

Xeer Wasaradda G. Cirka iyo dhulka L. 3 ee 4 Maarso 1985.
 Xeer Nidaamiyaha Ujuurada Ilaalinta Duulista Hawada (1).

WASIIRKA
 WASAARADDA GAADIIDKA CIRKA IYO DHULKA

MARKUU ARKAY: Qodobka 6 (b) ee Dekereeto 9.9.65, Lamb. 13 ee Sharciga lagu dhigay 21.11.65, Lamb. 18;

MARKUU TIXGELIYEEY: In ay tahay lagama-maarmaan, dekhli si loo ilaaliyo duulista hawada ee dayuuradaha ka diiwaan gashan Soomaaliya, iyo kormeerka hay'addaha ka shaqeeya duulista diyaaradahaas;

MARKUU DHEGEYSTAY: Wasiirka Maaliyadda wuxuu Xeerreeyey:

Qod. 1aad

Wax qabad kasta, ee Waaxda Duulista iyo Hawada lana xiriira Ilaalinta Duulista Hawada Dayuuradaha ka diiwaan gashan Soomaaliya iyo kormeerka Hay'addaha ka shaqeeya diyaaradahaas waxa laga bixinayaa kharashka ku tilmaaman Xeer-nidaamiyaha halkan ku lifaaqan.

Qod. 2aad

Xeer kasta ee ka soo horjeeda waa la baabi'iyey.

Qod. 3aad

Xeerkan wuxuu dhaqan gelayaa laga bilaabo 1da Janaayo 1985.

Qod. 4aad

Waxaana lagu soo saari doonaa Faafinta Rasmiga ah.

(1) F.R. L. ee Ida abril 1985.

**FEE REGULATION FOR AIRWORTHINESS SURVEILLANCE OF SOMALI
REGISTERED CIVIL AIRCRAFT AND OF AERONAUTIFIRMS (1)**

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**P A R T O N E
G E N E R A L P R O V I S I O N S**

Article 1

This Regulation applies to all services furnished by the Airworthiness
Division of General Directorate of Civil Aviation within the national territory.

For the services furnished abroad:

- a) When the service has been furnished by a foreign airworthiness authority,
on behalf of Somali General Directorate of Civil Aviation, a tariff, agreed
for this purpose, shall apply.
- b) When the service has been furnished directly by the G.D.C.A. the tariffs of
this regulation shall apply, but increased up to ten times, according coeffi-
cients established by G.D.C.A. for each individual case, depending on the
importance and on the difficulty of the service.

(1) Attached to Decree No. 3 of 4 March 1985.

Article 2

The fees due to G.D.C.A. for technical services that are not explicitly provided by this Regulation, are established by G.D.C.A. following analogous criteria.

Article 3

As a rule, G.D.C.A. shall collect in advance a deposit equivalent to the expected amount of fees and expenses relevant to the requested service.

The General Director of Civil Aviation is entitled to exempt the applicant from the anticipated payment, when the applicant has demonstrated his reliability.

This is however forbidden in case of customers who have incurred in defaultings or delays of paying what due to G.D.C.A.

Article 4

The payment of fees and expenses due to G.D.C.A. for services furnished, must in all cases be settled entirely at the production of relevant invoices.

The customer has the right to put in a claim, with the modalities provided in the following article 7, to obtain the refund of possible undue sums, paid by mistake.

In case of non fulfilment, G.D.C.A. is entitled to refuse issuing, renewing or validating certificates of airworthiness or any other certificate or document requested, without incur in any responsibility, still remaining unprejudiced all rights of G.D.C.A. for the services furnished.

Article 5

Fees and expenses, established in accordance with this Regulation are due to G.D.C.A. also when the asked or required service has not been completed.

Article 6

G.D.C.A. is the only executive organ of Ministry of Land and Air Transport of S.D.R. competent to give provision for solving the possible controversial questions regarding the enforcement of the rules included in this Regulation.

Article 7

The complaints, made to obtain the reimbursement of those sums that in customer's opinion have been invoiced or cashed wrongly, shall be addressed to the General Director of Civil Aviation.

Customers may appeal to the Minister of Transport, against the decisions of the General Director, within fifteen days from the date of the decision.

Article 8

The expenses, due for technical and administrative services furnished by G.D.C.A., are not included in the fees, except explicit exceptions.

In particular (but only as example), the following expenses shall be charged to the customers:

- daily allowances and travelling expenses;
- mail, telephone etc. expenses: these expenses shall be charged as two per cent of the fees;
- copies and printings;
- government taxes and stamps requested for certificates, documents, receipts etc. according somali laws.

Article 9

G.D.C.A. may agree in advance with the customer the total amount of fees and expenses when, on the basis of the provisions of this Regulation, it is possible to predetermine their amount with reasonable approximation.

PART TWO FEES FOR SURVEILLANCE

Article 10

The fees due to G.D.C.A. for technical services, relevant to the airworthiness of civil aircraft, are established referring to the applicable Tariffs and to the relevant procedures of enforcement.

The amounts shown by the Tariffs, are the minimum fees for the service and may be increased up to the double, for each year or fraction of years, of duration of the service, when the application of the following article 12 implies the overcoming of the basic tariff.

This limitation is not applicable for services requested by foreign firms or by foreign official Bodies.

Article 11

Imported items

The acceptance fees due by the customer to G.D.C.A. for aircraft manufactured abroad to be classified by G.D.C.A., powerplants, separate components,

spare parts, aeronautical products and their parts, and for all material imported in Somalia, are established as 3 per cent of the value of the items when new, with a minimum of USA dollars 15 per item.

Should also the registration or the type certification approval for the above said items be requested to G.D.C.A., an additional fees equal to the double of the acceptance fee shall be due to G.D.C.A., with a minimum of USA dollars 30.

Article 12

With refence to article 10, second paragraph and followings, for each service and for each official personnel participating to the service, a fixed fee of USA dollars 140 is due to G.D.C.A., for each working day of eight hours or of USA dollars 70 if the service is performed only in the morning or in the afternoon of the same day.

A right of USA dollars 30 is due to G.D.C.A. for each hour or fraction of hour, in case of simple services whose duration is less three hours.

Article 13

Surveillance on operation of public transport aircraft

The fees due to G.D.C.A. for services concerning the surveillance on operation of public transport aircraft are established, save explicit exception, for each aircraft and for each flight hour, in relation with the type of aircraft and as function of the maximum rated total power or thrust of powerplants, in accordance with the following TARIFF « A ».

All the hours actually flown, for whatever reason, by the aircraft during the year, must be included in the calculation of flight hours.

Tariff « A » includes:

- fees due to G.D.C.A. for overhaul and repair surveillance and subsequent test of powerplants and rights for spare parts and materials;
- accessory fees as indicated in Part Three of this Regulation, excluding the fees due for services that are not classifiable as routine services;
- G.D.C.A. expenses, excluding those for services furnished abroad and those not included in Tariff « A »;
- fees and expenses due for the certification of firms and of personnel.

TARIFF « A »

(Public Transport)

The following formulae (where « P » means the total maximum power and « T » means the total maximum thrust) must be applied in calculating the fees (USA \$/hours):

- 1) aircraft equipped with propellers (0,75 + 0,00025 P);
- 2) aircraft equipped with jet engines:
 - with thrust up to 5000 kg. (2,6 + 0,004 T)
 - with thrust higher than 5000 kg. (4,1 + 0,001 T)
- 3) helicopters, convertiplanes, VTOL and similar.

The fees applicable shall be calculated with the above formulae, as applicable to the type of propulsion, multiplied by the coefficient 1,5.

NOTE: Flight hours must be calculated according Annex 6 ICAO.

Article 14

G.D.C.A., derogating from the above article 13, is entitled to apply the article 12, up to the double of the Tariff shown on the following article 16, when in G.D.C.A. unobjectionable judgement, this is justified by the inadequate flight activity performed during the year.

Article 15

The payment of the fees due to G.D.C.A. for the yearly surveillance must be settled in four quarterly instalments. The first instalment must be settled in advance and calculated on the basis of the number of hours that the customer shall declare that he is expecting to fly during the first quarter.

The other instalments shall be calculated according to the hours actually flown during the previous quarter.

The balance shall be calculated and settled at the end of the solar year on the basis of the total hours flown during the year.

Article 16

Surveillance on operation of aerial work, private and special categories of aircraft

The fees due to G.D.C.A. for services concerning the surveillance on operation and the renewal of validity of certificates of airworthiness for Aerial Work, Private and Special categories aircraft, and for Public Transport category aircraft in the case of article 14, are established in accordance with the following TARIFF « B », as function of the maximum rated total power or thrust of powerplants, approximated by excess to 50 HP of power or to 50 kg. of thrust.

For helicopters, convertiplanes, VTOL and similar the Tariff « B » shall be multiplied by a coefficient 1,5.

TARIFF « B »
(Aerial work, Private, Special)

The following formula (where « P » means the total maximum power in HP and « T » means the total maximum thrust in kg.) must be applied in calculating the fees (USA \$)

$$50 + 1,5 P \text{ (or T)}$$

The above fees are reduced to 50 per cent for Police Air Wing aircraft. The fees include daily allowances, transportations and insurance.

In case of enforcement of article 5, when the services do not bear to the renewal of certificate of airworthiness, the fees shall be calculated in accordance with article 12.

The total amount of the fees and the relevant expenses, in this case, shall not exceed the amount that would result by application of Tariff « B ».

In case of services furnished abroad, always in respect of article 1, the expenses for daily allowances and for transportations shall be added to the fees established by this article.

Article 17

**Surveillance on repair, Overhaul, Modification of Aircraft
 Classified Aerial Work, Private and Special**

Fees concerning the surveillance on repairs, overhauls and modifications of the aircraft covered by article 16, including their parts and components, are established in accordance with article 12 of this Regulations.

The fee for the final testing of the engines is established as 1 per thousand of the value of the engine when new.

PART THREE
ACCESSORY FEES

Article 18

The fees due to G.D.C.A. for technical and administration services not provided under Part One and Part Two of this Regulations, or not included in the fees established by the above said Parts, shall be established in accordance with the following articles.

Article 19

The fees for the examination of project of aircraft engines, propellers,

or aeronautical products in general, if requested independently of an expected certification or article 12 of this Regulations.

Article 20

The fees due to G.D.C.A. for:

- rating the civil aircraft for the various types of navigation, operation or services;
- services concerning technical, administrative, scientific and statistic functions;
- services concerning the function of expert in aeronautical, mechanical, avionics and similar activities;
- advice on projects and on technical organizations;
- technical assistance, inspections of schools, workshops, plants, tanks for fuel and lubricants, fire fighting equipment, noise problems etc.;
- advice in organization of training of personnel;
- investigations and laboratory tests on materials.

Shall be established, for each individual case, by G.D.C.A. by evaluating the characteristics of the expected services and the value of the object of the services, in the respect of article 9 of this Regulations.

Article 21

Special services

The fees due to G.D.C.A. for:

- investigations on failures and on relevant causes;
- estimates of the damages;
- special tests and experiments;
- static and dynamic tests, functioning tests on the ground and in flight, tests at sea and similar, excluding the tests required for type certification or approval;
- technical investigations regarding the modifications or alterations to be introduced to the certificates of airworthiness.

Are established in accordance with article 12 of this Regulations.

Article 22

Certification

Except for the provisions of article 13, the fees for services of certification of firms and of personnel, are established in accordance with article 12 of this Regulations.

The total amount of fees for certification shall not be less than USA

dollars 140 for each Certificate of Technical Capability issued to a firm and not less than USA dollars 30 for each licence granted to the personnel.

For extensions and for renewals of certificates and licences the fees shall not be less than 50 per cent of the above said fees.

The limitation indicated in the second sentence of article 10 does not apply.

Article 23

The fees due to G.D.C.A. for developing or approving Flight Manual, Maintenance, Repair, Overhaul etc.: Manuals of aircraft, engines, propellers, systems and components, are established by G.D.C.A., in each individual case, depending on the service requested and on the importance of the job.

Article 24

A fixed fee of USA dollars 45 is due to G.D.C.A. for the issue of a Certificate of Airworthiness even if it is a replacement or a duplication of a certificate previously issued.

A fixed fee of USA dollars 7 is due to G.D.C.A. for renewal of validity of the Certificate of Airworthiness at the scheduled time or after a suspension of validity.

Article 25

A fixed fee of USA dollars 45 is due to G.D.C.A. for the issue of each declaration of type certification, rating, type approval and fitness for operation.

A fixed fee of USA dollars 30 is due for the issue of Declarations, other than the above specified, of documents to be attached to Certificate of Airworthiness, and of test certificates for each engine and for each propeller.

A fixed fee, equal to 59 per cent of the fee established for the original document, shall be due to G.D.C.A. for furnishing certified copy of any document.

Should the fee for the original document have not been established by this Regulations, it is due to G.D.C.A. a fixed fee of USA dollars 15 for the first page of the document and of USA dollars 3 for each following page.

Article 26

A fixed fee of USA dollars 30 is due to G.D.C.A. for the issue of each Aircraft, Engine, Propeller and Radio Installation Log-Book required.

An additional fee of USA dollars 140 shall be added to the above fee for furnishing a duplicate of a Log-Book, due to the time and work necessary for the relevant ascertainments.