

No. S 73

**CIVIL AVIATION ORDER, 2006**  
**(S 63/2006)**

**CIVIL AVIATION (AMENDMENT) REGULATIONS, 2014**

**ARRANGEMENT OF REGULATIONS**

**Section**

1. Citation.
  2. Amendment of regulation 1 of S 69/2006.
  3. Insertion of new regulations 44A and 44B.
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CIVIL AVIATION ORDER, 2006

[S 63/2006]

CIVIL AVIATION (AMENDMENT) REGULATIONS, 2014

In exercise of the power conferred by section 5(1)(h) of the Civil Aviation Order, 2006, the Minister of Communications, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

**Citation.**

1. These Regulations may be cited as the Civil Aviation (Amendment) Regulations, 2014.

**Amendment of regulation 1 of S 69/2006.**

2. Regulation 1 of the Civil Aviation Regulations, 2006, in these Regulations referred to as the principal Regulations, is amended, in sub-regulation (3), by inserting the following new definition immediately after the definition of “approved data” —

“areas with specified performance based navigation” means airspace, routes or procedures which have been notified, prescribed or otherwise designated by the competent authority for the airspace as requiring specified navigation performance capabilities to be met by aircraft flying there.”.

**Insertion of new regulations 44A and 44B.**

3. The principal Regulations are amended by inserting the following two new regulations immediately after regulation 44 —

**“Area navigation and required navigation performance capabilities for aircraft registered in Brunei Darussalam.**

44A. An aircraft registered in Brunei Darussalam shall not fly in areas with specified performance based navigation unless —

(a) it is equipped with navigation equipment that complies with such requirements as the Director may determine;

(b) the operator has been approved by the Director; and

(c) while the aircraft is flying in the airspace, on the routes or in accordance with the procedures, it shall be operated in accordance with such operating procedures as may be approved by the Director:

Provided that an aircraft may not comply with such requirements where —

- (i) the flight has been authorised by the appropriate air traffic control unit notwithstanding the lack of compliance; and
- (ii) the aircraft complies with any instructions that the air traffic control unit may give in the particular case.

**Area navigation and required navigation performance capabilities for aircraft not registered in Brunei Darussalam.**

44B. An aircraft registered outside Brunei Darussalam shall not fly in areas with specified performance based navigation in Brunei Darussalam unless —

(a) it is so equipped with navigation equipment as to comply with the law of the country or territory in which the aircraft is registered insofar as that law requires it to be so equipped when flying in areas with specified performance based navigation; and

(b) such equipment is capable of being operated so as to enable the aircraft to meet the required performance in terms of navigation functionality, accuracy, integrity, availability and continuity, and it is so operated:

Provided that an aircraft may not comply with such requirements where —

- (i) the flight has been authorised by the appropriate air traffic control unit notwithstanding the lack of compliance; and
- (ii) the aircraft complies with any instructions the air traffic control unit may give in the particular case.”.

Made this 27th. day of Safar, 1436 Hijriah corresponding to the 20th. day of December, 2014.

PEHIN ORANG KAYA HAMZAH PAHLAWAN  
DATO SERI SETIA AWANG HAJI ABDULLAH  
BIN BEGAWAN MUDIM DATO PADUKA HAJI BAKAR,  
Minister of Communications,  
Brunei Darussalam.