

# **Civil Aviation Authority of Nepal**



## **DIRECTIVE FOR RECREATION AVIATION AUTHORIZED AGENCY 2018**

**(Approved by CAAN Board on 2075/5/28)**

## **FOREWORD**

Civil Aviation Authority of Nepal is the agency of Government of Nepal for the safety oversight of civil aviation activities in Nepal. The growing aviation activities have posed challenge to us to regulate them due to limited resources. In such situation CAA Nepal has decided to delegate certain function described in this Directive to be delegated to the authorized agencies which will carry out certain functions as clearly spelled out in the authorization.

This Directive has been developed by Civil Aviation Authority of Nepal to outline the requirement for the agencies willing to obtain the authorized agency for CAA Nepal for the regulation of recreational aviation activities that includes paragliding, parasailing, Para motoring, hang-gliding alike. The Directive contains the minimum contents required like organizational structure, roles and responsibilities, inspection procedure, investigation procedure etc. are also detailed in this directive to be demonstrated by the applicant to receive the designation as the authorized agency.

This directive has described the procedures for CAA Nepal to authorize such agencies and make necessary surveillance on them and take required enforcement actions when deemed necessary.

Procedure of authorization, authorized agency in federal context, promotion and development, financial resource mobilization, investigation organization, procedures and reporting system as per CAAN regulations have also been highlighted in this Directive.

The procedure contains in this Directive is binding to all paragliding, hang gliding, powered hang gliding, Para motoring operations or similar types of operation as classified by CAAN. It is equally applicable for all relevant organizations and individuals as well. This Directive will be effective from the day of approval.

This directive will be amended when deemed necessary and any suggestion for the improvement of this directive may be forwarded to Flight Safety Standard Department.

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Sanjiv Gautam  
Director General  
June 2018

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**ABBRIVATION AND CODES**

<b>AIP</b>	- Aeronautical Information Publication of Nepal
<b>ATS/ATC</b>	- Air Traffic Services/Air Traffic Controller
<b>AFIS</b>	- Aerodrome Flight Information Services
<b>AGL/AMSL</b>	- Above Ground Level/Above Mean Sea Level.
<b>CAAN</b>	- Civil Aviation Authority of Nepal
<b>FSSD</b>	- Flight Safety Standards Department.
<b>GON</b>	- Government of Nepal.
<b>ICAO</b>	- International Civil Aviation Organization
<b>IFR/IMC</b>	- Instrument Flight Rule / Instrument Meteorological Conditions
<b>RAOC</b>	- Recreational Aviation Operator Certificate
<b>MOTCA</b>	- Ministry of Culture, Tourism and Civil Aviation
<b>MOU</b>	- memorandum of understanding
<b>NOTAM</b>	- Notice to Air man
<b>SOP</b>	- Standard Operating Procedure
<b>VFR/VMC</b>	- Visual Flight Rule / Visual Meteorological Conditions

## CHAPTER-1

### Definitions:

The following terms may be used while discharging the obligation and procedure contained in this directive. The objective of this chapter is to eliminate any potential confusion.

**Accident:** An occurrence associated with the operation of recreational aviation commercial aircraft which takes place between the times a person boards the aircraft with the intention of flight until such time as such person has disembarked, in which: a person is fatally or seriously injured.

*Note .— An injury resulting in death within thirty days of the date of the accident is classified as a fatal injury.*

**Aeronautical Information Publication (AIP):** A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

**Authorized person:** A person authorized by the association to perform a specific function.

**Certification:** Given to paragliders, harnesses, and reserve parachutes to ensure safety and quality.

*Note: In the paragliding industry, the certifications are given out by CEN, DHV, and other rating agencies.*

**Certificate of Authorized Agency:** a certificate of authorization issued to an association/federation by the CAAN subject to meeting the prescribed authorized agency requirements.

**Equipment:** any flying equipment used to recreational flight.

**Incident:** An occurrence, other than an accident, associated with the operation of recreational aviation commercial aircraft which affects or could affect the safety of operation.

**Investigation:** A process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and/or contributing factors and, when appropriate, the making of safety recommendations.

**Investigation committee:** A committee formed under the recreational occurrences investigation directive.

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**CAAN Inspector:** an officer designated by CAAN in accordance with the prescribed qualification.

**NOTAM:** A notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations. In short it is known as 'notice to airman'.

**Operations manual:** A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

**Operator:** A person, organization or the enterprise engaged in or offering to engage in an aircraft operation under a Recreational Aviation Operator Certificate (RAOC) issued by the CAAN.

**Pilot:** A tandem master designated by the operator as being in command and charged with the safe conduct of a flight.

**Recreational Aviation Operator Certificate (RAOC):** A certificate issued by CAAN to the operator company engaging in the aircraft operation business with recreational type equipment.

**Renewal:** Expansion of the validity period of license or certificate by meeting the renewal requirements before the expiry date of CAAN.

**Revalidation:** the Process of re-validate of the license or certificate by meeting the revalidation requirements of CAAN.

**Solo flight:** when the person acting as a pilot is the sole occupant of the aircraft.

**Takeoff/Landing Area:** a designated area used to take off and landing for recreational flights.

**Tandem Flight:** a recreational flight conducted by tandem master having one passenger.

**Tandem master:** the person responsible for the direct control of a tandem exercises.

**VFR flight.** A flight conducted in accordance with the visual flight rules.

**Wet lease:** A lease of equipment with the crew; under a contractual arrangement.

## **CHAPTER-2**

### **General Information:**

#### **2.1 Applicability**

2.1.1 This directive shall be applicable for those Nepalese recreational aviation operators and their pilot engaged in paragliding, hang gliding, paramotoring or paratriake commercial operations and for civil aviation authority of Nepal. The Flight Safety Standards Department shall take the secretarial role in the execution of this authorization process in coordination with the Recreational Aviation Regulation Committee and operators Association/Federation.

#### **2.2 Objective of the authorization and Authorized Agency**

2.2.1 The Sole objective of the authorization is to delegate certain certification and oversight functions of CAA Nepal within the terms of reference prescribed by CAA Nepal to such authorized agencies.

#### **2.3 References**

2.3.1 This directive shall be referred to along with following documents.

- a. Recreational Aviation Regulations 2069 BS
- b. Licensing Requirement for paragliding pilots
- c. Requirements for Training Organization for paragliding

## **CHAPTER-3**

### **Administration and Control**

#### **3.1 Introduction**

3.1.1 The purpose of Civil Aviation Authority of Nepal is to regulate and promote the recreational aviation industry with prevailing rules and regulations and international practices to promote the tourism in Nepal. However it is not possible to have sufficient oversight due to lack of adequate human resources and hence the mechanism of delegation of such function has been developed so that Civil Aviation Authority of Nepal:

- Develops and administers programs that foster the growth of the recreational activities and endeavor to make it safe.
- Develops standards and regulates as international practices that will foster and promote practice for safe flying.
- Administers the industry and maintains standards within private entities that will promote and develop flying sites.

#### **3.2 System of amendment and revision**

3.2.1 The instruction and information contained in this Directive will be amended from time to time as deemed necessary.

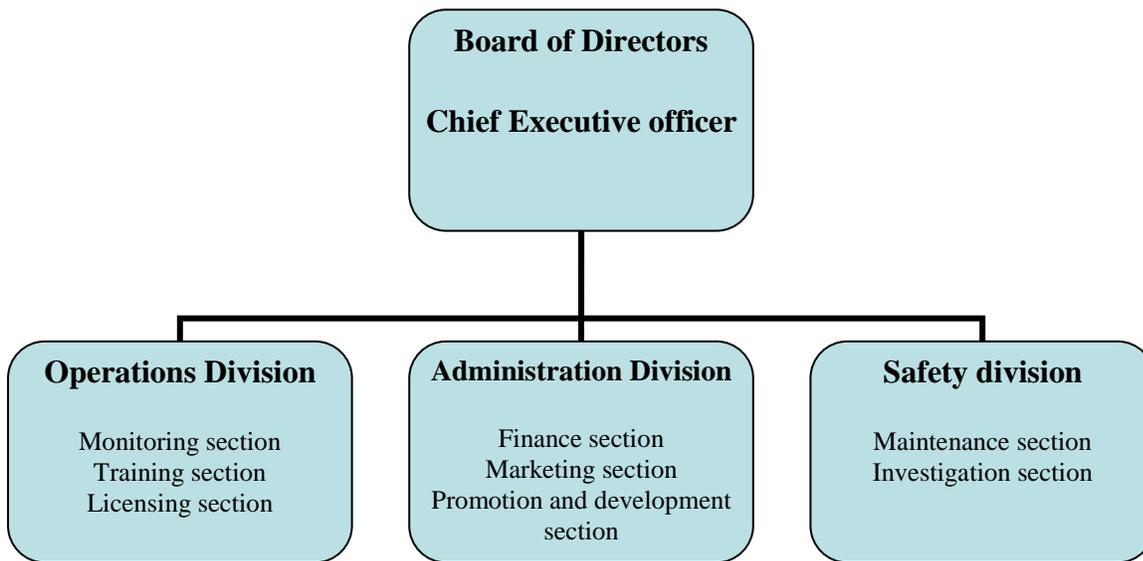
3.2.2 Flight Safety Standards Department will be the custodian of this directive.

## **CHAPTER - 4**

### **Agency Organizational Structure and its capability**

The proposed agency should be registered with any of the Government of Nepal office and should have organization structure within following as minimum.

Additional detailed provisions and positions beyond this minimum structure will be preferred.



### **4.1 Board of Directors**

**The board of directors shall be at least the following committee members.**

Chairman – 1, Vice Chairman – 2, General Secretary – 1, Secretary – 1  
Treasurer – 1 Members – 5

The board of director will have the role for policy level decisions and such decisions will be implemented by the Chief Executive Officer (CEO).

The minimum divisions should be as indicated in the structure that will enable the organization to function in the effective manner.

### **4.2 Duties and Responsibilities**

The duties and responsibilities of various positions should be as following as minimum:

#### **4.2.1. Chief Executive Officer**

- Oversees day to day operations and implement the policy of board for safe flight operation.
- Issues directives for the instructors, pilots and other personnel within the agency.
- Appoint technical and other personnel as per the rule and directives/decisions of the board of director.
- Execute contracts, agreements, legal and other works for and on behalf of the organization.
- Comply the organization rules, memorandum and article of agency and other prevailing rule and regulations
- Maintain relationship and comply with the requirement of CAAN, Local government, revenue and other regulatory agencies of Government of Nepal.
- Plan the operations; acquire required assists and equipment for the agency.
- Prepare rules, procedures, manuals and system for an efficient operation of the organization to contribute on safety and tourism promotion as well.

#### **4.2.2. Operation Division**

The operation division will have three sections namely:

- Monitoring section
- Training section
- Licensing section

The major duties and responsibilities of operation division will be as a minimum as following:

- Develop and implement standard operating procedure (SOP) for the operators to ensure safe operation in flight and in ground.
- Supervise flight for safe operations.

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- Slot Management and its implementation for the smooth and regular operation without any hindrances in the service.
- Organize training for the awareness of the stakeholders for the existing rules, regulations, procedures and safe practices.
- Assist CAAN for licensing of personnel for standardization of pilots as per CAAN requirements.

### **4.2.3 Administration/finance division**

- Administration for the compliance of applicable CAAN and other government rules
- Accounting as per the standard rules
- RAOC recommend for issuance from CAAN
- Work Permit/ non tourist visa recommendation to CAAN
- Enforcement action as outlined in this directive
- Organize fair for the promotional activities
- Search and develop New Paragliding areas.

### **4.2.4. Safety Division**

- Issue safe maintenance standards and practices
- Ensure equipment inspection to ensure safe operation.
- Carry out search and rescue with coordination with various agencies.
- Collect safety data like occurrence and incidents/accidents.
- Analyse safety data and take necessary measures to reduce risk.
- Report safety data to CAAN.
- Carry out accident/incident investigation and implementation of safety recommendation.

## **Chapter – 5**

### **Duties and responsibilities**

5.1 The duties and responsibilities of the authorized agency shall be delegated depending on the capability of organization. Following functions of Civil Aviation Authority of Nepal may be delegated to such authorized agency.

- Recommendation for RAOC Issuance, renewal, suspension and revocation.
- Accident/Incident Reporting and investigation as per the Directives for occurrences investigation Directive 2018 of CAAN.
- Day to operation monitoring.
- Recommendation of Work Permit and Non tourist visa for foreign license holder, (in case of foreign Paragliding pilot).
- Ensure airworthiness fitness of the equipment and recommend for its fitness for use.
- Issue, **Renewal, Suspense or Revoke** paragliding pilot license **or Authorization (in case of foreign license holder)** on the basis of Paragliding Pilot Licensing Requirement of CAAN.
- Recommend for local and foreign training organization (Paragliding, Hang gliding) approval.
- Take enforcement action as stipulated in the regulations.
- Management of the grant from CAAN (if any).
- Any other additional functions as delegated by CAAN.

5.2 CAAN will make proper assessment of the agency before any delegation. In case the duty and responsibilities of the delegated functions are not properly discharged, CAAN will withdraw the delegation partially or fully.

5.3 The Recreational Aviation Regulation 2069 has provision of grant to be provided by CAAN to such agency. CAAN will make policy decision for the use of grant and the grant will be used by the agency within the accounting norms of Government of Nepal. The agency will prepare a budget to be submitted CAAN in order to facilitate CAAN to make provision of budget in the annual budget plan each year.

## **Chapter – 6**

### **Authorization and Associated Procedures**

6.1 The criteria for authorization to an authorized agency shall base on the duties and capabilities mentioned in chapter 4 and chapter 5 of this directive.

6.2 If any association having at least five or highest number of member companies formed in any federal state and if it meets the criteria mentioned above, that agency may be authorized to perform all or some of the duties mentioned in chapter 5, depending on the capability of the association. Only one association shall be authorized for each federal state.

6.3 CAAN will make full assessment of the prospective agency seeking an authorization as a designated authorized agency.

#### **6.4 Authorization Process**

Once an application is received, CAAN will form a team comprising appropriate officials headed by a senior official having experience in the recreation aviation activities for the assessment of the applicant.

The team will make assessment if following major areas:

- a. Organization structure
- b. Key post holders
- c. Adequate number of experts
- d. Adequate documents
- e. Availability of CAAN publications
- f. Guidance materials for safety
- g. Any additional items highlighted in this directive

The team will make on site assessment of the applicant and will prepare an objective assessment report to the CAAN for necessary decision.

If the inspection team recommends for the authorization, a memo will be raised for the decision of Director General.

#### **Authorization validity**

The validity of the authorization will remain for a year from date of issuance subject to surveillance prior to renewal each year. However, after initial authorization a three monthly surveillance will be carried out to ensure proper functioning of the agency.

#### **Renewal of Authorization**

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CAAN will make an annual surveillance of the agency before the renewal of the authorization can be issued.

### **Surveillance and inspection**

CAAN will carry out the scheduled annual surveillance as well as random inspection of agency which may be spread in sub areas of activities of delegated tasks.

### **Enforcement action on operator**

The agency can take the disciplinary action as published in the CAAN regulation and keep record of them. Such action should be reported to CAAN in monthly basis. If the subject is not satisfied with the enforcement action an appeal can be made to CAAN.

### **Enforcement action on agency**

In the breach of terms of reference during the delegation of authorities to the agency following action may be taken by CAAN.

### **Caution**

In case of lapses due to lack of knowledge a remedial training will be prescribed for the improvement.

### **Suspension**

In case of willful violation of terms of reference the delegation may be suspended to maximum period of six months. Adequate opportunity will be provided by CAAN for explanation before such action is taken. However CAAN has all rights to suspend the delegation of authority with immediate effect before such suspension action is completed.

### **Revocation**

In case of gross negligence that can cause danger to lives and serious breach of terms of reference the delegation may be revoked. Adequate opportunity will be provided by CAAN for explanation before such action is taken. However, CAAN has all rights to withdraw the delegation of authority with immediate effect before such revocation action is completed.

**Appendix 1**  
**Application form for authorized agency**

**Director General**  
**Civil Aviation Authority of Nepal**  
**Babar Mahal**  
**Kathmandu**

**Subject- Application for the authorized agency for recreational activities**

**Dear Sirs**

I would like to request you to designate us as authorized agency of Civil Aviation Authority of Nepal for the recreational activities enclosing all required details. I hereby declare that I will abide by all applicable rules, regulations, directives and instruction of Civil Aviation Authority of Nepal during the designation period and would like to assure you that highest level of professionalism will be demonstrated.

**Sincerely yours**

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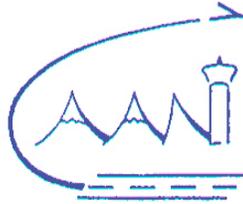
**Chairman**

**Enclosure:**

- 1. Copy of registration with GON agency**
- 2. Agency manual**
- 3. Copy of Recent year Audit Report**
- 4. Tax Clearance Certificate (if Applicable)**
- 5. Citizenship and Bio data of key post holders**

**Date-**

**Appendix 2**  
**Authorized agency certificate**



**CIVIL AVIATION AUTHORITY OF NEPAL**  
**FLIGHT SAFETY STANDARDS DEPARTMENT**

This is to authorize .....(name of agency) Located at ..... (physical address) has been authorized by Civil Aviation Authority of Nepal for the scope of activities specified herewith.

Scope:

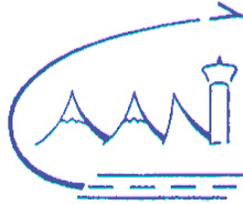
- 1.
- 2.
- 3.

Issue date-

Expiry date-

.....  
For Director General

**Appendix 3**  
**Renewal of agency certificate**



**CIVIL AVIATION OF AUTHORITY OF NEPAL  
FLIGHT SAFETY STANDARDS DEPARTMENT**

***No.....***

***Certificate of Designation***

This is to authorize .....(name of agency) Located at ..... (physical address) has been authorized by Civil Aviation Authority of Nepal for the scope of activities specified herewith.

Scope:

- 1.
- 2.
- 3.

Issue date-

Expiry date-

.....  
For Director General

