

[Legal Notice No. 46]

THE CIVIL AVIATION ACT 1986
(No. 7 of 1986)

THE AIR NAVIGATION (FEES) (AMENDMENT) REGULATIONS 1998

IN exercise of the powers conferred by section 6(2) of the Civil Aviation Act, 1986, the Minister hereby makes the following Regulations -

1. These Regulations may be cited as the Air Navigation (Fees) (Amendment) Regulations 1998.

2. Regulation 2 of the Air Navigation (Fees) Regulations 1987* (hereinafter referred to as the "principal Regulations") is hereby amended as follows:-

(a) by deleting the term "Official aircraft" and its definition thereof;

(b) by deleting the term "State aircraft" and its definition thereof and substituting therefor the following -

"State aircraft" means any aircraft in the service of a national Government and engaged in diplomatic, military, police, customs or search and rescue operations."

3. Regulation 3A of the principle Regulations is hereby deleted and the following substituted therefor -

"Air Navigation fee. 3A. (1) Save as hereinafter provided, an air navigation fee shall be payable by the owner or operator of any aircraft which operates within the airspace over the territory of Solomon Islands, at the rate specified in the Schedule.

(2) For the purposes of subparagraph (1) of this regulation, the airspace above the territory of Solomon Islands is separated into three categories, being -

(a) Airspace classified as Class A in accordance with the International Civil Aviation Organisation (ICAO) Standards, as delineated in the Solomon Islands Aeronautical Information Publication (AIP), in which air traffic control services are provided, under the operational control of Brisbane Control Centre, Airservices Australia;

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(b) Airspace classified as Classes B, C or D in accordance with ICAO standards, as delineated in AIP, in which air traffic control services are provided, under the operational control of Henderson Tower or Approach Control;

(c) Airspace classified as Classes E, F or G in accordance with ICAO Standards, as delineated in AIP, in which flight information services are provided by Honiara Flight Information Centre."

Amendment of regulation 10(1).

4. Paragraph 10(1) of the principal Regulations is hereby amended by inserting immediately after the words "all fees payable under these Regulations" the words ",except the air navigation fees payable pursuant to regulation 3A in respect of Class A airspace, which are quoted in Australian dollars,".

Amendment of Regulation 11(1).

5. Paragraph (1) of regulation 11 of the principal Regulations is hereby amended by inserting immediately after after the words "fees cited in these Regulations" the words ",except the air navigation fees payable pursuant to regulation 3A in respect of Class A airspace,".

Amendment of the Schedule.

6. The Schedule to the principal Regulations is hereby amended as follows -

(a) by deleting paragraph 1A(1) thereof and inserting therefor the following new paragraph 1A(1) as follows -

" 1A. (1) The air navigation fee for the purposes of regulation 3A shall be calculated as follows -

(a) for flights in Class A airspace, by the formula $AUS\$2.70 \times 0.01D \times \text{square root of the MTOW}$;

(b) for flights in Classes B, C and D airspace, by the formula $SIS10.00 \times \text{MTOW}$;

(c) for flights travelling between two locations in Classes E, F and G airspace, by the formula $SIS\$5.00 \times 0.01D$; and

(d) for all other flights in Classes E, F and G airspace, by the formula

$SIS10.00 \times H$.

In the above formulas -

"D" is the great circle distance represented in kilometres;

"MTOW" is the aircraft maximum take-off weight represented in metric tons; and

"H" is the flight time in hours.";

(b) in paragraph 1A (2), by deleting the words "official aircraft" and inserting therefor the words "aircraft engaged in flying training or post maintenance flight testing"; and

(c) by inserting a new paragraph 1A)3) as follows -

" (3) Airservices Australia is authorised by contract to collect air navigation fees in respect of Class A airspace, on behalf of Solomon Islands."

Dated at Honiara this Twentyfifth day of May 1998.

SIR BADDELEY DEVESI

Minister of Transport, Works, Aviation & Communications