

**DECREE OF THE MINISTER OF COMMUNICATIONS AND TRANSPORTS**

5 February 1966, n. 36.

**Civil Aviation Regulations.**

**THE MINISTER**

HAVING SEEN Articles 83 and 85 of the Constitution;

HAVING SEEN Law No. 14 of 3 June 1962 on the Organization of Government as amended by Decree Law No. 1 of 7 February 1965;

HAVING SEEN Articles 5 and 22 of Decree Law No. 13 of 9 September 1965, converted into Law of 21 November 1965, concerning the Organization of Civil Aviation;

RECOGNIZING the necessity for classifying the aerodromes, establishing landing fees and parking fees for aircraft as well as other charges for services rendered within the aerodromes, and arranging a unified system for collection and remittance of such fees and charges;

IN AGREEMENT with the Minister of Finance;

HEREBY DECREES:

**CHAPTER I**

**DEFINITION AND CLASSIFICATION OF AERODROMES**

Article 1

*Definition*

For purpose of these Regulations, the term «Aerodrome» means a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and movement of aircraft.

Article 2

*Classification*

1. The aerodromes shall be classified under the following three categories:

Class I Aerodromes;

Class II Aerodromes;

Class III Aerodromes.

2. a) Class I aerodrome means an aerodrome with a tarmac runway capable of taking large aircraft, and with the following facilities:
- i) Air Traffic Services;
  - ii) Aeronautical Information Service (AIS),
  - iii) Meteorological Service;
  - iv) Fire Fighting Service;
  - v) Telecommunications Service.
- b) Class II aerodrome means an aerodrome with or without tarmac runway capable of taking medium aircraft, and with the following facilities:
- i) Aeronautical Information Service;
  - ii) Meteorological Service;
  - iii) Telecommunications Service.
- c) Class III Aerodrome means an aerodrome not manned but with serviced landing strips adequate for light aircraft.
3. a) Mogadiscio and Hargeisa aerodromes shall belong to Class I aerodromes;
- b) Chisimaio, Berbera, Burao and Erigavo aerodromes shall belong to Class II aerodromes;
- c) all other Government controlled aerodromes shall belong to Class III aerodromes.

## CHAPTER II

### LANDING FEES AND PARKING FEES

#### Article 3

##### *General Provision*

1. Subject to the provisions of Article 5 and Article 22 of Decree Law No. 13 on the Organization of Civil Aviation and to these Regulations, landing fees and parking fees shall be levied on civil aircraft landing at the Government controlled aerodromes within the Republic.

2. Landing fees and parking fees shall be based on the maximum all-up-weight (AUW) of an aircraft as shown in the Certificate of Airworthiness.

Article 4

*Single landing fees*

Single landing fees shall be levied at the following rates:

- 1) Aircraft not exceeding 20,000 kgs. maximum  
AUW at Class I Aerodromes — per each  
1000 kgs. or part thereof Sh. So. 20/-
- 2) Aircraft not exceeding 20,000 maximum  
AUW at Class II Aerodromes — per each  
1000 kgs. or part thereof Sh. So. 15/-
- 3) Aircraft over 20,000 kgs. maximum AUW  
at Class I Aerodromes only Sh. So. 400/-  
— plus Sh. So. 7,50 per 1000 kgs. exceeding 20,000 kgs.

Article 5

*Monthly landing fees*

Monthly landing fees shall be levied at the following rates:

- 1) At Class I and Class II Aerodromes, 20 times the single landing fees;
- 2) At Class III Aerodromes, 25 times the single landing fees,
- 3) Monthly landing fees for each Aerodrome shall be applicable to internal and domestic flights operating for hire and reward.

Article 6

*Private and Training Aircraft*

Aircraft on private and training flights with a maximum all-up-weight (AUW) of less than 2,250 kgs. shall pay half of single landing fees or half the monthly rate as the case may be.

Article 7

*Parking Fees*

1. Parking fees per 24 hours period in respect of aircraft shall be levied at the following rates, and shall be applied after the first six hours:

<i>AUW of Aircraft</i>	<i>Charge per 24 hrs. period</i>
1,000 kgs.	Sh. So. 4/-
1,500 »	» » 6/-
2,000 »	» » 8/-
3,000 »	» » 13/-
4,000 »	» » 18/-
5,000 »	» » 20/-
6,000 »	» » 22/-
7,000 »	» » 25/-
8,000 »	» » 28/-
9,000 »	» » 31/-
10,000 »	» » 34/-
11,000 »	» » 37/-
12,000 »	» » 40/-

2. For each 1,000 kgs. exceeding 12,000 kgs., the charge shall be Sh. So. 4/- per 24 hours period.

Article 8

*Exemptions from Landing Fees and Parking Fees*

The following aircraft shall be exempt from the payment of Landing fees and Parking fees:

- 1) Diplomatic and Military aircraft of other States subject to prior clearance by Government to operate on the principle of International reciprocity;
- 2) Civil Aircraft being used by the Somali Government for ceremonial purposes;
- 3) Somali Military and Police aircraft;
- 4) Aircraft engaged in search and rescue operations conducted in accordance with the International Civil Aviation Organization (ICAO) requirements, provided that such flights are not operated for hire or reward;

- 5) Aircraft belonging to the United Nations and its Specialized Agencies or operated on their behalf;
- 6) Aircraft which require to return to the aerodrome of departure for emergency or precautionary reasons, provided that a second take-off is made for the same destination;
- 7) Aircraft operated for humanitarian purposes;
- 8) Aircraft on test flights;
- 9) Aircraft belonging to the Desert Locust Control Organization,
- 10) Aircraft belonging to the Somali Airlines.

### CHAPTER III

#### OTHER CHARGES

##### Article 9

##### *Embarkation Fees*

1. A fee of Sh. So. 10/- per adult passenger shall be charged on all passengers embarking on international flights.
2. Children between two and twelve years shall be charged half the adult fee.
3. The following passengers shall be exempt from the payment of embarkation fees:
  - a) Passengers who, after arrival at the airport by air, are:
    - i) leaving the airport because they cannot continue their journey owing to delay or diversion, weather conditions, technical trouble or similar contingency;
    - ii) departing without leaving the aerodrome area, whether or not they change an aircraft;
    - iii) breaking their journey in the Republic for a period not more than 24 hours and then departing for a third country.
  - b) Passengers re-embarking after a forced landing;
  - c) Passengers and personnel on aircraft which are exempted from landing fees at the airport, excluding Somali Airlines passengers;

- d) Children under 2 years of age;
- e) All crew members including those under training and employees of airlines on official duty trip;
- f) Ministers, members of Parliament and other Government Officials travelling on duty;
- g) Somali students leaving for training;
- h) Members of other Governments and high-ranking officials who have previously arrived in the Republic on an official visit.

#### Article 10

##### *Guard Charges*

A charge of Sh. So. 10/- per night shall be collected from owners or agents of aircraft which are supplied with a watchman, at their special request.

### CHAPTER IV

#### **PROCEDURE GOVERNING COLLECTION AND REMITTANCE OF FEES AND CHARGES**

#### Article 11

##### *Procedure*

1. It shall be the responsibility of the Officer-in-charge of the aerodrome to collect the landing fees, parking fees and any other charges for using the facilities and services provided at Government controlled aerodromes.

2. The Officer-in-charge of the aerodrome shall forward monthly returns of such collections and movements of all aircraft to the Department of Civil Aviation.

3. The money collected shall be paid into the Treasury and records of all such revenue from Government controlled aerodromes shall be forwarded by the Department of Civil Aviation to the Ministry of Finance.

## CHAPTER V

### GENERAL PROVISIONS

#### Article 12

##### *Aerodrome Hours of Operation*

All Government controlled aerodromes shall be operated from sunrise to sunset daily unless otherwise notified.

#### Article 13

##### *Responsability of Aerodrome Officers*

The Aerodrome Officers shall not be responsible for any damage to aircraft or goods unless such aircraft or goods have been entrusted to their custody by special agreement.

## CHAPTER VI

### FINAL PROVISIONS

#### Article 14

##### *Abrogation*

Any Regulation contrary to or inconsistent with these Regulations is hereby abrogated.

#### Article 15

##### *Entry into Force*

These Regulations shall enter into force on the day following the date of their publication in the Official Bulletin.

Mogadiscio, li 5 February 1966.

THE MINISTER  
*Mohamud Abdi Nur*

*VISTO e Registrato - Reg. n. 1, foglio n. 20.*  
*Mogadiscio, li 13 Febbraio 1966.*

*Il Sostituto Magistrato ai Conti:*  
Dr. MOHAMED HAGI OSMAN