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Nauru

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G.N.No. 417 / 2011

## Civil Aviation (Fees) Regulations 2011

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SL No. 4 of 2011

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*Notified on 30 June 2011*

Cabinet makes the following regulations under section 171 of the *Civil Aviation Act 2011*:

**1 Citation**

These regulations may be cited as the *Civil Aviation (Fees) Regulations 2011*.

**2 Commencement**

These Regulations commence on the day they are notified in the Gazette.

**3 Definitions**

In these Regulations:

**'aircraft mass'**, see regulation 0;

**'hour'** includes a part hour;

**'working hours'** means 9am to 5pm on a day that is not Saturday, Sunday or public holiday.

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**4 Aircraft mass**

- (1) An aircraft's '*aircraft mass*' is the mass of the aircraft measured in tonnes.
- (2) For the calculation of a fee under these Regulations, an aircraft's aircraft mass must be rounded up to the nearest whole number.

*Example for regulation 4(2)*

*If an aircraft weighs 15.4 tonnes, it is taken to weigh 16 tonnes for the calculation of a fee that is based on aircraft mass.*

## **PART 2 – FEES**

**5 Fees**

For section 171(2)(a) of the Act, the fee payable for a matter specified in the Schedule, column 1, is specified opposite the matter in column 2.

**6 Collection of air navigation fee**

The fee mentioned in the Schedule, item 5 (air navigation by an aircraft through the Nauru Flight Information Region) may be collected directly by a person (other than the Authority or the Republic) who is authorised under the Act to provide the air navigation service.

**7 Waiver of fee**

On application by a person required to pay the fee mentioned in the Schedule, Cabinet may waive the fee.

## **PART 3 – REPEAL**

**8 Repeal**

The following Regulations are repealed:

- (a) the *Air Navigation (Fees) Regulations 1999*;
- (b) the *Air Navigation (Fees and Charges) Regulations 2006*.

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**SCHEDULE – PRESCRIBED FEES**

regulation 0

	Column 1	Column 2
Item	Matter	Fee (\$)
1	Application for scheduled international air service licence under section 57	2000
2	Application for renewal of scheduled international air service licence under section 62	1000
3	Issue of replacement copy of scheduled international air service licence	250
4	Application for Cabinet authorisation to operate non-scheduled international flight between Nauru and one or more points in a foreign country	1000
	<i>Note for item 4</i>	
	<i>Under section 54 of the Act, Cabinet authorisation is required to operate a non-scheduled international flight between Nauru and one or more points in a foreign country unless the flight is authorised under an open aviation market licence</i>	
5	Application for Cabinet authorisation to land under section 73(2)(d) (unless the flight is a non-scheduled international flight authorised by Cabinet):	
	(a) if application is made more than 48 hours before estimated time of arrival	500
	(b) if application is made within 48 hours before estimated time of arrival	2500

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	Column 1	Column 2
Item	Matter	Fee (\$)
6	Air navigation by an aircraft through the Nauru Flight Information Region	$\$3 \times \frac{0.01}{D} \times \sqrt{MTOW}$ <p><i>In this formula:</i>  '<b>D</b>' is the great circle distance travelled by the aircraft (in kilometres)  '<b>MTOW</b>' is the maximum take-off weight of the aircraft (in metric tonnes)</p>
7	Landing aircraft at aerodrome: (a) if aircraft mass is less than 15 tonnes (b) if aircraft mass is more than 15 tonnes but less than 25 tonnes (c) if aircraft mass is more than 25 tonnes but less than 50 tonnes (d) if aircraft mass is more than 50 tonnes Additional charge for freighter aircraft  Additional charge for non-scheduled flight landing or departing outside working hours	200 200 + (5 x aircraft mass) 200 + (10 x aircraft mass) 200 + (15 x aircraft mass) 10 x maximum take-off weight of the aircraft per movement  50 per movement
8	Parking aircraft at aerodrome for over 2 hours	2 x aircraft mass for each 24 hour period (beginning with the 3rd hour of parking), with a minimum charge of \$100

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Item	Column 1 Matter	Column 2 Fee (\$)
9	Departure of aircraft after scheduled time of departure	50 for the first hour of delay 25 for each hour of delay after the first hour of delay
10	Application for aerodrome identity card	20
11	Application for renewal of aerodrome identity card	10
12	Issue of replacement aerodrome identity card:	
	(a) if original card has been lost or stolen	50
	(b) if original card has been damaged	10
13	Application for Cabinet approval to land military aircraft under section 72:	
	(a) if application is made more than 48 hours before estimated time of arrival	500
	(b) if application is made within 48 hours before estimated time of arrival	2500