
AIC

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VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE

1 INTRODUCTION

- 1.1 In exercise of the powers conferred by section 24O of the Civil Aviation Act 1969 [Act 3], the Chief Executive Officer makes this Aeronautical Information Circular ('AIC').

2 INTERPRETATION

- 2.1 In this AIC, unless the context otherwise requires—

“CAAM” means Civil Aviation Authority of Malaysia;

“Certificate of Validation” means a Certificate of Validation issued by the CAAM under regulation 114 of the Civil Aviation Regulations 2016;

“CAGM” means Civil Aviation Guidance Material;

“FAOC” means a foreign air operator certificate granted under the law of any State; and

“Operations specifications” means the authorisations, conditions and limitations associated with the FAOC and subject to the conditions in the operations manual.

3 APPLICATION

- 3.1 The following persons shall be subject to this AIC—

a) an applicant for a Certificate of Validation who is a holder of a FAOC; and

b) a holder of a Certificate of Validation.

- 3.2 A holder of FAOC shall submit an application for a Certificate of Validation for Commercial Air Transport (CAT) or hire and reward operations into and out of Malaysia.

4 APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF VALIDATION

- 4.1 A holder of FAOC shall—

a) ninety days (90) prior to the intended starting date of operation, submit an application form contained in CAAM/BOP/FAOC/1 (Malaysian Foreign Air Operator Application Form) and CAAM/BOP/FAOC/2 (Foreign Air Operator Certificate Compliance Matrix) which can be obtained from caam.gov.my/e-services-forms/air-operations/ and accompanied by the prescribed fees as specified in the Civil Aviation (Fees and Charges) Regulations 2016; and

b) submit the following documents to the CAAM—

- i. Malaysian Foreign Air Operator Application Form;
- ii. Malaysian Foreign Air Operator Application Form Part D – Aircraft and Airport (for each aircraft type);
- iii. Air Operator Certificate and Operations Specification, or the equivalent documents issued by the Civil Aviation Authority including the aircraft type, areas/region of operations and operational authorisations;
- iv. A copy of the proposed schedule;
- v. Certificate of Business Registration and/or Certificate of Incorporation, or the equivalent document if conducting the initial operation into Malaysia;
- vi. Letter of authorisation (if an agent is appointed to handle the application);
- vii. Details of any accidents/serious incidents, and the activities resulting from any investigations;
- viii. A copy of noise certificate (or equivalent evidence of compliance with Annex 16) for at least one of each aircraft types;
- ix. A copy of Certificate of Registration and Certificate of Airworthiness of at least one of each aircraft types;
- x. A copy of the Continuing Airworthiness Management Organisation (CAMO) certificate and its Term of Approval
- xi. A copy of Approved Maintenance Organisation (AMO) certificates and its Term of Approval;
- xii. Certificates of Insurance for Carriers' Liability Insurance (Declaration);
- xiii. A copy of the lease agreement for aircraft operated under a wet/damp lease arrangement;
- xiv. FAOC Compliance Matrix (for initial application) and all required documents/manual/reference listed in the matrix (form CAAM/BOP/FAOC/2); and
- xv. List of aircraft type(s) and registration(s).

5 APPLICATION FOR THE RENEWAL OF A CERTIFICATE OF VALIDATION

5.1 A holder of a Certificate of Validation shall—

- a) thirty days (30) prior to the expiry date of a Certificate of Validation, submit an application form contained in CAAM/BOP/FAOC/1 (Malaysian Foreign Air Operator Application Form) which can be obtained from caam.gov.my/e-services-forms/air-operations/; and
- b) accompanied by the prescribed fees as specified in the Civil Aviation (Fees and Charges) Regulations 2016.

6 APPLICATION FOR THE VARIATION OF A CERTIFICATE OF VALIDATION

6.1 A holder of a Certificate of Validation shall submit—

- a) an application form contained in CAAM/BOP/FAOC/1 (Malaysian Foreign Air Operator Application Form) which can be obtained from caam.gov.my/e-services-forms/air-operations/ and accompanied by the prescribed fees as specified in the Civil Aviation (Fees and Charges) Regulations 2016; and
- b) an approval from the relevant civil aviation authority pertaining to the proposed variation.

6.2 In the event the FAOC was amended, the holder of a Certificate of Validation shall thirty days (30) from the date of the amended FAOC, submit an application for the variation of its Certificate of Validation to the CAAM under paragraph 6.1.

7 ISSUANCE OF A CERTIFICATE OF VALIDATION

7.1 CAAM may issue a Certificate of Validation, renewal or validation, if the CAAM is satisfied that the applicant has fulfilled all required requirements under this AIC and met all of the safety and regulatory requirements.

7.2 The Certificate of Validation shall be valid for a period of one year from the date of issuance of FAOC and ceases to have effect upon expiry, suspension, revocation, cancellation, or equivalent action with respect to the foreign air operator's AOC and FAOC.

7.3 A holder of FAOC who has been granted a Certificate of Validation or a holder FAOC whose Certificate of Validation has been renewed or varied shall be subject to such terms and conditions as may be imposed by the CAAM which are not stated in FAOC and its associated operations specifications.

8 SAFETY REGULATORY OVERSIGHT

8.1 CAAM may conduct safety regulatory oversight to determine compliance with this AIC under section 24Q of Civil Aviation Act 1969 which include regular ramp checks and documentation reviews.

8.2 In case any significant negative finding/major deficiency is detected during this process, the CAAM may take appropriate measures, to ensure significant negative findings/major deficiencies are rectified.

9 OBLIGATIONS OF A HOLDER OF FAOC

9.1 This Civil Aviation Guidance Material 6005 – Foreign Air Operator Certificate (CAGM 6005 – FAOC) is issued by the Civil Aviation Authority of Malaysia (CAAM) to provide guidance for on the application of a Foreign Air Operator Certificate. CAGM 6005 can be obtained from caam.gov.my/wp-content/uploads/2021/04/CAGM-6005-FAOC.pdf

9.2 A holder of Certificate of Validation shall –

- a) comply with the required requirements as specified under the Civil Aviation Act 1969, its subsidiary legislations and this AIC;
- b) comply with the Certificate of Validation issued by the CAAM and terms and conditions attached to the Certificate of Validation;
- c) comply with the applicable standards contained in the Chicago Convention and its Annexes, to the extent that they do not conflict with the provisions of Civil Aviation Act 1969, its subsidiary legislations and this Directive;
- d) if intends to enter into any lease arrangement, notify the CAAM of such lease arrangement not more than 72 hours prior to the lease arrangement;
- e) ensure all its operated aircraft have a Certificate of Airworthiness and certificate of Registration as required under the Civil Aviation Regulations 2016; and
- f) within a reasonable time after being requested by the CAAM, cause to be produced any documents of information for purposes of this AIC.

10. This Aeronautical Information Circular (AIC) supersedes AIC 03/2019 dated 11 July 2019.

**CAPTAIN CHESTER VOO CHEE SOON
CHIEF EXECUTIVE OFFICER
CIVIL AVIATION AUTHORITY
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