

# Declaration Exercising The Privileges Of An Aviation Document

PL 113A

I _____ <i>(full name as per aviation document)</i> , of _____ <i>(residential address)</i> , do solemnly and sincerely declare that:			
<b>1.</b> I am the holder of aviation document number _____ which expired on _____ (day) _____ (month), _____ (year).			
<b>2.</b> I <b>did</b> , <b>did not</b> exercise the privileges of my aviation document number beyond the expiry date and I confirm this after verifying against my personal flying log book.			
<b>3.</b> My personal flying log book has been maintained in a current state and in the manner as required under regulations 122 and 124 of the Air Navigation Regulations 1981 (ANR).			
<b>4.</b> I fully understand that exercising the privileges of any aviation document beyond the expiry date is a breach of the ANR or standard documents issued by CAAF and that I will be subject to penalties under the ANR if I am in breach.			
<b>5.</b> I have read this declaration and fully understand its content.			
<b>APPLICANT'S SIGNATURE</b>		<b>DATE</b>	
<i>*Refer to the Notes on page 2 for applicable ANR provisions.</i>			
<b><u>FOR OFFICIAL USE ONLY</u></b> <i>(To be completed by CAAF)</i>			
<b>Applicable Aviation Document</b>			
<b>Aviation Document Number</b>			
<b>SIGNATURE</b>		<b>DATE</b>	



## NOTES

### Air Navigation Regulations 1981

#### Maintenance of documents and records

**122** Every owner, operator, hirer or member of the flight crew of an aircraft shall maintain in a current state, any certificate, licence, log book or document issued to him or her or required to be kept, maintained, preserved or produced by him or her under these Regulations.

#### Personal flying log book

**124** (1) Every member of the flight crew of an aircraft registered in Fiji and every person who engages in flying for the purpose of qualifying for the grant or renewal of a licence under these Regulations shall keep a personal flying log book showing his or her name, address and particulars of his or her licence, if any, to act as a member of the flight crew of an aircraft and shall record therein the following—

- (a) the name and address of his or her employer, if any;
- (b) particulars of all flights, made as a member of the flight crew of an aircraft, or while flying for the purpose of qualifying for the grant or renewal of a licence under these Regulations, as the case may be, including—
  - (i) the date, duration and places of arrival and departure of each flight;
  - (ii) the type and registration marks of the aircraft;
  - (iii) the capacity in which the holder acted in flight;
  - (iv) particulars of any special conditions under which the flight was conducted, including night flying and instrument flying;
  - (v) particulars of any test or examination undertaken whilst in flight.

(2) Every holder of an air traffic controller's licence and every person engaged for the purpose of qualifying for the grant or renewal of an air traffic controller's licence under these Regulations shall keep a personal air traffic service logbook showing the holder's name, address and any particulars of the licence, to act as air traffic service personnel and shall record therein the following—

- (a) the name and address of his or her employer;
- (b) particulars of all hours working as an air traffic controller or while qualifying for the grant or renewal of an air traffic controller's licence under these Regulations, as the case may be, including—
  - (i) the date, duration and venues of each shift;
  - (ii) the capacity in which the holder acted; and
  - (iii) particulars of any test or examination undertaken during the shift.

(3) The holder of an aeronautical facility technician's licence and any person engaged for the purpose of qualifying for the grant or renewal of an aeronautical facility technician's licence under these Regulations shall keep an aeronautical facility service logbook showing the holder's name, address and any particulars of the licence, to act as an aeronautical facility technician and shall record therein the item specified in sub paragraphs 2(a), (b)(i), (ii), and (iii).

(4) Every person engaged for the purpose of qualifying for the grant of an aircraft maintenance engineer's licence under these Regulations shall keep a personal aircraft maintenance logbook showing the holder's name, address and particulars of the licence, if any, and shall record the following in the logbook—

- (a) the name and address of his or her employer; and
- (b) particulars of all work carried out while qualifying for the grant of aircraft maintenance engineer's licence under these Regulations.

#### Revocation, suspension or cancellation of aviation documents

**151** (1) If any person—

- (a) is convicted of a contravention under these Regulations; or
- (b) fails to comply with any provision of these Regulations; or
- (c) fails to comply with the conditions of any aviation document;

the Authority may revoke, suspend, endorse, cancel or vary such aviation document relating to such contravention.

(2) The Authority may only revoke, suspend, endorse, cancel or vary such aviation document if—

- (a) reasonable doubt exists as to the safety of the operation in question; and
- (b) the aviation document holder has been given a reasonable opportunity to be heard after investigations.

(3) Notwithstanding sub regulation (2), the suspension of any aviation document before investigations may only be utilised if suspension is necessary in the public interest.

(4) Immediately after the suspension before investigation, the Authority shall conduct an enquiry into the matter and by the quickest possible time inform the aviation document holder of the results of such investigation.

(5) The Authority shall inform the aviation holder in writing of the reasons for such revocation, suspension, endorsement, cancellation or variation.

(6) The suspension, revocation or cancellation of the aviation document may not be lifted until the contravention has been rectified.

(7) Once the suspension, revocation or cancellation has been lifted, the Authority may endorse remarks or vary the particulars of the aviation document.

(8) Any person who continues to operate despite the revocation, suspension or cancellation of their aviation document commits an offence and is liable upon conviction to the penalty set out in regulation 157.

#### Enforcement of directions and conditions

**156** Any person who fails to comply—

- (i) with any order made by the Minister; or
- (ii) with any direction given by the Authority or Airports Fiji; or
- (iii) with any condition of a licence, certificate or rating issued or rendered valid; or
- (iv) with any condition of an approval, permission or exemption given or granted,

under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision of these Regulations.

#### Contraventions and penalties

**157** (1) If any provision of these Regulations is contravened in relation to an aircraft, the owner, hirer, and operator of that aircraft and the pilot in command thereof, shall (without prejudice to the liability of any other person under these Regulations for that contravention) be deemed, for the purposes of the following provisions of this regulation, to have contravened that provision.

(2) It shall be a defence to any proceedings for a contravention of or failure to comply with any provision of these Regulations if the contravention or failure is proved to have been due to accident, stress of weather or other unavoidable cause; and, in the case of proceedings against the owner, hirer, operator or pilot in command of an aircraft, that the contravention occurred without his or her consent or connivance and that he or she exercised all due diligence to prevent the contravention.

(3) Any person who contravenes the provisions of any regulation specified hereunder shall be liable to a fine not exceeding \$1,000 or imprisonment for a term not exceeding 6 months or to both such fine and imprisonment.

Regulation 12 Regulation 43(6) Regulation 13(7) Regulation 44(1) Regulation 15(1) Regulation 49 Regulation 16(1) Regulation 50 Regulation 16(2) Regulation 51(1) Regulation 17(2) Regulation 52 Regulation 17(3) Regulation 68 Regulation 17(5) Regulation 70(1) Regulation 18(1) Regulation 70(2) Regulation 18(2) Regulation 70(3) Regulation 20 Regulation 71 Regulation 22(1) Regulation 72 Regulation 28 Regulation 74 Regulation 29(1) Regulation 75 Regulation 30 Regulation 78 Regulation 31 Regulation 79 Regulation 34(1) Regulation 80(1) Regulation 35 Regulation 84 Regulation 36 Regulation 86(3) Regulation 37 Regulation 86(5) Regulation 38 Regulation 114(2) Regulation 41(1) Regulation 125(1) Regulation 41(3) Regulation 126 Regulation 41(4) Regulation 128 Regulation 41(6) Regulation 42(1) Regulation 138 Regulation 43(2) Regulation 139 Regulation 43(5) Regulation 148

(4) A person who contravenes any provision of these Regulations, not being a provision specified in subregulation (3) commits an offence and is liable on conviction to a fine of \$2,000 and to imprisonment for 12 months