

The Republic of the Union of Myanmar
Ministry of Transport and Communications
Department of Civil Aviation



Myanmar Civil Aviation Requirements
Part 10 – Commercial Air Transport by Foreign Air
Operators Into, From and Within Myanmar

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CIVIL AVIATION REQUIREMENTS

MYANMAR

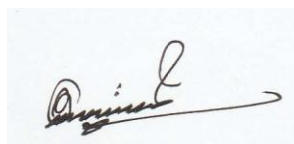
**MCAR PART –10–COMMERCIAL AIR TRANSPORT BY FOREIGN AIR
OPERATOR INTO, FROM AND WITHIN MYANMAR**

THIRD EDITION-DECEMBER- 2017

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Foreword

- a) In exercise of the powers conferred by Section 5 (A) (C) of the Myanmar Aircraft Act-1934 and the delegated powers from the Ministry of Transport and Communications as per Notification No.118/2009 dated 9 October 2009, the requirements for the MCAR Part – 10 Commercial Air Transport by Foreign Air Operators Into, From and Within Myanmar, Third Edition (December 2017) is prescribed and shall take effect from 1st January 2018.
- b) This Third Edition of Part –10 superseded the First Edition, April- 2010 and Second Edition June-2013 of MCAR Part –10 Commercial Air Transport by Foreign Air Carriers.
- c) The content of this MCAR is intended to be harmonized with contents of other related MCARs issued by DCA, Myanmar.
- d) **“SAFETY is our top priority” and will never be compromised. Which are hereby strongly encouraged to all safety concerns and sustainable development for all operators.**



Min Lwin
Director General
Department of Civil Aviation

TABLE OF DISTRIBUTION LIST OF FLIGHT STANDARDS DIVISION (MCARs)

No	Description	Subject	Last Issue	Distribution List
1.	MCAR Part-10	Commercial Air Transport by Foreign Air Operators	Third Edition December, 2017	DG Office DY-DG Office(Operations and Inspections) DY-DG Office (Planning and Safety Oversight) DCA Library All Divisions & All Airlines

INTRODUCTION

Each contracting State is empowered under the Convention on International Civil Aviation Convention to set the terms for entry and flight operations into, from or within that State. Ordinarily, flights in international commercial air transport are allowed into a contracting State under the terms and authority of international agreements granting the economic permission to operate into, from or within that contracting State. Such agreements require the safe operation of such aircraft. As a result, the Department of Civil Aviation, Myanmar in which the aircraft is registered and the DCA Myanmar that issues the Air Operator Certificate to the air operator are responsible under the Convention for the safe operation of each aircraft that is allowed to conduct commercial air transport into, from or within Myanmar.

Part 10 is used to set forth the terms and conditions under which Myanmar will carry out both its aviation safety responsibility to its own citizens and to assure the safe operation, airworthiness and aircrew qualifications of foreign air operators, it allows into Myanmar territory as mandated **by the Convention and that contracting State's laws and regulations**. The requirements placed upon such air operators in this Part are directly related to each **contracting State's responsibility to assure that its air operators engaged in international commercial air transport adhere to standards set forth in applicable ICAO Annexes and those special conditions existing within Myanmar that Myanmar notes to ICAO as differences from the Annex requirements, and special conditions within Myanmar that it reports in publications like the AIP, Myanmar**. Each air operator engaged in international commercial air transport must be made aware of those requirements that Myanmar places on the air operator as conditions to gain or maintain permission to operate into, from or within Myanmar. Part 10 also recognizes the responsibilities of each contracting State whose CAA regulates such air operators by making such CAAs are aware of the terms and conditions that Myanmar will require of those air operators.

Part 10 gives deference to, and emphasizes the responsibilities existing between all contracting States to adhere to international standards under the Convention respecting the safety regulation of its air operators, of the aircraft on its registry, and the licensing of its crew operating those aircraft. The alternative would be for Myanmar to address aviation safety solely with the air operator, which would amount to an attempt to directly regulate the foreign air operator in violation of the Convention.

The primary references sources used in Part 10 are: ICAO Annex 2, Appendix 4; ICAO Annex 6, Parts I and III; and ICAO Doc 8335. The versions of ICAO Annexes used are: ICAO Annex 2, Amendment 45; ICAO Annex 6, Part I, Amendment 40-A ; and ICAO Annex 6, Part III, Amendment 20-A .

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PART - 10 COMMERCIAL AIR TRANSPORT BY FOREIGN AIR OPERATORS INTO, FROM AND WITHIN MYANMAR

10.1 GENERAL

10.1.1 APPLICABILITY

- (a) This requirement prescribes requirements applicable to the operation of any civil aircraft, including aeroplane or helicopter, for —
 - (1) The purpose of commercial air transportation operations by any air operator whose Air Operator Certificate is issued and controlled by a Civil Aviation Authority other than Myanmar;
- (b) Part-10 does not apply to aircraft when used by military, customs, and police services, which are not used for compensation or hire.

10.1.2 DEFINITIONS

- (c) Definitions are contained in MCAR Part 8.

10.1.3 ABBREVIATIONS

- (a) The following abbreviations are used in Part 10:
 - (1) AFM – Aeroplane Flight Manual
 - (2) AOC – Air Operator Certificate
 - (3) AOM – Aeroplane Operating Manual
 - (4) MEL – Minimum Equipment List
 - (5) RFM – Rotorcraft Flight Manual
 - (6) DCA – Department of Civil Aviation, Myanmar

10.1.4 COMPLIANCE

- (a) A foreign air operator may not operate an aircraft in commercial air transportation operations in Myanmar contrary to the requirements of—
 - (1) Part 10;
 - (2) Applicable paragraphs of MCAR Part-7 and 8;
 - (3) Applicable standards contained in the Annexes to the Convention on International Civil Aviation for the operation to be conducted; and
 - (4) Any other requirements that the DCA Myanmar may specify.

10.1.5 AUTHORITY TO INSPECT

- (a) A foreign air operator shall ensure that any person authorized by the DCA Myanmar, will be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Myanmar-
 - (1) To inspect the documents and manuals required by this Part;
 - (2) To conduct an inspection of the aircraft;
 - (3) To take appropriate action when necessary to preserve safety.
- (b) When Myanmar identifies a case of non-compliance or suspected non-compliance by an original operator with laws, regulations and procedures applicable within Myanmar's territory, or a similar serious safety issue with that operator, Myanmar shall immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
- (c) In the case of notification to States as Specified in subpart (b), if the issue and its resolution warrant it the State in which the operation is conducted shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.
- (d) Inspections shall be conducted in accordance with this Part and Manual of Validation and Surveillance of Foreign Air Operators.

10.2 APPROVAL TO OPERATE IN THE TERRITORY OF MYANMAR

10.2.1 REQUIREMENTS FOR APPLICATION BY FOREIGN AIR OPERATORS FOR APPROVAL TO OPERATE INTO THE TERRITORY OF MYANMAR

- (a) A foreign air operator from the territory of another state shall not operate an aircraft in Myanmar unless it is so authorized by the DCA Myanmar and holds an associated Document of Authorizations, Conditions, and Limitations issued to it by the DCA Myanmar.
- (b) When an air operator wishes to apply to operate in Myanmar it shall—
 - (1) Make such application to the DCA Myanmar in the form and manner prescribed;
 - (2) See IS: 10.2.1(a) for the Foreign Operator's Application Form.

- (c) An application for approval to operate into the territory of Myanmar shall be accompanied by—
 - (1) A certified true copy of a valid (AOC) and associated operations specifications issued to the foreign air operator by the Foreign Authority;
 - (2) A copy of the current aircraft Certificate of Registration and airworthiness certificate issued for the aircraft types proposed to be operated by the air operator in Myanmar.
 - (3) A copy of the insurance certificate;
 - (4) A copy of the operational procedures and practices of the operator (Operation Manual Part A);
 - (5) A copy of a document identifying the maintenance checks that are required to be carried out for aircraft of the air operator while they are operated in **within Myanmar**;
 - (6) In the cases of wet leased aircraft: a copy of the approval of the CAA of the State of the operator, with identification of the operator that exercises operational control of the aircraft;
 - (7) A proposed Aircraft Operator Security Programme for the foreign air operator who does not hold an Air Operator Certificate issued by the DCA Myanmar which meets the requirements of the Civil Aviation Regulations, for the acceptance and subsequent approval of the DCA Myanmar; and
 - (8) Any other document the DCA Myanmar considers necessary to ensure that the intended operations will be conducted safely.
- (d) An applicant under these Regulations shall apply for the initial issue of a foreign air operator's Validation of Foreign Air Operator Certificate and Conditions and Limitations at least sixty days before the date of commencement of intended operation.
- (e) A foreign air operator shall submit and notify to the DCA Myanmar, whenever their documents and information were changed including Air Operator Certificate, Operations Specifications, Certificate of Airworthiness and Insurance Certificate.

10.2.2 CONDITIONS FOR THE ISSUANCE OF A VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE, CONDITIONS AND LIMITATIONS

- (a) The DCA Myanmar issue a Validation of Foreign Air Operator Certificate, Conditions and Limitations to a foreign air operator to conduct commercial air operations in Myanmar where the Director General is satisfied and has confidence in —
 - (1) The validity of the certificates and licences associated with the operator;
 - (2) **The operator’s personnel and aircraft;**
 - (3) The operational capabilities of the operator; and
 - (4) The level of certification and oversight applied to the activities of the foreign air operator by the Foreign Authority.
- (b) No foreign air operator may commence commercial air transport operations into, from and within Myanmar until the Conditions and Limitations have been issued.

10.2.3 ISSUANCE OF A VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE, CONDITIONS AND LIMITATIONS

The DCA Myanmar may issue a Validation of Foreign Air Operator Certificate, Conditions and Limitations to a foreign air operator applicant —

- (1) **Following approval of the foreign air operator’s application form to operate into the territory of Myanmar;**
- (2) Upon a satisfactory administrative review of the documentation provided by the foreign air operator under 10.2.1 (c) and (d); and
- (3) The DCA Myanmar receives no significant safety findings or major deficiencies from available safety related information relevant to the foreign air operator.
- (4) See IS 10.2.3 (a),(b),(c),(d)

10.2.4 CONTENTS OF A VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE, CONDITIONS AND LIMITATIONS

- (a) A Validation of Foreign Air Operator Certificate, Conditions and Limitations is issued to foreign air **operators for elements not listed in the operator’s AOC and** associated operations specifications but considered necessary for compatible operations within Myanmar.

10.2.5 CONTINUED VALIDITY OF A VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE, CONDITIONS AND LIMITATIONS

- (a) A foreign air operator shall, when conducting operations into, from and within Myanmar, ensure that it complies at all times with the requirements of—
 - (1) Its Operations Specifications;
 - (2) Its approved Aircraft Operator Security Programme; and
 - (3) The security requirements for aircraft operators operating in Myanmar.

10.2.6 VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE

- (a) A Validation of Foreign Air Operator Certificate remains in force as long as the Air Operator Certificate of the State of Operator, on which it is based, remains valid or until it is suspended or revoked by the Director General.
- (b) The Foreign Air Operator Certificate is expired or suspended or revoked shall forthwith surrender the validation to the Director General.
- (c) The holder of validation of Foreign Air Operator Certificate shall make application for validation not later than 30 days after the Air Operator Certificate of the State of the Operator has been renewed.

10.3 DOCUMENTS

10.3.1 FOREIGN AIR OPERATOR'S AIRCRAFT TECHNICAL LOG

- (a) A foreign air operator shall use an aircraft technical log system containing the following information for each aircraft—
 - (1) Information about each flight necessary to ensure continued flight safety;
 - (2) The current aircraft certificate of release to service;
 - (3) The current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the DCA Myanmar agrees to the maintenance statement being kept elsewhere;
 - (4) All outstanding deferred defects that affect the operation of the aircraft; and
 - (5) Any necessary guidance instructions on maintenance support.

10.3.2 AIR OPERATOR MANUALS, DOCUMENTS AND FLIGHT CREW LICENCES TO BE CARRIED

- (a) A foreign air operator shall ensure that the following manuals, documents and licences are carried on flights into, from and within Myanmar.
 - (1) A certified true copy of the Air Operator Certificate and associated Operations Specifications all of which shall be in the English language;
 - (2) A Copy of the Validation of Foreign Air Operator Certificate, Conditions and Limitations required under Part 10;
 - (3) The current parts of the Operations Manual relevant to the duties of the crew are carried on each flight;
 - (4) Those parts of the Operations Manual, which are required for the conduct of a flight and are easily accessible to the crew on board the aircraft on each flight, such as the MEL; and information and instructions relating to the interception of aircraft;
 - (5) The current AFM approved by the State of Registry, or AOM approved by the State of Operator is carried on the aircraft on each flight. The AFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design;
 - (6) The current Certificate of Registration, and Certificate of Airworthiness in force in respect of that aircraft;
 - (7) The appropriate licences of the members of the flight crew, cabin crew and engineer, if a cabin crew licence is required by the Foreign Authority;
 - (8) Appropriate approval/ licence of crewmembers for aircraft radio operation.

10.3.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED

- (a) A foreign air operator shall ensure that, in addition to the documents and manuals prescribed 10.3.2, the following information and forms, relevant to the type and area of operation, are carried on each flight—
 - (1) Operational Flight Plan;
 - (2) Aircraft Technical Log containing at least the information required in 10.3.1(a);
 - (3) Appropriate NOTAM/AIS briefing documentation;
 - (4) Appropriate meteorological information;

- (5) Passenger and Cargo manifests as appropriate for the intended flight;
 - (6) The mass and balance document for the aircraft certifying that the load carried is properly distributed and safely secured;
 - (7) Notification of special loads including any dangerous goods; and
 - (8) Current maps and charts for the area of operation.
- (b) The DCA Myanmar may authorize the information detailed in subparagraph (a) above, or parts thereof, to be presented in a form other than on printed paper provided the information is accessible for inspection.

10.3.4 PRODUCTION OF DOCUMENTATION, MANUALS AND RECORDS

- (a) A foreign air operator shall—
- (1) Give any person authorized by the DCA Myanmar access to any documents, manuals and records which are related to flight operations and maintenance; and
 - (2) Produce all such documents, manuals and records, when requested to do so by the DCA Myanmar, within a reasonable period of time.
- (b) The pilot in command shall, within a reasonable time of being requested to do so by a person authorized by the DCA Myanmar, produce to that person the documentation, manuals and records required to be carried on board.

10.3.5 PRESERVATION, PRODUCTION AND USE OF FLIGHT RECORDER RECORDINGS

- (a) Following an accident, incident, in Myanmar involving an aircraft of a foreign operator, or when the DCA Myanmar so directs, the foreign operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of not less than 60 days unless otherwise directed by the DCA Myanmar.

10.4 OPERATIONS AND PERFORMANCE

10.4.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHTS

- (a) A foreign air operator shall compute the mass of passengers and checked baggage using—

- (1) The actual weighed mass of each person and the actual weighed mass of baggage; or
 - (2) The standard mass values specified by the foreign Authority.
- (b) The DCA Myanmar may require a foreign air operator conducting operations in Myanmar to produce evidence validating any standard mass values used.

10.4.2 SINGLE-ENGINE AEROPLANES AT NIGHT OR IN IMC

- (a) A foreign air operator may not operate a single-engine, non-turbine aircraft (including Helicopter)—
- (1) At night; or
 - (2) In Instrument Meteorological Conditions except under Special Visual Flight Rules.
- (b) A foreign air operator may operate a single-engine turbine aircraft (including Helicopter) at night and in IMC conditions provided the State of the Operator has ensured—
- (1) The reliability of the turbine engine;
 - (2) **The foreign operator's maintenance procedures, operating practices, flight dispatch procedures and crew training programme are adequate;**
 - (3) The aeroplane is appropriately equipped for flight at night and in IMC;
 - (4) For aeroplanes issued a certificate of airworthiness before 1 January 2005—an engine trend monitoring system; and
 - (5) For aeroplanes issued a certificate of airworthiness after 1 January 2005—an automatic trend monitoring system.

10.4.3 SINGLE PILOT OPERATIONS UNDER IFR OR AT NIGHT

- (a) A foreign air operator shall not operate an aeroplane under IFR or at night by a single pilot unless approved by the State of the Operator and the aeroplane meets the following conditions —
 - (1) The flight manual does not require a flight crew of more than one pilot;
 - (2) The aeroplane is propeller-driven;
 - (3) The maximum approved passenger seating configuration is not more than nine;
 - (4) The maximum certificated take-off mass does not exceed 5,700 kg;
 - (5) The aeroplane is equipped with:
 - (i) A serviceable autopilot that has at least altitude hold and heading select modes;
 - (ii) A headset with a boom microphone or equivalent; and
 - (iii) A means of displaying charts that enables them to be readable in all ambient light conditions.
 - (6) The PIC has satisfied the requirements of experience, training, checking and recency.

10.4.4 FLIGHT RULES WITHIN MYANMAR

- (a) Within the territorial boundaries of Myanmar, foreign air operator shall comply with the flight rules and limitations contained in MCAR Part 8.
- (b) Foreign air operators shall ensure that their flight crew have available and have become familiar with the flight rules in MCAR Part 8 of this requirement.

10.5 FLIGHT CREW MEMBER QUALIFICATIONS

10.5.1 GENERAL

- (a) Foreign air operators shall ensure that their flight crews have the appropriate licences and ratings for the operations to be conducted in Myanmar.

10.5.2 AGE LIMITATIONS

- (a) Foreign air operators shall ensure that the required PIC engaged in single pilot operations on aircraft operating into, from and within Myanmar shall be less than 60 years of age.

- (b) Foreign air operators shall ensure, for aircraft engaged in operations into, from and within Myanmar requiring more than one pilot as flight crew members, that if one pilot is between the age of 60 and up to age 65, the other pilot shall be less than age 60.

10.5.3 LANGUAGE PROFICIENCY

- (a) Foreign Air Operators shall ensure that flight crew operating aircraft into, from and within Myanmar meet the language proficiency requirement of least the operational level 4 as contained in ICAO Annex 1 for the English language and that such proficiency is endorsed on the licence.

10.6 SECURITY

10.6.1 AIRCRAFT SECURITY

- (a) A foreign air operator shall—
 - (1) Ensure that all appropriate personnel are familiar and comply with the relevant requirements of the national security programme of the State of the operator;
 - (2) Establish, maintain and conduct approved training programme which **enable the operator's personnel to take appropriate action to prevent acts** of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur;
 - (3) Following an act of unlawful interference on board an aircraft the commander or, in his absence the operator, shall submit, without delay, a report of such an act to the DCA Myanmar and the Authority in the State of the operator;
 - (4) Ensure that all aircraft carry a checklist of the procedures to be followed for that type in searching for concealed weapons, explosives, or other dangerous devices; and
 - (5) If installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.

10.6.2 UNAUTHORISED CARRIAGE

- (a) A foreign air operator shall take measures to ensure that no person conceal themselves or cargo on board an aircraft.

10.7 DANGEROUS GOODS

10.7.1 OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR

- (a) No foreign air operator may accept dangerous goods for transport by air in Myanmar unless the foreign air operator—
 - (1) Has been authorized to do so by the foreign Authority and the DCA Myanmar; and
 - (2) Has conducted the required personnel training.
- (b) The foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport according to ICAO Document 9284 (Tactical Instruction), dangerous goods as required by the **operator's dangerous goods programme as approved by the foreign Authority.**
- (c) When the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme authorized by the foreign Authority, the foreign operator shall file a copy of its dangerous goods programme with the Authority.

10.7.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR

- (a) A foreign air operator conducting commercial air transportation operations to Myanmar shall:
 - (1) Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned.
 - (2) Ensure that weapons of war and munitions of war are:
 - (i) Stowed in the aircraft in a place which is inaccessible to passengers during flight; and
 - (ii) In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph.
 - (3) Ensure that the pilot in command is notified before the flight begins of the details and location on board the aircraft of any weapons of war and munitions of war that are intended to be carried.

10.7.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION

- (a) A foreign air operator shall require approval from DCA Myanmar to carry ammunition for sporting weapons and firearms approved for outbound flight.
- (b) A foreign air operator conducting commercial air transportation operations to Myanmar shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported.
- (c) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are—
 - (1) Stowed in a place on the aircraft which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures; and
 - (2) In the case of firearms or other weapons that can contain ammunition, unloaded.

**MCAR PART -10 - COMMERCIAL AIR TRANSPORT BY FOREIGN AIR
OPERATORS INTO, FROM AND WITHIN MYANMAR**

IMPLEMENTING STANDARDS

DCA, MYANMAR

THIRD EDITION-DECEMBER-2017

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PART 10 — IMPLEMENTING STANDARDS

IS: 10.1.5 AUTHORITY TO INSPECT

- (a) Authorized Inspectors -
- (1) Authorized inspectors assigned to conduct inspections of foreign aircraft shall be experienced inspectors who understand the difference between ramp inspections conducted on their own operators as part of their AOC management responsibilities and surveillance inspections conducted on aircraft of foreign operators.
 - (2) These inspectors shall be specifically trained and authorized to conduct such inspections and possess appropriate credentials identifying them as authorized inspectors employed by the authority.
 - (3) Ramp inspections of foreign air operators should be carried out in a similar manner to the ramp inspections of national operators, with some important differences, as the standards applied to foreign operators would be based primarily on international standards and national regulations derived from international standards.
 - (4) Authorized inspectors shall have demonstrated a language proficiency in English of ICAO operational level 4 or higher.
 - (5) Authorized inspectors shall have in their personal training records evidence they have been trained and are knowledgeable in the following areas:
 - (i) ICAO Convention and its Annexes 1, 6, 7 and 8;
 - (ii) Differences between ICAO standards and national regulations, which may be more detailed or restrictive;
 - (iii) Diplomacy, including dealing with potential language difficulties and cultural differences;
 - (iv) Sovereignty of foreign aircraft, which means that inspector authority is limited to document, communicate and report findings, except as provided in 10.1.5 (a) (3) of this Part;

- (v) Observing, recording and reporting procedures during inspections of foreign air operators; and
 - (vi) Surveillance activities, which are not linked to the certification process of the operator.
- (b) Pre-Inspection Planning
- (1) Authorized inspectors shall prepare for inspections of foreign operators by updating themselves on recent changes to national regulations with respect to operations by operators from other States.
 - (2) A check should be made of the authority for the foreign operator to operate in Myanmar and to operate the particular aircraft concerned, i.e. issuance of a Validation of Foreign Air Operator Certificate, Conditions and Limitations by the authority.
 - (3) **The record of the foreign air operator's history in Myanmar** should be examined, including records of past aircraft inspections and, in particular, those of the specific aircraft concerned in the inspection to be conducted, to check for any outstanding actions or recurring trends that might warrant particular attention.
 - (4) Ramp inspections involve the aircraft and its crew, line station operations, servicing and maintenance and the ramp and gate area condition and activity. Time constraints may apply only to the inspection of the aircraft and crew. Determination should be made of the number of authorized inspectors and the specialisations to be involved, the distribution of tasks and the time to be allocated to each task.
 - (5) As the inspection plan includes comprehensive inspections, it will not be possible to cover all the desired elements in the time available for a particular inspection without causing unreasonable delay to the foreign air operator.

- (6) As inspections on aircraft of any one operator may be conducted at different airports by different authorized inspectors, the overall inspection plan will need to take this into account. Some elements should be covered at every inspection, others can be covered over a number of inspections. Thus comprehensive records shall be maintained of all inspections of aircraft of a particular operator in a central database, in either paper or electronic format that is accessible to, and updated by, the authorized inspectors concerned.
 - (7) From these records it is necessary to plan the content of inspections so that a complete inspection of the aircraft of any one operator is undertaken over a defined period.
 - (8) Selection of a particular aircraft to inspect should normally be done at random, in a non-discriminatory manner. However, the principles of risk management to identify operations perceived to present a higher safety risk and, as a result, conduct additional inspection activities aimed at those operations, which can be linked to a specific:
 - (i) State of the Operator;
 - (ii) Aircraft type;
 - (iii) Nature of operations (scheduled, non-scheduled, cargo, air taxi, etc.);
 - (iv) Foreign operator; or
 - (v) Individual aircraft.
- (c) Inspections
- (1) Types
 - (i) Areas to be checked during a Ramp Check are:
 - (aa) Flight Deck;
 - (bb) Cabin / Safety;
 - (cc) Aircraft External Condition;

- (dd) Cargo and
- (ee) General
- (2) Scope of a foreign operator ramp inspection -
 - (i) It is not possible to cover all items on the checklist at every ramp inspection. Inspections should be planned to cover high risk items and to cover all other items over a series of inspections.
 - (ii) It is essential that adequate records are kept, and that there is complete coordination between all authorized inspectors involved in ramp inspections for any one operator.
- (d) The Authority will use the checklist when conducting foreign operator ramp inspections. (*see FAO's Manual*)

IS: 10.2.1 REQUIREMENTS FOR THE APPLICATION BY FOREIGN AIR OPERATORS FOR APPROVAL TO OPERATE INTO, FROM AND WITHIN MYANMAR

(a) Foreign Operator’s Application Form

<p>Application Form for Commercial Air Transport Operations by a Foreign Operator – Section 1</p> <p><i>(To be completed by a foreign air operator for an approval to conduct operations into, from and within Myanmar)</i></p>		
<p>Section 1: To be Completed by the Applicant</p>		
<p>Section 1A: Applicant Information</p>		
<p>1. Company Name and Address. Company registered name and trading name if different. Address of company: mailing address; telephone; fax; and e-mail.</p>	<p>2. Principal place of business. Address of the principal place of business including: telephone; fax; and e-mail.</p>	
<p>3. Proposed start date of operations: (dd/mm/yyyy):</p>	<p>4. ICAO 3-letter designator for aircraft operating agency:</p>	
<p>5. Operational management personnel</p>		
a. Name	b. Title	c. Telephone, fax and e-mail

Section 1B. Type of approval requested by applicant. Check applicable boxes				
6 a. <input type="checkbox"/> Air operator intends to conduct commercial flights into, from aerodromes in Myanmar				
b. <input type="checkbox"/> Air operator intends to conduct commercial flights within Myanmar				
7. Air operator proposed types of operation:		8. Geographic areas of intended operations and proposed route structure:		
a. <input type="checkbox"/> Passengers and cargo				
b. <input type="checkbox"/> Cargo only				
c. <input type="checkbox"/> Scheduled operations				
d. <input type="checkbox"/> Charter flight operations				
e. <input type="checkbox"/> Dangerous goods				
Section 1C. Aircraft Information of Operator				
9. Provide location on board or provide separate documentation where individual aircraft nationality and registration marks are listed as part of the aircraft fleet operated under the air operator certificate:				
Provide following information:				
Aircraft type <i>(make, model and series, or master series)</i>	RVSM ¹ Approval	EDTO ²	Noise³ certification <i>(Annex 16 Ch.)</i>	Remarks
[Aircraft type 1]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 2]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 3]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 4]	<input type="checkbox"/>	<input type="checkbox"/>		
Etc.	<input type="checkbox"/>	<input type="checkbox"/>		

¹ As approved by the State of the Operator² As approved by the State of the Operator³ As approved by the State of Registry

Attach copies of:

- Forwarding Letter
- Designation Letter For Local Representative
- Copy of Air Operator Certificate
- Operations Specification
- Insurance Certificate
- Recommendation from relevant Division
- Foreign Air Operator Application Form
- Certificate of Registration
- Certificate of Airworthiness
- Dangerous Goods Manual (if required)
- Noise Certificate
- Operation Manual
- Safety Audit Report
- Weight Limitation
- In case of wet-lease of aircraft: a copy of the relevant lease agreements;

Signature:

Date (dd/mm/yyyy):

Name and Title:

**Application Form for Commercial Air Transport Operations by a Foreign
Operator – Section 2**

Section 2. To be completed by the DCA Myanmar

Evaluated by (name and office):

Myanmar DCA decision:

Approval granted Not approved

Remarks:

**Signature of Myanmar DCA
representative:**

Date (dd/mm/yyyy):

IS: 10.2.2 CONDITIONS FOR THE ISSUANCE OF A VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE, CONDITIONS AND LIMITATIONS

- (a) The DCA Myanmar shall, when evaluating an application by a foreign air operator to operate within the territory of Myanmar –
- (1) Examine both the safety oversight capabilities and record of the Foreign Authority of the State of the Operator, and if different, the State of Registry; and
 - (2) The operational procedures and practices of the foreign air operator itself.

Note: This is necessary to have confidence in the validity of the certificates and licences associated with the foreign air operator, its personnel and aircraft, the operational capabilities of the foreign air operator and in the level of certification and oversight applied to the activities of the foreign air operator by the Foreign Authority of the State of the Operator.

- (b) The DCA Myanmar shall obtain information on the safety oversight capabilities, and the level of compliance with ICAO Standards, of the Foreign Authority of the State of the Operator by accessing information from the ICAO Universal Safety Oversight Audit Programme (USOAP). This information is available –
- (1) On the ICAO website <http://www.icao.int> and accessible through the Flight Safety Information Exchange (FSIX).
 - (2) On the ICAO Safety Oversight Audit (SOA) Secure Site which is accessible, subject to a password available only to the DCA Myanmar from ICAO, through the FSIX home page; and
 - (3) Subject to a password available only to the authority from ICAO, by accessing audit summary reports from the USOAP audits available to the authority on the ICAO-Net <http://www.icao.int/icaonet/>;

- (c) The DCA Myanmar shall obtain and evaluate information on the foreign air operator. This information is available –
- (1) By applying to the Foreign Authority of the State of the Operator for reports of any inspections that may have been conducted; and
 - (2) By requesting access to reports of audits of a foreign air operator, conducted by independent aviation audit organisations and / or by other air operators, such as code-sharing partners. Such non-regulatory audits should be used in conjunction with other information such as a report from the ICAO Universal Safety Oversight Audit Programme (USOAP) or other inspection results to evaluate the application.
- (d) **Foreign Air Operator’s Application Form, Section 2** to be completed by the DCA Myanmar-
- (1) In the case of significant negative findings and/or major deficiencies relevant to its review of the safety oversight capabilities and the level of compliance with ICAO Standards of the Foreign Authority of the State of the Operator, the authority will engage in discussions with the Foreign Authority of the State of the Operator seeking resolution of the deficiencies prior to deciding whether to approve or not to approve the Foreign Air Operator Application Form and whether to approve or not to approve a Validation of Foreign Air Operator Certificate, Conditions and Limitations.
 - (2) In the case of significant negative findings and/or major deficiencies relevant to its evaluation of the foreign air operator, the authority shall not approve the foreign air operator’s **Foreign Air Operator Application Form** and shall not issue a Validation of Foreign Air Operator Certificate, Conditions and Limitations to the foreign air operator.

IS: 10.2.3 (a) Validation Of foreign air operator certificate

THE REPUBLIC OF THE UNION OF MYANMAR
MINISTRY OF TRANSPORT AND COMMUNICATION
DEPARTMENT OF CIVIL AVIATION



VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE

NO. FAO -- / 20--

This is to certify that

NAME of OPERATOR

meets the requirements of Myanmar Civil Aviation Regulations Part -10 and may conduct commercial air transport operations into or from Myanmar territory in accordance with the Air Operator Certificate and associated operations specifications issued by **NAME of STATE** and limitations and conditions stated in this Approval.

This Validation is issued on the basis of the **Foreign Air Operator's AOC Number and Approved by NAME of STATE** and remains valid from the date of issue as long as the Air Operator Certificate remains valid. Unless otherwise stated in the attached Conditions and Limitations the approvals and restrictions of the Air Operator Certificate and its associated Operations Specifications remain valid within Myanmar, in so far as they are not repugnant to the Civil Aviation Regulations of Myanmar.

This Approval, may be cancelled, suspended, or revoked by the Director General at any time if the conditions of the issue are not met by the foreign air operator or if the Director General determines that such action is required in the interests of aviation safety.

Signature and Name of Director General

Director General

Department of Civil Aviation

Date issued: dd-mmm-yyyy

IS: 10.2.3(b) Conditions and Limitations for Operations into, from Myanmar Territory

Conditions and Limitations for Operations into, from Myanmar Territory

Company Registered name as Stated in the approval document: -----			
Address of Principal Place of Business : -----			
Mailing address: ----- ----- ----- -----	Telephone number : ----- Fax number: ----- E-mail: -----		
Trading name(s) if different than the Registered name stated on the Authorization, under which the operator may operate:			
The types of operations authorized: <input type="checkbox"/> Passenger and Cargo <input type="checkbox"/> Scheduled Operations <input type="checkbox"/> Cargo only <input type="checkbox"/> Dangerous Goods <input type="checkbox"/> Charter Operations			
Conditions and limitations (if required) - Note to States: Only required if the Air Operator Certificate or Operations Specification does not adequately address certain Myanmar specific requirements that could impact on the safety of operations.			
Destination airport(s) in Myanmar to be served:			
Aircraft types authorized for use :			
Frequency of flights: [Note to State – only required if there is requirement to track the frequency of flights]			
DCA (Myanmar) Authority: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Signature: Name : Title : Director (Flight Standards Division) Date :dd-mmm-yyyy </td> <td style="width: 50%; border: none; vertical-align: top;"> Authority Stamp: </td> </tr> </table>		Signature: Name : Title : Director (Flight Standards Division) Date :dd-mmm-yyyy	Authority Stamp:
Signature: Name : Title : Director (Flight Standards Division) Date :dd-mmm-yyyy	Authority Stamp:		

IS: 10.2.3(c) VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE (WITHIN MYANMAR)

**THE REPUBLIC OF THE UNION OF MYANMAR
MINISTRY OF TRANSPORT AND COMMUNICATIONS
DEPARTMENT OF CIVIL AVIATION**



**VALIDATION OF FOREIGN AIR OPERATOR CERTIFICATE
(WITHIN MYANMAR TERRITORY)**

NO. FAO (W) -----/ 20-----

This is to certify

NAME of OPERATOR

meets the requirements of Myanmar Civil Aviation Regulations Part -10 and may conduct general aviation operations within Myanmar territory in accordance with the Air Operator Certificate and associated operations specifications issued by the **NAME of OPERATOR** and limitations and conditions stated in this Approval.

This Validation is issued on the basis of the **OPERATOR's of the STATE, Air Operator Certificate (AOC) AOC NUMBER** and remains valid one year **from(dd-mmm-yyyy) to (dd-mmm-yyyy)**. Unless otherwise stated in the attached Conditions and Limitations the approvals and restrictions of the Air Operator Certificate and its associated Operations Specifications remain valid within Myanmar, in so far as they are not repugnant to the Civil Aviation Regulations of Myanmar.

This Approval, may be cancelled, suspended, or revoked by the Director General at any time if the conditions of the issue are not met by the foreign air operator or if the Director General determines that such action is required in the interests of aviation safety.

Signature and Name of Director General

Director General

Department of Civil Aviation

Date issued: dd-mmm-yyyy

IS: 10.2.3 (d)Conditions and Limitations for Operations Within Myanmar Territory

Conditions and Limitations for Operations Within Myanmar Territory

Company Registered name as Stated in the approval document:----- -----	
Address of Principal Place of Business : -----	
Mailing address: ----- -----	Telephone number: ----- Fax number: ----- E-mail: -----
Trading name(s) if different than the Registered name stated on the Authorization, under which the operator may operate:	
The types of operations authorized: <input type="checkbox"/> Passenger and Cargo <input type="checkbox"/> Scheduled Operations <input type="checkbox"/> Cargo only <input type="checkbox"/> Dangerous Goods <input type="checkbox"/> Charter Flight Operations	
Conditions and limitations (if required) ----- Note to States: Only required if the Air Operator Certificate or Operations Specification does not adequately address certain Myanmar specific requirements that could impact on the safety of operations.	
Area of Operations and Routes in Myanmar to be served:----- -----	
Aircraft types and Registered authorized for use : -----	
Frequency of flights: [Note to State – only required if there is requirement to track the frequency of flights]	
DCA (Myanmar) Authority:	
Signature: Name : Title :Director(Flight Standards Division) Date :dd-mmm-yyyy	Authority Stamp:

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