

JADUAL
[Subperaturan 3(1)]
CAJ PERKHIDMATAN PENGAWALSELIAAN

<i>Bil.</i>	<i>Destinasi</i>	<i>Caj (RM)</i>
1.	Domestik	1
2.	Antarabangsa	1

Dibuat 22 Mac 2018
[MOT.BU(S).600-2/17/1 JLD. (17); PN(PU2)735/II]

JENERAL TAN SRI DATO' SRI ABDULLAH BIN AHMAD (B)
Pengerusi Eksekutif
Suruhanjaya Penerbangan Malaysia

MALAYSIAN AVIATION COMMISSION ACT 2015
MALAYSIAN AVIATION COMMISSION (REGULATORY SERVICES CHARGES)
REGULATIONS 2018

IN exercise of the powers conferred by paragraphs 18(2)(fa) and 98(2)(k) of the Malaysian Aviation Commission Act 2015 [*Act 771*], the Commission makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Malaysian Aviation Commission (Regulatory Services Charges) Regulations 2018**.
- (2) These Regulations come into operation on 1 May 2018.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“rural air service” means a non-economic air service carried out in a region within Malaysia that is remote or sparsely populated or is faced with significant accessibility issues arising from its geographical peripherality or lack of adequate surface transport alternatives;

“airline” means—

- (a) a holder of an air service licence or an air service permit issued by the Commission;

(b) a holder of a licence or permit issued under the Civil Aviation Act 1969 [*Act 3*] or the Civil Aviation Regulations 2016 [*P.U. (A) 97/2016*]; or

(c) a person who is permitted to operate a scheduled journey or non-scheduled journey to or from a place in Malaysia under the terms of any agreement or arrangement entered into by the Government;

“contracting airline” means an airline and any of its agents, which concludes a contract of carriage with a passenger;

“ticket” means a document or any thing equivalent in paperless form, including electronic form, issued or authorized by a contracting airline which gives entitlement to transport to the ticket holder.

Regulatory services charges

3. (1) Subject to regulation 4, regulatory services charges as prescribed in the Schedule shall be imposed by the Commission for regulatory services rendered by the Commission on each passenger departing on an aircraft from any aerodrome within Malaysia.

(2) The regulatory services charges referred to in subregulation (1) shall be payable by a passenger and collected by a contracting airline—

(a) upon purchase of a ticket by the passenger from the contracting airline;
or

(b) upon conclusion of any agreement between the passenger and the contracting airline for an air transport service.

(3) The contracting airline shall remit the regulatory services charges collected pursuant to subregulation (2) to the Commission in such manner as may be determined by the Commission.

(4) Any contracting airline which contravenes subregulation (3) commits an offence and shall, on conviction, be liable to a fine not exceeding five hundred thousand ringgit.

Exemption

4. The following persons shall be exempted from paying the regulatory services charges under these Regulations:

(a) a passenger in direct transit, that is, a passenger who is proceeding on the same flight or who is not cleared to leave the airport area authorized for use of passengers in transit, or who has been involuntarily delayed to be transferred to the next available service to his next point of disembarkation, due to weather or aircraft unserviceability;

(b) a crew of an aircraft;

- (c) an infant below the age of two years;
- (d) Heads of State, Minister and other dignitaries visiting Malaysia in their official capacity as the guests of the Government; and
- (e) a passenger who departs with an airline that is providing a rural air service pursuant to an agreement with the Government.

Refund

5. (1) A contracting airline shall refund the regulatory services charges collected pursuant to subregulation 3(2) to a passenger upon a claim made by the passenger, if the passenger does not depart from any aerodrome within Malaysia.

(2) For the purposes of making a claim for the refund of the regulatory services charges from the contracting airlines under subregulation (1), the passenger shall produce the ticket in respect of the claim purchased from the contracting airline.

(3) Any regulatory services charges which remain unclaimed by the passenger from the contracting airline for a period of not less than one year after the regulatory services charges has become payable shall be treated as unclaimed moneys under the Unclaimed Moneys Act 1965 [*Act 370*].

SCHEDULE

[Subregulation 3(1)]

REGULATORY SERVICES CHARGES

<i>No.</i>	<i>Destination</i>	<i>Charges (RM)</i>
1.	Domestic	1
2.	International	1

Made 22 March 2018
[MOT.BU(S).600-2/17/1 JLD. (17); PN(PU2)735/II]

GENERAL TAN SRI DATO' SRI ABDULLAH BIN AHMAD (R)
Executive Chairman
Malaysian Aviation Commission

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).



DICETAK OLEH
PERCETAKAN NASIONAL MALAYSIA BERHAD,
KUALA LUMPUR
BAGI PIHAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA
WJW010771 23-03-2018