

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS No. 10 OF 1994

REGULATIONS

MADE by the Minister under section 3(2)(u) of the Civil Aviation Act, 1991.

(Gazetted 24th March , 1994.)

1. These Regulations may be cited as the – Short title.

**CIVIL AVIATION (LANDING CHARGES)
REGULATIONS 1994.**

2. In these Regulations – Interpretation.

"aircraft weight" means the maximum permissible weight authorised by the aircraft's certificate of airworthiness; and

"an airport" means Canefield or Melville Hall Airport.

3. The landing fees payable in respect of any aircraft landing at an airport shall be as follows: Landing fees.

(a) for each landing where the aircraft weight is –

(i) up to and including 6,000 pounds..... \$20

(ii) over 6,000 pounds..... \$4 per 1,000 pounds
(to the nearest pound)

(b) where the aircraft is owned or leased and under the control of –

(i) a locally based club which proves to the satisfaction of the Airport Manager that it is a "bona fide" flying club and the aircraft weight –

(a) does not exceed
6,000 pounds\$900; or

- (b) exceeds 6,000 pounds.....\$1,200 per aircraft annually;
- (ii) a schedule or non-schedule operator who is locally based and the aircraft weight –
- (a) does not exceed 30,000 pounds..... \$9,000; or
- (b) exceeds 30,000.....\$13,500 per aircraft annually, and
- (iii) any Corporation established for the purpose of the spraying of bananas..... \$2,500 per aircraft annually.

Parking charge.

4. In addition to the landing fee whenever an aircraft is parked at an aerodrome for a longer period than six hours, there shall be paid in respect of the use of runways and the apron a charge calculated as follows:

AIRCRAFT WEIGHT	PER 24 HOURS (or part thereof)
10,000 pounds or less	\$5
10,001 – 20,000 pounds	\$10
20,001 – 40,000 pounds	\$15
40,001 – 60,000 pounds	\$20
60,001 – 80,000 pounds	\$30
80,001 – 100,000 pounds	\$40
over 100,000 pounds	\$60

Commuted fee.

5. Notwithstanding sections 3 and 4 the Minister may fix a commuted fee in respect of the landing fee and parking charge of any aircraft owned or operated by any person at an aerodrome.

Air navigation facility charge.

6. (1) In addition to landing fees and the parking charge, whenever an aircraft lands at an airport, there shall be paid in respect of the use of communication and navigation aids a charge calculated as follows:

AIRCRAFT WEIGHT	CHARGE FOR LANDING
12,500 pounds or less	\$15
12,501 – 75,000 pounds	\$30
over 75,000 pounds	\$90

(2) Notwithstanding subsection (1) flights originating at any airport within the State shall pay twenty per centum of the prescribed charges.

7. (1) The owner, pilot or agent of an aircraft shall pay the fees Payment of fees. and charges due under these Regulations.

(2) Fees and charges shall be paid in the case of –

(a) scheduled or non-scheduled carriers with an agent in the State, on or before the fifteenth day of the succeeding month;

(b) itinerant aircraft at the time of entry into the aerodrome; and

(c) the payment of annual fees –

(i) on the first day of January annually, or

(ii) on a half-yearly basis, in advance.

(3) Fees and charges shall be paid to the Airport Manager.

8. The Minister may exempt any person from the payment Power of exemption. either partially or wholly of any fee or charge due under these Regulations in any case in which –

(a) it is expedient to do so; or

(b) the payment would cause undue hardship.

9. (1) The Airport Manager may by notice in writing demand Surcharge on unpaid fees. the payment within thirty days of any fee or charge due under the Regulations.

(2) Any person who fails to comply with subsection (1) shall pay a further amount equivalent to ten per cent of the fee or charge demanded in the notice.

Exemption.

10. (1) The payment of fees and charges shall not apply in respect of –

- (a) State and military aircraft;
- (b) aircraft returning due to weather, mechanical or instrument defect;
- (c) emergency landings; or
- (d) familiarisation or test flights.

(2) For the purpose of subsection (1) –

- "familiarisation or test flights" means flights that are solely for the purpose of familiarisation, testing aircraft engines, instruments or any other function which requires a flight for testing purposes and where prior approval of the Airport Manager has been granted.

Repeal of S.R.O. No.
6 of 1981.

11. The Air Navigation (Landing Charges) Regulations, 1981 is repealed.

Made this 1st day of March , 1994.

ALLEYNE J. CARBON
*Minister for Communications,
Works and Housing*

DOMINICA

Printed by the Government Printer at the Government Printery, Roseau

(Price 80 cents)