

Civil Aviation (Sir Gaëtan Duval Airport Fees) Regulations 2015

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THE CIVIL AVIATION ACT

Regulations made by the Minister under section 11 of the Civil Aviation Act

1. These regulations may be cited as the **Civil Aviation (Sir Gaëtan Duval Airport Fees) Regulations 2015**.

2. In these regulations —

“airport” means Sir Gaëtan Duval Airport;

“airport operator” means Airport of Rodrigues Ltd;

“pilot” means the pilot in command of an aircraft.

3. (1) Subject to paragraphs (2) and (3), there shall be levied in respect of any aircraft landing at the airport a landing fee which shall be computed in accordance with the First Schedule.

(2) No landing fee shall be levied in respect of —

(a) a State aircraft not engaged on commercial flights;

(b) an aircraft engaged on flights undertaken exclusively by Government;

(c) an aircraft engaged on air or sea rescue flights;

(d) a test flight carried out before the departure of an aircraft where —

- (i) the flight is undertaken solely for the purpose of testing the aircraft, its engines or any instrument of the aircraft;
- (ii) the operator of the aircraft notifies the airport operator of the intended flight before the flight is undertaken; and
- (iii) the airport operator is satisfied of the genuineness of and need for the flight.

(3) A landing fee, in respect of flights regularly undertaken for the sole purpose of grading or testing flying personnel, shall, on application being made to the airport operator, be paid at such rate as the Minister may approve.

4. (1) Subject to paragraph (2), there shall be levied in respect of any aircraft which is parked at the airport a parking fee which shall be computed in accordance with the Second Schedule.

(2) No parking fee shall be levied —

- (a) in respect of a State aircraft not engaged on commercial flights; and
- (b) where no space is, in the opinion of the airport operator, required for other aircraft expected to arrive, in respect of—
 - (i) an aircraft engaged on flights undertaken exclusively by Government;
 - (ii) an aircraft engaged on air or sea rescue flights.

5. Subject to regulation 6, the pilot of an aircraft shall pay the landing or parking fee to the airport operator before the aircraft leaves the airport.

6. The airport operator may authorise an aircraft to leave the airport where he is satisfied that an undertaking is given, on behalf of the pilot, that payment for the landing and parking fee shall be made on such date and at such time as may be mutually agreed between them.

7. Where, in respect of an aircraft —

(a) no landing or parking fee has been paid; or

(b) no arrangement has been made for the payment of the landing or parking fee by a person other than the pilot,

the airport operator may detain the aircraft.

8. These regulations shall be deemed to have come into operation on 7 May 2015.

Made by the Minister on 2 June 2015.

FIRST SCHEDULE

[Regulation 3]

1. Subject to paragraph (2), the landing fee payable for any aircraft shall be computed on the basis of the maximum permissible weight authorised by its certificate of airworthiness at the rate of 7 cents per kilogramme.

2. Where, in relation to the payment of the landing fee leviable in respect of an aircraft, the aircraft operator is satisfied that it is not expedient to determine the fee on the basis of its maximum permissible weight, the fee shall be computed on the basis of such weight as the airport operator may determine.

SECOND SCHEDULE

[Regulation 4]

1. Subject to paragraph 2, the fee for the parking of an aircraft for every period of 24 hours or any fraction thereof shall be 36 cents per square metre of space occupied by the product of the

span of the aircraft and its maximum length.

2. No fee shall be levied for the first hour of continuous parking.