatory Oversight Agreement, sets out the responsibility for regulatory oversight of the aircraft and the operating organization.

Agreements conforming to the requirements of Article 83 bis of the Convention on International Civil Aviation are acceptable as a Regulatory Oversight Agreement.

3. REGULATORY OVERSIGHT AGREEMENT

During this period owners/operators should have submitted to the Authority all the airworthiness, maintenance and flight operations documentation necessary to move the aircraft onto the Fiji register.

The agreement may be varied at the discretion of the Chief Executive of the Authority. The agreement may be suspended or cancelled if the conditions of the agreement are breached.

4. RESPONSIBILITIES

The Authority will require that the responsibility for continuing airworthiness and the regulatory oversight of maintenance remains with the State of Registry. However, the Authority will be responsible for the regulatory oversight of the organisation's operations whilst the aircraft is operating under an Air Operator Certificate issued by Fiji.

It is the responsibility of the operator to ensure that any licence validations or certificates of approval and differences in the technical operations and cabin crew requirements that exists in respect of the aircraft by the State of Registry are obtained before the aircraft operates under an Air Operator Certificate issued by Fiji.

5. OPERATING CONDITIONS

Items that will be considered in determining whether the Authority can remain confident that the aircraft will continue to be operated safely in Fiji territory are:

- The results of aircraft operations' surveillance, safety incidents and risk observation reports by the Authority;
- Continuing airworthiness and maintenance oversight by the regulatory authority of the State of Registry;
- Regular communications between the Authority and the regulatory authority of the State of Registry
- Full disclosure of the oversight activities by the regulatory authority of the relevant State of Registry.
- The requirement for the flight crew to have valid licenses issued by or acceptable to the State of Registry

- Requirement for the flight crew if they do not hold a Fiji Commercial or Higher License is to have sat and passed the Fiji Air Law examination if the intention is to carry out commercial activity while operating within Fiji.
- Requirement that Authority Inspectors be allowed to carry out random inspections of the aircraft and its documents at reasonable times.

6. FEES

Any organisation or person who requests that a Regulatory Oversight Agreement be put in place by the Authority will be charged the appropriate fee.

7. PRIVATE VFR FLIGHTS BY FOREIGN REGISTERED AIRCRAFT WITHIN FIJI

From time to time overseas individuals may wish to operate foreign registered light aircraft within Fiji for VFR private purposes, for example sightseeing etc.

On arrival in Fiji the pilot(s) will need to undergo a briefing from the Air Safety Department CAAF before undertaking any private VFR flights. At the briefing the pilot(s) will be required to produce the following original documentation;

- A permit issued by the Fiji Ministry of Public Enterprises, Communications, Civil Aviation and Tourism authorizing private VFR flights within Fiji.
- Valid pilot licence(s)
- Up to date pilot's logbook(s)
- Aircraft Certificate of Registration
- Aircraft Certificate of Airworthiness
- Aircraft Radio Station licence (if required by the state of register)
- An itinerary of the places that the pilot(s) intend visiting and expected departure date from Fiji.
- Confirmation that the pilot(s) and passengers have been issued permits by Airports Fiji Ltd to access the airside apron(s).

The briefing by the Air Safety Department will include the following;

- Seasonal weather conditions that the pilot(s) would experience during the visit.
- The content of the Fiji AIP with regard to maps, radio frequencies, airspace restrictions, airports, twilight tables etc.

- Local refuelling facilities and locations.
- Confirmation that the pilot(s) have a sound knowledge on the performance capabilities of their aircraft with regard to takeoff and landing distances.
- Confirmation that the pilot(s) have flight planning maps that include the destinations the aircraft will be operating to.
- The identification of privately owned airports within Fiji and the importance of obtaining the owners prior permission before landing at the airport(s).
- After hours contact details (business cards) of CAAF Flight Operations Inspectors.

The Air Safety Department will need to be satisfied that the pilot(s) have met with ATC personnel of Airports Fiji Ltd and received a comprehensive briefing from them on the local ATC procedures and flight planning requirements.

An inspection of the aircraft will also be carried out by the Air Safety Department to ensure that it has the appropriate safety equipment on board for example, fire extinguishers, lifejackets and if necessary, a life raft capable of accommodating all the aircraft occupants.

The aircraft document inspection would also be conducted at this time.

Additional Notes

1. The operational and airworthiness oversight remains with the State of Registry and any flight crew member shall meet the licensing requirements of the State of Registry.
2. If the aircraft is not fitted with the equipment required for an equivalent Fiji registered type of aircraft, then its operation domestically shall be subject to the approval of the Authority, the relevant service provider (such as the air traffic service provider) or both. Information as to what is or may be required can be obtained from relevant Authority staff for the particular circumstances.