



**REPUBLIC OF INDONESIA REGULATION  
NUMBER 3 YEAR 2001**

**AVIATION SECURITY AND SAFETY**

**THE PRESIDENT OF THE REPUBLIC OF INDONESIA**

Considering:

- a. Whereas the Law Number 15 Year 1992 on Aviation, has regulated the stipulations regarding aviation security and safety;
- b. Whereas the implementation of stipulation as set forth in letter (a), require the arrangement of the stipulations regarding security and safety by a Government Regulation.

In view of:

1. Article 5 clause (2) of the Constitution of 1945 as amended by the Second Amendment of the Constitution of 1945;
2. Law Number 20 Year 1982 on the Principles of Defense and Security of the State of the Republic of Indonesia (State Gazette Republic Indonesia Year 1982 Number 51, Supplement Number 3234);
3. Law Number 15 Year 1992 regarding Aviation (State Gazette Republic of Indonesia Year 1992 Number 53, Supplement Number 3481);
4. Law Number 22 Year 1999 regarding Area Governance (State Gazette of Republic of Indonesia Year 1999 Number 60, Supplement Number 3839);

**HAS DECIDED:**

To stipulate : **GOVERNMENT REGULATION ON AVIATION SECURITY AND SAFETY**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1**

In this Government Regulation the meaning of:

1. Aviation security and safety is a condition for safe and secure flight operation in accordance with the flight plan.

2. Aviation security is a condition that is realized through free flight operations free from disturbances and /or acts against the law.
3. Aviation safety is a condition which is realized through the organization of smooth flights in accordance with the operations procedures and technical feasibility requirements towards the facilities and infrastructure and their supports.
4. Aircraft are each aperture that can fly in the atmosphere because of its uplifting power caused by air reaction.
5. Helicopter is an aircraft heavier than air, can fly with rotating wings, and move using its own power.
6. An aircraft is an aircraft heavier than air, with fixed wings, and can fly using its own power.
7. An aircraft of the state is an aircraft that is used by Indonesian National Army, the Police force of the Republic of Indonesia and an aircraft of certain Indonesian instances that are given the function and power of law enforcement in accordance with the prevailing laws and regulation.
8. A civil aircraft is an aircraft other than the state aircraft.
9. Airport is airfields used for the landing and take off of aircraft, embarking and disembarking of passengers, and/or loading and unloading of cargo and/or post, equipped with flight safety facilities and as a place of transfer between transportation modes.
10. The prohibited flight area is the certain air space above the land and/or waters, which because of consideration of defense and security or aviation safety or public interest, is a restricted flight area for aircraft that are flying through said air space.
11. The restricted flight area is the certain air space above the land and/or waters, which because of consideration of defense and security or aviation safety or public interest, is a restricted flight area for aircraft that are flying through said air space.
12. The danger area is a certain air space above the land and/or waters, where from time-time activities occur that endanger the aircraft.
13. Flight personnel are aircraft personnel and security and safety personnel which duty it is to directly influence said security and safety of the aircraft.
14. Aircraft personnel are flight personnel disposing of a certificate of ability to be assigned as aircraft operations personnel and aircraft operational support personnel.
15. Aviation safety and security service personnel is flight personnel disposing of certain skills certificates with the duty which have a direct affect on the flight safety and security services.
16. Flight Captain is the aircraft crew appointed and assigned to lead a flight mission and responsible for the flight security and safety during the aircraft operation and/or helicopter which is technically functioning normal.
17. Aircraft and helicopter operations are activities which start with the ignition of the aircraft and helicopter engines for a certain mission up to the moment the engines are shut off.
18. Air worthiness is the compliance of the minimum standards required of the aircraft condition and/or its components to guarantee the flight safety and prevent the occurrence of the environmental pollution.
19. The flight personnel ability certificate is proof of compliance of the flight personnel required skills.
20. Flight personnel Health Certificate is proof of compliance to the flight personnel health requirements.
21. Aircraft Registration Certificate is proof of compliance to the aircraft registration conditions.

22. Type Certificate is proof of compliance of the air worthiness standards of the Republic of Indonesia in aircraft design, aircraft engine and aircraft propellers produced by another country.
23. Validation Type Certificate is proof of compliance to the air standards of the Republic of Indonesia in aircraft design, aircraft engine and aircraft propellers produced by another country.
24. The Additional Type certificate is proof of compliance of air feasibility standards in modifications or change in the construction of the aircraft or aircraft engine, or aircraft propellers which has already a type certificate.
25. Production quality certificate is proof of compliance to the standard requirements, and procedures in the production and/or assembling of aircraft, aircraft engines, aircraft propellers and its components.
26. Airworthiness certificate is proof of compliance to the standards.
27. Aircraft Operator Certificate (AOC) is proof of compliance to the standards and procedures in aircraft operations by the commercial air transport companies.
28. Operating Certificate (OC) is proof of compliance to the standards and procedures in aircraft operations for non commercial air transport activities.
29. Aircraft Maintenance Certificate of company is proof of compliance to the standards and procedures in the maintenance of aircraft, aircraft engine, aircraft propellers and their components by a maintenance company.
30. Education and training organizing certificate is a certificate issued by the Minister acknowledging that the education and training institute or education and training body has complied with the stipulated conditions and declared as able for organizing education and training.
31. Letter of approval for component design is proof of compliance of the airworthiness standards of the aircraft component design, aircraft engine and aircraft propeller components.
32. Letter of approval for design changes is proof of compliance of the air worthiness standards in the design changes of the aircraft, aircraft engine, aircraft propellers and its components.
33. Registration is the registration of aircraft, helicopters and passengers balloon for obtaining a registration number and Indonesian nationality for obtaining operations rights in Indonesia.
34. Emergency at airport is an unexpected occurrence related or resulting from operational disturbances of the aircraft or the continuation of its services requiring immediate actions.
35. Minister is the minister responsible for the aviation sector.

## **CHAPTER II AVIATION SAFETY AND SECURITY CULTIVATION**

### **First Part Cultivation**

#### Article 2

1. The Minister shall be responsible for the aviation cultivation of security and safety.

2. Cultivation of aviation security and safety as set forth in clause (1), covers the aspects of arrangement, control and supervision in the design, building, operation activities and aircraft maintenance, flight navigation services, airport operations and its flight personnel.
3. Arrangement activities as set forth in clause (2), covers the activities of determining policies in the design, building, operation sectors and aircraft maintenance, flight navigation services, airport operations and also its flight personnel.
4. Controlling activities as set forth in clause (2) cover:
  - a. providing directions and instructions in the implementation of policies in the design, building, operation sectors and aircraft maintenance, flight navigation services, airport operations and flight personnel;
  - b. providing guidance and education to the public regarding their rights and responsibilities in the implementation of the policies in the design, building, operation sectors and aircraft maintenance, flight navigation services, airport operations and flight personnel.
5. Supervision activities as set forth in clause (2), cover:
  - a. monitoring and evaluation towards the implementation of policies in the sectors of designing, building, operations and aircraft maintenance, flight navigation services, airport operations and flight personnel.
  - b. corrective actions taken towards the implementation of the policies in the sectors of design, building, operations and aircraft maintenance, aircraft navigation services, airport operations and flight personnel.

**Second Part**  
**Civil Aviation Security Program**

Article 3

1. The Minister shall decide on the civil aviation security program.
2. The civil aviation security program as set forth in clause (1) covers:
  - a. airport security program; and
  - b. air transportation companies security program
3. Civil aviation security program as set forth in clause (1) and clause (2) cover operational guidelines and procedures within the frame of aviation security and safety, regularity and efficiency of civil flights from illegal disturbances.

**Part Three**  
**Aircraft Operations Reliability**

Article 4

1. The Minister shall stipulate the aircraft operational reliability conditions as the guidelines in the designing activities, building, operations process and aircraft maintenance.
2. The aircraft reliability conditions as set forth in clause (1), covers the conditions that are related to:
  - a. airworthiness standards;
  - b. aircraft design;
  - c. aircraft construction;
  - d. aircraft maintenance;
  - e. aircraft operation;
  - f. aircraft noisiness standards;
  - g. aircraft exhaust gas disposal threshold;
  - h. aircraft personnel.
3. Requirements for aircraft operational worthiness, as set forth in clause (1), shall be determined by taking into consideration :
  - a. flight security and safety;
  - b. technological development;
  - c. professional manpower resources;
  - d. international regulations;
  - e. effectiveness and efficiency;
  - f. prevention of environmental pollution.

**Part Four**  
**Aircraft Navigation Service and Airport Operation**

Article 5

1. The Minister determines the technical and operational flight navigation services.
2. Flight navigation service as set forth in clause (1), covers activities:
  - a. flight navigation service to aircraft during operation;
  - b. air space operation;
  - c. assist to seek and help of aircraft accident and/or assist to find the cause of the aircraft accident
  - d. personnel recruitment and/or training
  - e. supply and conduct the inspection of aircraft navigation infrastructure.
3. To establish the technical and operational requirements of flight navigation service as set forth in clause (1), conduct by taking into consideration :
  - a. flight security and safety;
  - b. technological development;
  - c. professional manpower resource;
  - d. international regulations;
  - e. effectiveness and efficiency;
  - f. forbidden, limited and dangerous air area;
  - g. reliability of flight navigation service infrastructure;
  - h. regularity, continuity and fluency of air traffic.

## Article 6

1. The Minister determines the technical and operational of airport operation.
2. Airport operation as set forth in clause (1), covers activities:
  - a. inspection to people and/or goods;
  - b. flight security;
  - c. flight service to aircraft during operation;
  - d. ground aircraft supporting service
  - e. assisting and/or seek and help of aircraft accident and also evacuation of aircraft accident in airport area;
  - f. assisting the research of the cause of aircraft accident;
  - g. recruitment and/or establishment of airport operation service personnel training;
  - h. supplying and conduct the inspection of airport infrastructure.
3. To establish the requirements of technical and operational of airport operation as set forth in clause (1), conduct by taking into consideration:
  - a. flight security and safety;
  - b. technological development;
  - c. professional manpower resource;
  - d. international regulations;
  - e. effectiveness and efficiency;
  - f. reliability of airport operational infrastructure;
  - g. regularity, continuity and fluency of passenger, baggage, cargo and post.

## Article 7

1. Flight navigation service and airport operation carried out by Government and its execution can be authorized to the Stated Owned Company founded for that purpose based on the applicable law and regulation.
2. Indonesian Legal Institution may involve in public airport operational on the basis of coordination with the Stated Owned Company that perform airport management for public.

## **CHAPTER III AIRCRAFT SECURITY AND SAFETY**

### **First Part Airworthiness Standard**

## Article 8

1. Airworthiness standards for aircraft, and/or aircraft engine, and/or aircraft propellers registered in Indonesia shall be decided by taking into consideration at least:
  - a. design and construction;
  - b. main components;

- c. driving power installation;
  - d. stability and ability;
  - e. structural fatigue;
  - f. equipment;
  - g. operational limits;
  - h. maintenance system;
  - i. environmental pollution prevention;
2. Airworthiness standards as set forth in clause (1), apply for:
    - a. aircraft of the transport, normal, utility, acrobatic and commuter categories;
    - b. helicopters of the normal category;
    - c. transport helicopters category;
    - d. aircraft engine;
    - e. aircraft propellers;
    - f. passenger balloons.
  3. Further stipulation regarding the airworthiness standard as set forth in clause (1) and (2), is regulated by Minister Decree.
  4. The Minister may determine terms and conditions outside the air worthiness standard in addition to those already stipulated as mentioned in clause (1) regard to technological development and international regulations.

**Second Part**  
**Aircraft Design, Aircraft Engine,**  
**Aircraft Propellers and Its components**

Article 9

1. Each legal institution in Indonesia planning to build aircraft and/or aircraft engines and/or aircraft and which require a type certificate, shall have to submit a design.
2. The said design as mentioned in clause (1), must comply with the airworthiness standard.
3. Designing activities as set forth in clause (1), shall be done in phases starting from designing up to a prototype and testing and/or test flight.
4. Further stipulations regarding the design as set forth in clause (1), clause (2) and clause (3) are regulated by a Ministerial Decree.

Article 10

1. The Minister may extent a type certificate for aircraft design, and/or aircraft engine, and/or aircraft propeller produced in accordance with the said procedures and proven to be in compliance with the air worthiness standards after inspection and testing.
2. Further stipulations regarding the procedures of granting a type certificate as set forth in clause (1), shall be regulated by the Minister Decree.

Article 11

1. Each legal institution in Indonesia planning to produce components for installation in aircraft or aircraft engines or aircraft propellers which shall require an approval letter for component design, shall have to submit a component design.
2. The said design as mentioned in clause (1), must comply with the airworthiness standard.
3. Component designing activities as set forth in clause (1) shall be done according to phases starting from designing up to a prototype and testing and/or test flight in accordance with the procedures and in compliance with the components specifications.
4. Further stipulation regarding the design as set forth in clause (1), clause (2) and clause (3) are regulated by a Minister Decree.

#### Article 12

1. The Minister may grant an approval letter for the components design for aircraft component design, and/or aircraft engine components, and/or aircraft propeller components produced in accordance with the said procedures and proven to be in compliance with the air worthiness standards after inspection and testing.
2. Further stipulation regarding the procedures of obtaining a component design approval letters as set forth in clause (1), shall be regulated by a Minister Decree.

#### Article 13

1. Any changes made in the aircraft design and/or aircraft engine design and/or aircraft propeller design which is covered by a type certificate shall comply with the airworthiness standards.
2. Implementation of a revision in the design as set forth in clause (1) must be done in accordance with the phases starting from revised design up to the prototype, inspection and testing and/or test flight.
3. If the revised design as set forth in clause (1), is in complies with the airworthiness conditions, the Minister may grant:
  - a. approval letter for the revised design; or
  - b. additional type certificate; or
  - c. revised type certificate to the type certificate holder.
4. Further regulations regarding the procedures for obtaining an approval letter for the revised design or additional type certificate as mentioned in clause (3), shall be regulated by a Decree from the Minister.

#### Article 14

1. Any revision towards components design planned for installation in an aircraft, and/or aircraft engine, and/or aircraft propeller must follow the phases for inspection and testing of airworthiness before obtaining the approval for the revised components design from the Minister.
2. Further stipulations regarding the procedures of obtaining a revised components design approval letter as set forth in clause (1), shall be regulated by a Minister Decree.



## Article 15

1. Each aircraft, and/or aircraft engine and/or aircraft propeller to be imported to Indonesia, shall have to comply with the airworthiness standards of the Republic of Indonesia.
2. A validation of the type certificate shall be required for determining compliance of the airworthiness standards of the Indonesian republic for aircraft, and/or aircraft engines and/or aircraft propellers as set forth in clause (1).
3. The Minister may grant a validation type certificate in the event that the findings of the validation on the aircraft, and/or aircraft engines compliance with the airworthiness standards of the Republic of Indonesia.
4. Further stipulations regarding the procedures of obtaining a revised components design approval as set forth in clause (3), shall be regulated by a Minister Decree.

### **Part Three Production of Aircraft, Aircraft Engine, Aircraft Propellers and Its components**

## Article 16

1. Building and/or assembling of aircraft, aircraft engine, aircraft propellers and its components may only be affected by an Indonesian legal body disposing of a production quality certificate.
2. Any Indonesian legal body applying for a production quality certificate as set forth in clause (1) shall have to comply with:
  - a. design / prototype which is in compliance with the standard or production license based on the agreement with another party;
  - b. production facility and plan;
  - c. qualified personnel;
  - d. quality control system;
  - e. disposes of a company organization structure in particular in the sectors of quality and production;
3. Further stipulation regarding the procedures of obtaining a revised components design approval letter as set forth in clause (1) and clause (2), shall be regulated by a Minister Decree.

### **Part Four Aircraft Maintenance, Aircraft Engine, Aircraft Propeller and Its components**

## Article 17

1. Any person or legal body operating aircraft shall be responsible for the maintenance of the aircraft, aircraft engine, aircraft propellers and its components to maintain its continuous air worthiness condition.

2. Maintenance of aircraft, aircraft engine, aircraft propellers and its components, as set forth in clause (1), is restricted to:
  - a. the concerned air transportation companies;
  - b. aircraft maintenance corporation disposing of a maintenance operations sector;
  - c. individuals holding aircraft maintenance expertise certificate.
3. The legal institution as referred in clause (2) letter b, shall dispose of an aircraft maintenance company certificate for its aircraft, aircraft engine, aircraft propellers and its components maintenance operations.
4. The aircraft maintenance operations certificate as set forth in clause (3) is provided by the Minister to the national aircraft, maintenance companies and/or foreign aircraft maintenance companies.
5. Airline companies conducting aircraft maintenance operations and aircraft maintenance companies shall have to comply with the following minimum requirements:
  - a. own or control maintenance facilities;
  - b. employs qualified personnel in accordance with its field of work;
  - c. own inspection procedure system manuals and quality control process;
  - d. disposes of an AMDAL (Analyze of Environmental Impact) if this is a pre-requisite.
6. Individuals that are holders of aircraft maintenance expert certificate as set forth in clause (2) letter c, are restricted to the maintenance of aircraft, aircraft engine, aircraft propellers and its components for non commercial airlines.
7. Further stipulations regarding the maintenance of aircraft, aircraft engine, aircraft propellers and its components, and aircraft maintenance operation certificate as set forth in clause (2), clause (5) and clause (6) is regulated by a Decree from the Minister.

#### Article 18

1. Aircraft maintenance operation certificate as set forth in Article 17 clause (4), can be provided to an aircraft maintenance company abroad which complies with the requirements as set forth in Article 17 clause (5) and disposing of an aircraft maintenance operation certificate of the country concerned.
2. Further stipulations regarding the providing of a certificate as set forth in clause (1), is regulated by a Minister Decree.

### **Part Five Airworthiness Certificate**

#### Article 19

1. Aircraft used for flying shall dispose of an airworthiness certificate.
2. The Airworthiness Certificate divided into 2 (two) types:
  - a. standard airworthiness certificate,
  - b. special airworthiness certificate.
3. The standard airworthiness certificate covers the initial standard airworthiness certificate and the renewal standard airworthiness certificate which can be issued for transport, normal, utility, acrobatic, commuter aircraft category and helicopter of the normal and transport category and also passenger balloons.

4. The special airworthiness certificate can be issued to aircraft for restricted use, provisional use, experimental use and for aviation activities of a special character.
5. The airworthiness certificate as set forth in clause (1) is issued by the Minister.
6. Further stipulations regarding the process for obtaining the certificates as set forth in clause (1), clause (2), clause (3), clause (4), and clause (5), will be arranged by a Minister Decree.

#### Article 20

1. The rules and regulations for obtaining a first standards airworthiness certificate are:
  - a. registered as an Indonesian civil aircraft;
  - b. the aircraft is manufactured and tried fly tested by the manufacturer and in accordance with the said aircraft type certificate category;
  - c. has been inspected and declared in compliance with the type certificate and safe for operations;
  - d. has met the prevailing standards for noise and gas emission.
2. A first standards airworthiness certificate can be issued for a newly imported aircraft, after it has been tested and proven to be in compliance with the Indonesian type certificate validation.
3. The rules and regulations for obtaining a first standards airworthiness certificate for second hand imported aircraft are: it must comply with the type certificate validation and/or additional type certificate validation and been maintained in accordance with the manufacturer's maintenance program or in accordance with an equal maintenance program.
4. The rules and regulations for building an advanced standard airworthiness certificate are:
  - a. it must dispose of a still valid aircraft registration certificate;;
  - b. the aircraft has been maintained in accordance with the approved maintenance system;
  - c. has been inspected and tested
  - d. complies with the prevailing airworthiness requirements.
5. The rules and regulations for getting an advanced airworthiness certificate for modified/damaged aircraft which may affect the performance, structural strength, reliability and flight characteristics are: it must be tested and returned to the said aircraft standard type certificate.
6. Further stipulations regarding the process for obtaining the certificates as set forth in clause (1), clause (2), clause (3), clause (4), and clause (5), will be arranged by a Minister Decree.

#### Article 21

1. An airworthiness certificate may be issued for aircraft intended for export.
2. The export airworthiness certificate as set forth in clause (1) can be issued to a certain product meant for export to another country if said export product complies with the type certificate or standard design stipulated by the importing country and has complied with the operational conditions of the said importing country.

**CHAPTER IV  
AIRCRAFT USAGE AND OPERATIONS**

**First Part  
Aircraft Usage**

Article 22

1. Civil aircraft can be used for the transportation of passenger, goods and/or post, sick people, spraying of insecticides, forest fire and artificial rain, survey and/or mapping, environmental pollution flight, calibration, sport and/or recreation, acrobatics and demonstration, parachuting, promotion/publication and glider towing, search and assistance, education, research and development, and for other activities.
2. Further stipulation regarding the rules and procedures for using civil aircraft as set forth in clause (1), shall be regulated by a Minister Decree.

Article 23

The Minister responsible for the respective sectors regulates the usage and operation of aircraft.

**Second Part  
Aircraft Operations**

Article 24

Aircraft operations for commercial airlines are restricted to aircraft operators disposing of an aircraft operators certificate issued by the Minister.

Article 25

1. An aircraft operator certificate as set forth in Article 24 can be granted after compliance of the following pre-requirements:
  - a. in possession of an commercial airline business permit;
  - b. in possession and/or controlling aircraft in accordance with the feasibility study or operational plan;
  - c. in possession and/or controlling facilities for the operations and maintenance of aircraft ;
  - d. in possession and/or controlling aircraft personnel in compliance with the rules and regulations;

- e. disposing of an organization that regulates the aircraft operations;
  - f. in possession of a maintenance specification manual and aircraft operations manual;
  - g. disposing of an aircraft personnel education and training program.
2. Further stipulations regarding the conditions and procedures for obtaining an aircraft operator certificate as set forth in clause (1), shall be regulated by a Minister Decree.

#### Article 26

1. Holders of an aircraft operator certificate shall :
- a. carry out its aircraft operations in accordance with the approved operations certificate;
  - b. execute its aircraft maintenance in accordance with the approved maintenance specification;
  - c. dispose of facilities and make preparations and conduct flight monitoring;
  - d. maintain the aircraft operational reliability;
  - e. report any changes or planned which may have an effect towards the rules and/or restrictions stipulated in the aircraft operator certificate;
  - f. retain the competency and ability of the aircrew;
  - g. report any occurrence of damage of non-functioning of one of the aircraft systems or components which may disturb flight safety.
2. Further stipulations regarding the conditions and procedures for the aircraft operator certificate holder as set forth in clause (1), shall be regulated by a Minister Decree.

#### Article 27

1. Any aircraft operator for non-commercial transportation purposes shall have to dispose of an aircraft operations certificate.
2. The pre-requirements for obtaining an aircraft operations certificate cover:
- a. in possession of a non-commercial airline activity permit;
  - b. in possession and/or controlling aircraft in accordance with the operational plan;
  - c. in possession and/or controlling aircraft personnel;
  - d. disposing of operations specifications and aircraft maintenance.
3. Further stipulations regarding the conditions and procedures for the obtaining of an aircraft operations certificate as set forth in clause (1), shall be regulated by a Minister Decree.

#### Article 28

1. The holder of an aircraft operation certificate shall:
- a. carry out its aircraft operations in accordance with the approved operational specification;
  - b. perform aircraft maintenance in accordance with the approved maintenance program;
  - c. maintain the airworthiness of the aircraft in operations;
  - d. retain the competency and ability of the aircrew.

2. Further stipulations regarding the conditions and procedures for the accomplishment of the aircraft operator certificate holder responsibilities as set forth in clause (1), shall be regulated by a Minister Decree.

**Part Three**  
**Reliability Inspection**  
**Aircraft Operations**

Article 29

1. The Minister shall perform the aircraft operational reliability inspection.
2. The inspection as set forth in clause (1) will be effected towards compliance of the aircraft operational reliability pre-requirements.
3. The inspection as set forth in the clause (2), covers:
  - a. aircraft design, aircraft engine and aircraft propellers and their components;
  - b. construction of the aircraft, aircraft engine and aircraft propellers and their components;
  - c. maintenance of the aircraft, aircraft engine and aircraft propellers and their components component;
  - d. aircraft worthiness;
  - e. aircraft operator;
  - f. environment pollution prevention;
  - g. aircrew;
  - h. other authorized personnel;
  - i. aircraft maintenance facilities.
4. Further regulations regarding the inspection as set forth in clause (1), clause (2) and clause (3), shall be regulated by Minister Decree.

**Part Four**  
**Aircraft Registration and Nationality Markings**

Article 30

1. Every Indonesian citizen or an Indonesian legal institution in possession and/or controlling aircraft used for operations in Indonesia shall have to register their aircraft.
2. Every Indonesian citizen or Indonesian legal institution controlling aircraft owned by a foreign citizen or foreign legal institution for operations in Indonesia shall have to register said aircraft based on a lease-sale agreement, business lease agreement or any other form of agreement for a minimum usage period of 2 (two) consecutive years.
3. The Minister may grant a registration certificate for registered aircraft and which are in compliance with the registration pre-requirements.
4. The aircraft registration certificate as set forth in clause (3) contains the nationality marking and registration marking for the aircraft, helicopter and passenger balloon.

5. Further regulations regarding the aircraft registration as set forth in clause (1), clause (2), clause (3) and clause (4), will be regulated by a Minister Decree.

#### Article 31

1. The Indonesian aircraft nationality markings consist of two letters that indicate the Indonesian identity.
2. The registration marking for Indonesian aircraft consist of three letters or three figures.
3. The Indonesian aircraft wearing the nationality marking shall complete this with the flag of the Republic of Indonesia.
4. Size, color, placement of the nationality markings, registration markings and flag as set forth in clause (1), clause (2) and clause (3), will be regulated by a Minister Decree.

#### Article 32

The Minister responsible for their respective sectors shall be responsible for the registration and nationality markings of state aircraft.

#### Article 33

1. Elimination of nationality and registration markings on aircraft can be granted by the Minister:
  - a. at the request of the owner;
  - b. if the aircraft is damaged intentionally;
  - c. if the aircraft is completely damaged caused by an accident;
  - d. if the aircraft is no longer in operation;
  - e. if the lease contract period has expired;
  - f. if the aircraft is not mortgaged.
2. Further regulation regarding the procedures for the elimination of nationality markings and registration markings as set forth in clause (1), will be regulated by a Minister Decree.

## **CHAPTER V AIRPORT SECURITY AND SAFETY**

### **First Part Airport Operation Certificate**

#### Article 34

1. Each airport organizer is obliged to have the airport operation certificate given by Minister.
2. Requirements to obtain the airport operation certificate at least:

- a. the availability of flight facilities and/or supported equipments facilities fulfilling the requirements of flight security and safety which is adapted by its class;
  - b. owning procedure of airport activities service;
  - c. owning operation guidance book, emergency handling, maintenance, airport security program and hygiene and sanitation;
  - d. available qualified personnel for operation, airport maintenance and service activities;
  - e. owning airport area work, airport contour map, map land and air side;
  - f. owning safety area for flight operation around airport covers:
    - 1) approach and take off area;
    - 2) accident possibility area;
    - 3) under internal surface horizontal area;
    - 4) under external surface horizontal area;
    - 5) under trapeze surface area;
    - 6) under transition surface area;
    - 7) around location of supporting flight navigation area;
  - g. owning map showing location / barrier co-ordinate and height which can endanger the flight safety;
  - h. owning aid facility of flight accident and fire company as according to its category;
  - i. owning the minutes of evaluation / test-drive expressing operation worthy; and
  - j. organization chart of airport organizer
3. Further rules of flight security and safety and airport operation certification as set forth in clause (1) and clause (2) is regulated by a Minister Decree.

**Second Part**  
**Land and Air Side in Airport Region**

Article 35

For the sake of airport security and safety, airport organizers specify the side boundary of land and air side and also arrange its usage.

Article 36

- 1. The establishment and usage of land and air side as set forth in Article 35 done by paying attention to:
  - a. flight security and safety;
  - b. fluency flight operation; and
  - c. fluency of airport activities service.
- 2. Further rules of establishment and usage of land and air side as set forth clause (1), is regulated by a Minister Decree.

**Part Three**  
**Supporter Equipments of Flight Facility**  
**and Airport Operation**



#### Article 37

1. Supporter equipments of flight facility utilized in flight security and safety service cover:
  - a. organic and non organic detection equipments;
  - b. equipments observer of people traffic, goods, vehicles and aircraft in airport.
2. Supply of flight supporter equipments as set forth in clause (1), done by paying attention to:
  - a. requirement of airport operational and security;
  - b. technological development; and
  - c. reliability of flight supporter facility equipments.
3. Further rules of flight supporter facility equipments as set forth in clause (1) and clause (2) is regulated by a Minister Decree.

#### Article 38

1. To support the fluency of airport operation provided airport operation supporter equipments.
2. Airport operation supporter equipments as set forth in clause (1) have to fulfill the reliability conditions.
3. Minister conducts the inspection to reliability of airport operation supporter equipments.
4. Further rules of airport operation supporter equipments and requirements and also reliability inspection as referred in clause (1), clause (2) and clause (3), is regulated by a Minister Decree.

### **Part Four Emergency Handling**

#### Article 39

1. Airport organizer is obliged to own the ability in executing the emergency handling of airport.
2. Handling of emergency as set forth in clause (1) executed in integrated by involved related institution outside and inside airport.
3. Airport organizer is obliged to execute the practice of handling emergency condition.
4. The execution of handling emergency condition and execution of practice of handling emergency condition as set forth in clause (2) and clause (3), reported to Minister.
5. Further rule of handling emergency and practice of handling emergency condition and also reporting as set forth in clause (2), clause (3) and clause (4) is regulated by a Minister Decree.

### **Part Five Fringe, Mark and Signal**

#### Article 40

1. Airport organizer is obliged to install the fringe and mark at air and land side of the airport.
2. Fringe and mark as set forth in clause (1), functioning to give the prohibition, ordering, warning and guidance.
3. Further rules of the fringe and mark and also its installation as set forth in clause (1) and clause (2) is regulated by a Minister Decree.

#### Article 41

1. Airport organizer is obliged to give signal to aircraft as according to requirement.
2. Signal as set forth in clause (1), can be in the form lamp signal, electronics signal, flag signal and physical signal.
3. Signal as set forth in clause (1), functioning to give prohibition, ordering, warning and guidance.
4. Further rules of the signal as set forth in clause (1), clause (2), and clause (3), is regulated by a Minister Decree.

### **Part Six** **Service of Airplane Movement in Airport**

#### Article 42

1. Airport organizer is obliged to give the service to aircraft to do park in airport.
2. Service as set forth in clause (1) can be in the form:
  - a. pilotage to airplane to do movement in aircraft parking area;
  - b. supplying the aircraft parking supporter equipments.
3. Further rules of service as set forth in clause (2), is regulated by a Minister Decree.

#### Article 43

1. Airport organizer is obliged to inform the Minister if there are any changes of airport condition which can interrupt or endanger the flight security and safety and also for the special importance.
2. Further rule of the notification as set forth in clause (1), is regulated by a Minister Decree.

#### Article 44

1. Minister publishes the book of aeronautical information in Indonesia.
2. Publication book of aeronautical information in Indonesia as set forth in clause (1), at least loading information of:
  - a. common information of air transport;
  - b. flight navigation service; and
  - c. airport.
3. Publication book of aeronautical information in Indonesia as set forth in clause (1), distributed to air transport community.

4. Further rules of the publication and distribution of publication book of aeronautical information in Indonesia as set forth in clause (1), clause (2) and clause (3), is regulated by a Minister Decree.

#### Article 45

1. Airport organizer is obliged to provide the aeronautical information and local airport weather information, destination airport, flight traffic and alternative airport for pilot.
2. Aeronautical information as set forth in clause (1) at least in the form of:
  - a. publication book of aeronautical information in Indonesia;
  - b. news for flight community;
  - c. map of flight navigation; and
  - d. aeronautical information book of other country that having relation to subject airport.
3. Weather information as set forth in clause (1), made or provided by Meteorology and Geophysics Department.

#### Article 46

1. For flight security and safety, airport organizer in certain circumstance can close temporarily some or overall of runway, link of runway or aircraft parking area.
2. Certain circumstance as set forth in clause (1), can be in the form of:
  - a. natural disaster;
  - b. disturbances;
  - c. aircraft accident in runway, connecting of runway or aircraft parking area;
  - d. development, repair, conservancy and maintenance of runway, connecting road or aircraft parking area; and
  - e. other certain circumstance which can endanger the flight security and safety
3. Airport organizer is obliged to advise to Co-Pilot, operator and other airport regarding the closing of runway, connecting of runway or aircraft parking area as set forth in clause (1).
4. Notification as set forth in clause (3) is obliged to be reported to Minister.
5. Further rules of the closing of runway, connecting of runway or aircraft parking area, and also notification and reporting as set forth in clause (1), clause (2), clause (3) and clause (4), is regulated by a Minister Decree.

#### Article 47

1. Airport organizer is obliged to provide or assign the part of airport region as isolation place for parking of aircraft on trouble or security threat.
2. Supply or assigned isolation place as set forth in clause (1), executed by paying attention to:
  - a. passenger safety, aircrew, airport crew, public society air transport user society and public society around airport;
  - b. aircraft safety; and
  - c. safety of flight supporter and airport supporter facilities

3. Further rules of supply procedures or assigning of isolation place as set forth in clause (1) is regulated by a Minister Decree.

#### Article 48

1. Airport operating time for flight services specified by Minister.
2. Determination of airport operating time as set forth in clause (1) done by paying attention to:
  - a. flight security and safety;
  - b. airport ability in serving aircraft;
  - c. market request; and
  - d. economic growth.
3. Further rules of determination of airport operating time as set forth in clause (1) and clause (2) is regulated by a Minister Decree.

#### Article 49

1. In certain condition airport organizer can add the airport operating time as set forth in Article 48.
2. Rule as set forth in clause (1), executed by paying attention to:
  - a. flight security and safety
  - b. airport ability in serving aircraft; and
  - c. fluency of airport operational.
3. Further rule of addition airport operating time as set forth in clause (1) and clause (2), is regulated by a Minister Decree.

#### Article 50

1. Airport organizer is obliged to take care of the airport environment to avoid:
  - a. bird population in airport working environment;
  - b. other animal population which is gallivanting on air;
  - c. trouble to hygiene and sanitation;
  - d. noise trouble; and
  - e. other trouble which can endanger the flight security and safety.
2. Further rule of obligation on take care the airport environment as set forth in clause (1), is regulated by a Minister Decree by paying attention to applicable rule of law and regulation.

#### Article 51

1. Airport organizer can immediately execute evacuation of aircraft accident in region of air side, after getting permission from Transportation Safety National Committee.

2. The cost of evacuation execution as set forth in clause (1) becoming burden of air Transport Company, legal institution or individual operating such aircraft.
3. Further rule of the evacuation as set forth in clause (1) is regulated by a Minister Decree.

## **Part Seven Security Inspection in the Airport**

### Article 52

Everyone, goods, vehicles entering air side is obliged to passing security inspection.

### Article 53

1. Aircraft personnel, passenger, baggage, cargo and post to be transported with aircraft are obliged to passing security inspection.
2. Security inspection as set forth in clause (1), can be done with or without using assistive appliance;
3. Further rule of the procedures of security inspection as set forth in clause (1) and clause (2), is regulated by a Minister Decree.

### Article 54

1. To disabled people ill people and passenger of other special VIP passenger and conducted by of security inspection peculiarly.
2. Further rules hit the security inspection peculiarly as set forth in clause (1), is regulated by a Minister Decree.

### Article 55

Passenger's baggages which cancel to leave and/or baggage which do not with its owner, is obliged to be done a security re-inspection to be transportable with airplane.

### Article 56

1. Cargo and post which not yet transportable by airplane kept in special place provided in airport.
2. Repository as set forth in clause (1), must be safe from trouble which can endanger the flight security and safety.
3. Further rule hit the repository as set forth in clause (1) and clause (2), is regulated by a Minister Decree.

### Article 57

1. Diplomatic Sack sealing diplomatic, may not be opened.
2. In the case of there are strong anticipation of diplomatic sack as set forth in clause (1) can endanger the flight security and safety, air transport company can refuse to transport the diplomatic sack.

3. Rule execution as set forth in clause (1) and clause (2) relied by an applicable law and regulation.

#### Article 58

1. Substance and/or dangerous good to be transported with the airplane are obliged to pursuant to transportation rules of substance and/or dangerous good.
2. Air Transport Company is obliged to advise the Captain when there are substance and/or dangerous good transported with the airplane.
3. Substance and/or dangerous good as set forth in clause (1) which not yet transportable, kept at repository provided specially for the stowage of dangerous.
4. If damage happened at tidiness, label or mark when positioning in aircraft hence such dangerous good and/or substance have to be alighted from the aircraft.
5. Further rules regarding the transportation procedures and depository of substance and/or dangerous good as set forth in clause (1), clause (2), clause (3), and clause (4), is regulated by a Minister Decree by paying attention to the applicable law and regulation.

#### Article 59

1. Conveyor agent handling substance and/or dangerous good to be transported with the airplane has to get the authentication from air Transport Company.
2. Conveyor agent as set forth in clause (1) has to conduct the inspection, packaging, label and depository of substance and/or dangerous good of pursuant to applicable rules.
3. Further rules regarding the agent of conveyor and handling rules as set forth in clause (1) and clause (2) is regulated by a Minister Decree.

#### Article 60

1. Airplane passenger carrying weapon is obliged to report and deliver it to air Transport Company.
2. Weapon accepted by air Transport Company to be transported, kept at certain place in airplane which cannot be reached by airplane passenger.
3. Weapon owner is giving acceptance as a weapon acceptance evident by air Transport Company.
4. Air Transport Company is responsible for accepted weapon security up to re-delivered to its owner in destination airport.
5. Further rule regarding of the acceptance, depository and delivery of weapon as set forth in clause (2), clause (3) and clause (4), is regulated by a Minister Decree.

#### Article 61

1. Airport organizer or air Transport Company is obliged to report to Police in the case of knowing the existence of unknown goods which is anticipated can endanger the flight security and safety.

2. Further rule regarding of the reporting and handling the unknown goods which is anticipated can endanger the flight security and safety as set forth in clause (1), is regulated by a Minister Decree.

**Part Eight**  
**Treatment, Inspection and Reporting**

Article 62

1. Airport organizer is obliged to conduct the periodical inspection and treatment to supporter equipments of air transport.
2. In the case of the ability changes and/or conduct a development to supporter equipments of air transport, airport organizer is obliged to report to the Minister.
3. Ministers conduct the inspection to the reliability of supporter equipments of air transport and also execution of operation and service of airport activities.
4. Further rules regarding of the treatment, inspection and reporting to supporter equipments of air transport as set forth in clause (1), clause (2) and clause (3), is regulated by a Minister Decree

**CHAPTER VI**  
**AIR SPACE AND AIR TRAFFIC**

**First Part**  
**Air Space Organization**

Article 63

1. Minister specifies the boundary of air space for the sake of flight navigation service which becomes the responsibility of Indonesia government.
2. The boundary use of air space as set forth in clause (1), relied on multilateral agreement in the case of:
  - a. other country given responsibility for flight navigation service in region of Indonesia air; or
  - b. Indonesia get the responsibility for flight navigation service outside of Indonesia air region
3. Execution of multilateral agreement as set forth in clause (2), conducted by Minister after hearing consideration from related institution.

Article 64

1. Air space in Indonesia region consisted of controlled and uncontrolled air space.
2. Controlled and uncontrolled air space as set forth in clause (1) classified by considering at least:
  - a. flight operational safety;
  - b. air traffic density;
  - c. ability of flight communications facility;
  - d. ability of flight assistive facility;

- e. ability of air traffic perception;
  - f. ability of aircraft navigation; and
  - g. effectiveness and efficiency of flight operation.
3. Further rule of controlled and uncontrolled air space and also the establishment of aircraft class set forth in clause (1) and clause (2) is regulated by a Minister Decree.

#### Article 65

Minister specify the band of air space traffic by considering at least:

- a. flight operation safety;
- b. ability of airplane navigation;
- c. ability of flight communication facility;
- d. ability of flight assistive facility;
- e. air traffic density;
- f. effectiveness and efficiency of flight operation;
- g. departure and destination airport; and
- h. military practice area or roll-out of rocket/satellite.

#### Article 66

1. To guarantee the safety of flight operation, forbidden, limited and dangerous air areas are specified.
2. Air area as set forth in clause (1), owning vertical boundary and horizontal.
3. Further rules regarding of the air area as set forth in clause (1) and clause (2) is regulated by a Minister Decree after having consideration from Minister in charge of State Defender and/or related Minister.

#### Article 67

1. To the regional collision of Republic of Indonesia air area and/or forbidden air area by civil airplane, executed the straightening of law which must guarantee the safety and security of air crew, passenger and airplane.
2. Straightening of law to regional collision of air area and/or forbidden air area as set forth in clause (1), conducted by National Military Indonesia.
3. Further rules regarding of the straightening of law as set forth in clause (1) and clause (2), is regulated by minister in charge of defender area after hearing consideration Minister and other related Minister.

### **Part Two Flight Facility**

#### Article 68

1. Flight facility utilized in giving air traffic service covering:
  - a. flight communications;
  - b. flight navigation;



- c. flight perception;
  - d. landing supporting equipments.
2. Flight facility supplying as set forth in clause (1), conducted by paying attention to:
    - a. requirement of air traffic operational;
    - b. technological growth; and
    - c. reliability of flight facility.
  3. Each operated flight facility as set forth in clause in clause (1), have to be calibrated periodically.
  4. Further rule regarding of the flight facility and calibrates of the flight facility as set forth in clause (1) and clause (3) is regulated by a Minister Decree.

### **Part Three**

### **The Procedures of Air Traffic**

#### Article 69

1. Flight Captain in airplane operation is obliged to fulfill the procedures of air traffic by at least covering:
  - a. aircraft movement on the air and priority sequence of air traffic service;
  - b. height boundary;
  - c. forbidden, limited and dangerous air areas;
  - d. vertical and horizontal distance;
  - e. noise boundary of requirements;
  - f. object withdrawal on the air including heterodyne;
  - g. flight test-drive, acrobatic and demonstrate;
  - h. emergency signal if knowing that the aircraft in the forbidden, limited and dangerous air areas;
  - i. take off, landing and inland or air movement;
  - j. usage of aircraft navigation lamp;
  - k. signal for forwarding the information or give attention to other airplane; and
  - l. office hours for airport operation.
2. Further rule regarding of the procedures of air traffic as set forth in clause (1), is regulated by a Minister Decree.

#### Article 70

1. Flight Captain is obliged to obey flight plan which has been specified.
2. Deviation flight plan as set forth in clause (1), can be conducted for the reason of flight safety with the rule:
  - a. reporting to air traffic guide in charge of aircraft in the controlled air space; and
  - b. submitting deviation information of flight plan to nearest flight information center in the case of aircraft in the uncontrolled air space.
3. Flight captain or other air crew or aircraft operator is obliged to report to official functionary concerning of conducted crash landing.

4. Further rule regarding of plan and deviation of flight plan as set forth in clause (1) and clause (2), is regulated by a Minister Decree.

#### Article 71

1. Everyone prohibited throwing away any object from airplane during flight.
2. Any object throwing from airplane can only be conducted in emergency flight and/or by permit of Flight Captain.
3. In conducting the dismissal as set forth in clause (2), Flight Captain has to report the dismissal area to air traffic guide.
4. Object dismissal from airplane and dismissal area as set forth in clause (2) and clause (3), conducted by paying attention to:
  - a. aircraft and passenger safety;
  - b. the safety of citizen in dismissal region and its property;
  - c. environmental continuity.
5. Further rules regarding of dismissal object from airplane as set forth in clause (2), clause (3) and clause (4), is regulated by a Minister Decree.

#### Article 72

1. Aircraft in emergency flight is entitled to get the air traffic service priority.
2. Granting priority of air traffic service as set forth in clause (1) based on flight emergency report from Flight Captain or other aircraft personnel.
3. Guide of air traffic is obliged to take action against its authority which is needed to guarantee the flight safety of emergency aircraft from the user service of air traffic service.

### **Part Four Air Traffic Service**

#### Article 73

1. Air traffic service is carried out by Government and its performance can be authorized some or entirely to State Owned Company founded for that purpose according to applicable law and regulation.
2. Every aircraft operating in Indonesia air space is given air traffic service.
3. Air traffic service as set forth in clause (1) and clause (2), conducted by paying attention to:
  - a. flight status;
  - b. air traffic management;
  - c. flight communications facility;
  - d. flight navigation supporting facility;
  - e. flight perception facility;
  - f. assistive landing facility;
  - g. meteorology facility;
  - h. aeronautical information;
  - i. personnel ability; and
  - j. special things.

4. Air traffic service as set forth (1), covers:
  - a. service of air space explore operation;
  - b. service of air space approaching operation;
  - c. service of airport air space operation including landing and release aircraft service;
  - d. perception service;
  - e. service of flight flow operation;
  - f. service of flight information;
  - g. co-ordination in air traffic controller usher or with other related institution; and
  - h. service of air traffic news;
5. Further rules regarding of air traffic service as set forth in clause (1), clause (2), clause (3), and clause (4) is regulated by a Minister Decree.

#### Article 74

1. Air traffic service as set forth in Article 73 conducted by air traffic service unit consist of:
  - a. service of air space explore operation;
  - b. service of air space approaching operation;
  - c. service of airport air space operation;
  - d. center of flight information;
  - e. center of airport flight information; and
  - f. other air traffic service unit as according to requirement.
2. Further rule regarding of the air traffic service unit as set forth in clause (1) is regulated by a Minister Decree.

#### Article 75

The organizer of flight navigation service giving air traffic service is obliged to conduct the increasing of human resource quality, air transport facility and service as according to air transport requirements and technological growth.

### **Part Five Air Traffic Service in Special Airport**

#### Article 76

1. Air traffic service in special airport carried out by Government which its performance can be authorized some or entirely to State Owned Company founded for that purpose.
2. The cost occurs as effect of air traffic service carried out by Government or State Owned Company as set forth in clause (1) charged to a special airport organizer.
3. Special airport organizer is obliged to provide, keep and take care of air transport communications facility, assistive air navigation facility, perception, assistive landing facility, meteorology, aeronautical information, for air traffic service.
4. Further rule regarding the air traffic service in special airport as set forth in clause (1), clause (2) and clause (3), is regulated by a Minister Decree.

**CHAPTER VII  
FLIGHT PERSONNEL AND HEALTH**

**First Part  
Flight Crew**

Article 77

1. Flight personnel covers:
  - a. Aircrew;
  - b. Security and safety service flight personnel
2. The aircrew as set forth in clause (1) letter a covers:
  - a. Aircraft Operation Personnel;
  - b. Aircraft Operations Supporting Personnel.
3. Aircraft Operations Personnel as set forth in clause (2) letter b covers:
  - a. The Pilot;
  - b. Aircraft Engineer;
  - c. Aircraft Navigator.
4. Aircraft Operations Supporting Personnel as set forth in clause (2) letter b, covers:
  - a. Aircraft Maintenance Personnel;
  - b. Flight Operations supporting Personnel;
  - c. Cabin Crew
5. Flight Security and Safety Personnel as set forth in clause (1) letter b cover:
  - a. flight navigation service personnel;
  - b. airport operation services personnel; and
  - c. airline security and safety services personnel.

Article 78

1. Flight Personnel as set forth in article 77 clause (1), shall dispose of a legal and valid certificate of competency;
2. Said competency certificate as set forth in clause (1), is provided by the Minister by taking note of:
  - a. age;
  - b. healthy in body and mind;
  - c. has passed the competency and skill tests.
3. The competency certificate as set forth in clause (1), can be obtained after prior participation in education and training.
4. Further regulation regarding the pre-requirements and procedures for obtaining the competency certificate as set forth in clause (1), will be regulated by Minister Decree.

**Part Two  
Flight Personnel Responsibilities**

Article 79

1. Flight Personnel disposing of a competency certificate shall:
  - a. adhere to the regulation in accordance with the competency certificate owned;
  - b. retain said competency and ability they have;
  - c. adhere to the regulations for periodical health examinations.
2. Flight personnel which are assigned on duty shall have to:
  - a. own a certificate in accordance with the performance of their duties;
  - b. be in a healthy condition of body and mind;
  - c. skilled and able for performing their duties.
3. Flight personnel shall, during the performance of their duties, adhere to all the flight security and safety regulations.
4. Further regulations regarding flight personnel responsibilities as set forth in clause (1) will be regulated by a Minister Decree.

### **Part Three Authorities of the Captain Pilot**

#### Article 80

1. In the performance of their duties during the flight, the Aircraft Captain Pilot will be responsible for the security and safety of the flight.
2. In the performance of his duties as set forth in clause (1) the Captain Pilot has the authority to take preventive measures in case flight security and safety disturbances occur.
3. Said preventive measures as set forth in clause (2), cover :
  - a. take security measures towards the passengers or other emergency situations which may disturb or endanger the flight security and safety.
  - b. Dispel and/or surrender the perpetrator suspected of the disturbance or endangering the flight security and safety as set forth in letter a, to the authorized officials at the nearest airport.
4. Further regulation regarding the procedures in taking preventive measures as set forth in clause (3), will be regulated by a Minister Decree.

### **Part Four Aircraft Operations Personnel and Cabin Crew Authorities**

#### Article 81

1. During the performance of their duties, aircraft operations personnel and/or cabin crew shall be responsible for assisting the Flight Captain in keeping the flight security and safety.
2. In emergency situation during the flight, aircraft operations personnel and/or cabin crew may perform or act outside the prevailing regulations, at the instruction of the Flight Captain.

### **Part Five**

## **Aircraft Operations Support Personnel Authorities**

### Article 82

1. In the performance of their duties the aircraft support personnel shall be responsible for the aircraft readiness for making the flight.
2. In the performance of their duties the aircraft operations support personnel may postpone the flight because of the certain reasons in coordination with the Flight Captain.

## **Part Six Flight Personnel Educations and Training**

### Article 83

1. Type and career education and training of flight personnel.
2. Flight personnel education and training as set forth in clause (1), may be organized by the Government and/or an Indonesian legal institution.
3. The organization of flight personnel education and training as set forth in clause (1), must be covered by a permit from the Minister who is responsible for the national education sector after hearing the consideration from the Minister.
4. For the implementation of flight personnel education and training the following pre-requirements must be complied with:
  - a. disposing of an education and training activities permit from the authorized instance;
  - b. has an organization which is arranging the flight personnel education and training activities;
  - c. employs adequate and qualified education personnel in accordance with the education and training types and levels;
  - d. disposes of a manual book on the procedures for organizing education and training;
  - e. has an education and training syllabus which is in accordance with the types and levels and referring to the education system in Indonesia;
  - f. is in possession of the necessary facilities in accordance with the education and training types and levels provided;
5. The Minister shall grant a certificate to the organizer of the flight personnel education and training which has complied with the pre-requirements as set forth in clause (4).
6. The flight personnel education and training operations certificate as set forth in clause (5), shall remain valid for the duration of the flight personnel education and training activities and so far it remains in compliance with the rules and regulations as set forth in clause (4).
7. The Minister shall be responsible for the supervision and evaluation towards the flight personnel education and training activities to ensure compliance towards the rules and regulations as set forth in clause (4).

8. Further regulations regarding the education and training type and phases as well as pre-requirements and procedures for obtaining a flight personnel education and training activities certificate as set forth in clause (1), clause (4) and clause (5) will be regulated by a Minister Decree.

#### Article 84

1. The holder of the flight personnel education and training activities certificate shall be responsible for:
  - a. the implementation of the types of education and training in accordance with the certificate that has been granted;
  - b. maintaining the quality of the education and training that have been implemented;
  - c. the drafting of a plan and reporting for each education and training package implemented
  - d. report any changes occurring in the education and training operation as set forth in the provided certificate.
2. Further regulations regarding the responsibilities of the flight personnel education and training certificate operations holder as set forth in clause (1), will be regulated by a Minister Decree.

#### Article 85

1. The flight education and training operations certificate may be suspended, revised or revoked.
2. Further regulations regarding the procedures, freezing, revision and revocation as set forth in clause (1) will be regulated by a Minister Decree.

#### Article 86

1. Flight personnel education and training operations certificate may be granted to an organizer abroad through the validation of a certificate issued by the local state.
2. Further regulations regarding the procedures for obtaining a flight education and training operations certificate as set forth in clause (1) will be regulated by a Minister Decree.

### Part Eight Air Transport Health

#### Article 87

1. Service of health of air transport carried out by Government and its execution can be overflowed to legal body of Indonesia or individualness having kualifikasi of air transport health.
2. Service of health of air transport as set forth in clause (1) covering activities:
  - a. examination and/or health conservancy to
    - 1) personnel operate for the airplane
    - 2) supporter personnel operate for the airplane

- 3) personnel of service of navigation air transport
- 4) personnel of service of airport operation
- 5) personnel of service of security and safety of air transport company
- b. inspection of hygiene and sanitation airport, facility of airport supporter, health and working safety of facility of air transport supporter
- c. inspection of hygiene and sanitation airplane
3. To result of health inspection as set forth in clause (2) letter of a and letter b, given by a health certificate by Minister
4. Further regulation regarding the service of health of air transport as set forth in clause (1) and clause (2), is regulated by applicable law and regulation.

## **CHAPTER VIII TARIFF SERVICE OF AIR TRANSPORT NAVIGATION**

### Article 88

1. Gift of service of navigation of air transport imposed by expense in the form of tariff of service of navigation air transport.
2. Tariff of service of navigation of air transport as referred to in sentence (1), specified by pursuant to structure and faction.

### Article 89

1. Structure of tariff of service of navigation of air transport represent the tariff framework which is related to by a factor apart flown and heavy factor of airplane of according to service given by organizer of service of navigation air transport.
2. Faction of tariff of service of navigation of air transport cover:
  - a. domestic air transport tariff; and
  - b. international flight tariff.
3. Further regulation regardng of the structure and faction of tariff of service of navigation of air transport as set forth in clause (1) and clause (2), is regulated by a Minister Decree.

### Article 90

Tariff as set forth in Article 88 is not imposed to:

- a. airplane of Republic Of Indonesia state
- b. airplane utilized for seeking and help (search and rescue) or human activity
- c. special airplane utilized by state guest, president or lead the governance therewith entourage in political visit in Indonesia



- d. Departmental property airplane of Communication utilized for the education of body of airplane cockpit, calibrate the assistive appliance of navigation air, or other activity related to construction of air transport safety
- e. airplane own the country club of air transport given by Liberation by Director-General
- f. foreign military airplane which can show the recommendation of exemption Department of Defender or Headquarter of National Military Indonesia

Article 91

- 1. Tariff of service of navigation of air transport of airport which is carried out by Government, specified with the separate Governmental Regulation.
- 2. Tariff of service of navigation of air transport which is carried out by Body of is Effort Public Ownership founded to carry out the service of navigation air transport, specified by Organizer of Service of Navigation of Air transport after consulted with the Minister.

**CHAPTER IX  
SEEKING AND ACCIDENT HELP  
AEROPLANE**

Article 92

- 1. Each aviator which is in duty of air transport experience of the a tight hole or know the existence of other; dissimilar airplane is which is felt concerned about by a medium face the danger in air transport, is obliged to immediately advise to the air traffic worker.
- 2. Each and everyone or legal body operating airplane is obliged to assist the effort seeking and help to airplane accident
- 3. Rule of concerning seeking and help to airplane accident adapted for by a law and regulation going into effect.

**CHAPTER X  
RESEARCH of ACCIDENT CAUSE  
AEROPLANE**

Article 94

- 1. Each happened by the airplane accident in Republic Of Indonesia region, conducted a research to know the cause of the happening of accident.
- 2. Research to airplane accident as set forth in clause (1), conducted by Sub of Committee of Research of Accident of Air Transportation formed as according to law and regulation.
- 3. Minister can show somebody owning certain membership become the member of Sub of Committee of Research of Accident of Air Transportation.

4. Sub of Committee of Research of Accident of Air Transportation in executing duty can entangle:
  - a. proxy from government of airplane place registered
  - b. proxy from factory of maker of airplane and airplane machine; and/or
  - c. proxy from air Transport Company.
5. Sub of Committee of Research of authoritative Air Transportation Accident ask the boldness and/or aid of membership service from airline, legal body of Indonesia or individualness, for the fluency of cause research of the happening of airplane accident.
6. Further regulation regarding of the research to airplane accident as set forth in clause (1) is regulated by a Minister Decree.

#### Article 95

1. Company of air transport and/or operator which its airplane experience of the accident is obliged to immediately report to Minister and Sub of Committee of Research of Accident of Air Transportation.
2. Organizer of airport and/or organizer of service of navigation of air transport knowing and/or accepting report of the happening of airplane accident is obliged to immediately report to Minister and Sub of Committee of Research of Accident of Air Transportation.
3. After accepting report of the happening of airplane accident as set forth in clause (1) and clause (2), Sub of Committee of Research of Accident of Air Transportation immediately do/conduct the research.
4. Further regulation regarding of the reporting procedures as set forth in clause (1) and clause (2) is regulated by a Minister Decree.

#### Article 96

1. Official functionary at location of airplane accident is obliged to conduct action the security to natural airplane of accident of outside environmental area work the airport, to
  - a. protecting air crew of air and its passenger
  - b. preventing the happening of action which can alter the airplane situation, damage and/or take the goods from natural airplane of accident
2. Security action as set forth in clause (1), can take place up to ending it research execution infield by Sub of Committee of Research of Accident of Air Transportation.
3. Further regulation regarding of the security action as set forth in clause (1) and clause (2), is regulated as according to applicable law and regulation.

#### Article 97

1. Sub of Committee of Research of Accident of Air Transportation is obliged to report result of research to Minister.
2. Minister submits result of research as referred to in sentence (1) to International Civil Air Navigation Organization.

3. Furthermore Rule hit the reporting procedures and forwarding of research result as referred to in sentence (1) and sentence (2), arranged with Ministerial Decree.

## **CHAPTER XI ENVIRONMENTAL CONTAMINATION**

### Article 98

1. Each and everyone and/or legal body producing and/or operating airplane, is obliged to prevent the happening of environmental contamination.
2. Environmental Contamination as referred to in sentence (1), covering things of related to a. gas emission throw away  
b. noise storey; level.
3. Rule as referred to in sentence (1) and sentence (2), going into effect for airplane to be registered by and/or operated in Republic of Indonesia region.
4. Rule as set forth in clause (1) and clause (2), only valid for the airplane moved by machine of activator of type of turbine gas.
5. Airplane which have been registered by and/or operated in region of Republic Of Indonesia have to fulfill the conditions as set forth in cluase (2), at the latest 10 (ten) year of since specifying of this Governmental Regulation.
6. Further regulation regarding of things as set forth in clause (2), is regulated by a Minister Decree.

## **CHAPTER XII SANCTIONS**

### Article 99

1. Violations towards non-compliance of the aircraft operational reliability pre-requirements as set forth in Article 16, Article 17, Article 26, Article 28, Article 41, Article 42, Article 45, Article 46, Article 47, Article 50, Article 61, and Article 62 will be imposed with an administrative fine.
2. The imposition of an administrative fine as set forth in clause (1) will be effected through the process of an up to 3 (three) times consecutively written warnings each with an interval of 1 (one) month;
3. If the warnings as set forth in clause (2) are ignored, this will be followed by the freezing of the certificate for a period of at least 3 (three) months.
4. After expiration of the freezing period of the certificate as set forth in clause (3) and there are no efforts of remedying, the certificate shall be revoked.

### Article 100

The holder of the aircraft operational reliability certificate as set forth in Article 99 may suffer the sanction of direct revocation of the certificate without undergoing the process as set forth in article 99, in case it is proven that the certificate holder:

- a. has conducted activities that has endangered the security of the state;
- b. has obtained the certificate and/or permit in an illegal manner; or
- c. has openly carried out acts which has endangered flight security and safety.

#### Article 101

1. The flight personnel competency certificate may be revoked, if the competency certificate holder fails to comply with the responsibilities as set forth in Article 68, Article 70, Article 71 clause (3), Article 79, Article 80, Article 81, and Article 82.
2. The suspending process of the competency certificate as set forth in clause (1) is executed through a written warning.
3. If the written warning as set forth in clause (2) is ignored, it will be followed up by the suspending of the competency certificate for a certain period of time.
4. If during said suspending period as set forth in clause (3), no efforts of remedying are made by the certificate holder, the competency certificate will be revoked.
5. Further regulations regarding the suspending period as set forth in clause (3) will be regulated with a Minister Decree.

#### Article 102

The competency certificate may be revoked without a prior process of warning and/or suspending, in case it is proven that the certificate holder:

- a. has obtained the competency certificate by illegal methods; or
- b. has performed activities which has endangered state security.

### **CHAPTER XIII TRANSITIONAL PROVISIONS**

#### Article 103

On the enactment of this Government Regulations, all rules and regulations that are subordinate to subordinate to Government Regulations which regulate flight security and safety shall remain in force, to the extent they are not contrary to this regulation, or replaced by new ones based on this Government Regulations

### **CHAPTER XIV CLOSING PROVISIONS**

#### Article 104

This Government Regulation is effective 1 (one) year as of the date of enactment. That the public may be informed hereof, it is hereby ordered that this Regulation be promulgated in the State Gazette of the Republic of Indonesia.

Enacted at Jakarta  
on February 5, 2001

PRESIDENT OF THE REPUBLIC OF INDONESIA

sgd.

ABDURRAHMAN WAHID

Promulgated at Jakarta  
on February 5, 2001

STATE SECRETARY OF THE REPUBLIC OF INDONESIA,

sgd.

DJOHAN EFFENDI

STATE GAZETTE REPUBLIC INDONESIA YEAR 2001 NUMBER 9

This copy is in accordance with the original

CABINET SECRETARY RI

Head Bureau regulations and Legislation I,

Lambock V. Nahattands