



**MENTERI PERHUBUNGAN  
REPUBLIK INDONESIA**

**PERATURAN MENTERI PERHUBUNGAN REPUBLIK INDONESIA**

**NOMOR PM 85 TAHUN 2015**

**TENTANG**

**PERATURAN KESELAMATAN PENERBANGAN SIPIL BAGIAN 129  
(*CIVIL AVIATION SAFETY REGULATIONS PART 129*) TENTANG  
VALIDASI DAN PENGAWASAN PERUSAHAAN ANGKUTAN UDARA ASING DAN  
OPERATOR ASING YANG MENGOPERASIKAN PESAWAT UDARA INDONESIA  
(*VALIDATION AND SURVEILLANCE OF FOREIGN AIR OPERATORS AND FOREIGN  
OPERATORS OF INDONESIAN-REGISTERED AIRCRAFT*)**

**DENGAN RAHMAT TUHAN YANG MAHA ESA**

**MENTERI PERHUBUNGAN REPUBLIK INDONESIA,**

- Menimbang :
- a. bahwa dalam rangka peningkatan keselamatan penerbangan, perlu melakukan pengaturan mengenai validasi dan pengawasan perusahaan angkutan udara asing dan operator asing yang mengoperasikan pesawat udara Indonesia;
  - b. bahwa Peraturan Keselamatan Penerbangan Sipil Bagian 129 yang telah diatur dalam Keputusan Menteri Perhubungan Nomor KM 6 Tahun 2001 tentang Perusahaan Angkutan Udara Asing Yang Mengoperasikan Pesawat Udara Registrasi Asing Dari Dan Ke Indonesia Dan Pesawat Udara Registrasi Indonesia Di Luar Negeri, sudah tidak sesuai lagi dengan perkembangan di bidang penerbangan;
  - c. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a dan huruf b, perlu menetapkan Peraturan Menteri Perhubungan tentang Peraturan Keselamatan Penerbangan Sipil Bagian 129 (*Civil Aviation Safety Regulations Part 129*) Tentang Validasi Dan Pengawasan Perusahaan Angkutan Udara Asing Dan Operator Asing Yang Mengoperasikan Pesawat Udara Indonesia (*Validation And Surveillance Of Foreign Air Operators And Foreign Operators Of Indonesian-Registered Aircraft*);

W P

- Mengingat :
1. Undang-Undang Nomor 1 Tahun 2009 tentang Penerbangan (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 1, Tambahan Lembaran Negara Republik Indonesia Nomor 4956);
  2. Peraturan Pemerintah Nomor 3 Tahun 2001 tentang Keamanan dan Keselamatan Penerbangan ( Lembaran Negara Republik Indonesia Tahun 2001 Nomor 9, Tambahan Lembaran Negara Nomor 4075);
  3. Keputusan Presiden Republik Indonesia Nomor 21 Tahun 1987 tentang Pengesahan *Protocol Relating To An Amandement To The Convention On International Civil Aviation (Article 83 Bis)* (Lembaran Negara Republik Indonesia Tahun 1987 Nomor 26);
  4. Peraturan Presiden Nomor 7 Tahun 2015 tentang Organisasi Kementerian Negara (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 8);
  5. Peraturan Presiden Nomor 40 Tahun 2015 tentang Kementerian Perhubungan (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 75);
  6. Keputusan Menteri Perhubungan Nomor KM 41 Tahun 2001 tentang Peraturan Umum tentang Pengoperasian Pesawat Udara sebagaimana telah diubah terakhir dengan Peraturan Menteri Perhubungan Nomor PM 80 Tahun 2011;
  7. Peraturan Menteri Perhubungan Nomor KM 60 Tahun 2010 tentang Organisasi dan Tata Kerja Kementerian Perhubungan sebagaimana telah diubah terakhir dengan Peraturan Menteri Perhubungan Nomor PM 68 Tahun 2013;
  8. Peraturan Menteri Perhubungan Nomor PM 41 Tahun 2011 tentang Organisasi dan Tata Kerja Kantor Otoritas Bandar Udara;
  9. Peraturan Menteri Perhubungan Nomor PM 31 Tahun 2013 tentang Program Keamanan Penerbangan Nasional;
  10. Peraturan Menteri Perhubungan Nomor PM 14 Tahun 2015 Tentang Peraturan Keselamatan Penerbangan Sipil Bagian 830 (*Civil Aviation Safety Regulatin Part 830*) Tentang Pemberitahuan Dan Pelaporan Kecelakaan, Kejadian Serius Pesawat Udara Sipil Serta Prosedur Investigasi Kecelakaan Dan Kejadian Serius Pesawat Udara Sipil;

MEMUTUSKAN:

Menetapkan : PERATURAN MENTERI PERHUBUNGAN TENTANG PERATURAN KESELAMATAN PENERBANGAN SIPIL BAGIAN 129 (*CIVIL AVIATION SAFETY REGULATIONS PART 129*) TENTANG VALIDASI DAN PENGAWASAN PERUSAHAAN ANGKUTAN UDARA ASING DAN OPERATOR ASING YANG MENGOPERASIKAN PESAWAT UDARA INDONESIA (*VALIDATION AND SURVEILLANCE OF FOREIGN AIR OPERATORS AND FOREIGN OPERATORS OF INDONESIAN-REGISTERED AIRCRAFT*).

Pasal 1

- (1) Memberlakukan Peraturan Keselamatan Penerbangan Sipil Bagian 129 (*Civil Aviation Safety Regulations Part 129*) Tentang Validasi Dan Pengawasan Perusahaan Angkutan Udara Asing Dan Operator Asing Yang Mengoperasikan Pesawat Udara Indonesia (*Validation And Surveillance Of Foreign Air Operators And Foreign Operators Of Indonesian-Registered Aircraft*).
- (2) Peraturan Keselamatan Penerbangan Sipil Bagian 129 (*Civil Aviation Safety Regulations Part 129*) Tentang Validasi Dan Pengawasan Operator Pesawat Udara Asing Dan Operator Asing Yang Mengoperasikan Pesawat Udara Indonesia (*Validation And Surveillance Of Foreign Air Operators And Foreign Operators Of Indonesian-Registered Aircraft*) sebagaimana tercantum dalam Lampiran Peraturan ini dan merupakan bagian yang tidak terpisahkan dari Peraturan ini.

Pasal 2

Ketentuan lebih lanjut mengenai Peraturan Keselamatan Penerbangan Sipil Bagian 129 (*Civil Aviation Safety Regulations Part 129*) Tentang Validasi Dan Pengawasan Operator Pesawat Udara Asing Dan Operator Asing Yang Mengoperasikan Pesawat Udara Indonesia (*Validation And Surveillance Of Foreign Air Operators And Foreign Operators Of Indonesian-Registered Aircraft*) diatur dengan Peraturan Direktur Jenderal Perhubungan Udara.

Pasal 3

- (1) Pemegang *Foreign Air Operator Additional Operations Specifications* yang diterbitkan berdasarkan Keputusan Menteri Perhubungan Nomor KM 6 Tahun 2001 tentang Perusahaan Angkutan Udara Asing Yang Mengoperasikan Pesawat Udara Registrasi Asing Dari Dan Ke Indonesia Dan Pesawat Udara Registrasi Indonesia Di Luar Negeri tetap berlaku sampai dengan tanggal 31 Desember 2015.

- (2) Pemegang *Foreign Air Operator Additional Operations Specifications* sebagaimana dimaksud pada ayat (1) wajib mengajukan permohonan *Foreign Air Operator Additional Operations Specifications* sesuai dengan Peraturan ini paling lambat 60 hari sebelum tanggal 31 Desember 2015.

Pasal 4

Pada saat Peraturan ini mulai berlaku, Keputusan Menteri Perhubungan Nomor KM 6 Tahun 2001 tentang Perusahaan Angkutan Udara Asing Yang Mengoperasikan Pesawat Udara Registrasi Asing Dari Dan Ke Indonesia Dan Pesawat Udara Registrasi Indonesia Di Luar Negeri, dicabut dan dinyatakan tidak berlaku.

Pasal 5

Direktur Jenderal Perhubungan Udara melakukan pengawasan terhadap pelaksanaan Peraturan ini.

Pasal 6

Peraturan Menteri ini mulai berlaku pada tanggal diundangkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Menteri ini dengan penempatannya dalam Berita Negara Republik Indonesia.

Ditetapkan di Jakarta  
pada tanggal 6 Mei 2015

MENTERI PERHUBUNGAN  
REPUBLIK INDONESIA,

ttd

IGNASIUS JONAN

Diundangkan di Jakarta  
pada tanggal 12 Mei 2015

MENTERI HUKUM DAN HAK ASASI MANUSIA  
REPUBLIK INDONESIA,

ttd

YASONNA H. LAOLY

BERITA NEGARA REPUBLIK INDONESIA TAHUN 2015 NOMOR 715

Salinan sesuai dengan aslinya

KEPALA BIRO HUKUM DAN KSLN,



LAMPIRAN PERATURAN MENTERI PERHUBUNGAN  
NOMOR : PM 85 TAHUN 2015  
TANGGAL : 6 MEI 2015

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## CIVIL AVIATION SAFETY REGULATIONS

### **CASR 129**

### **VALIDATION AND SURVEILLANCE OF FOREIGN AIR OPERATORS AND FOREIGN OPERATORS OF INDONESIAN-REGISTERED AIRCRAFT**

REPUBLIC OF INDONESIA  
MINISTRY OF TRANSPORTATION

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## **SUBPART A - GENERAL**

### **129.1 Applicability**

- (a) This Part prescribes rules governing the commercial air transport operations to and from the Republic of Indonesia of each Foreign Air Operator holding an economic permit issued by the Directorate General of Civil Aviation (DGCA) under article 86, 87, 88, 89 and 94 of the Aviation Act No 1 of 2009.
- (b) Subpart G apply to Indonesian-registered aircraft operated in air transportation by a foreign person or foreign air operator solely outside the Republic of Indonesia. For the purpose of this part, a foreign person is any person, not a citizen of the Republic of Indonesia, who operates an Indonesian-registered aircraft in air transportation solely outside the Republic of Indonesia.

### **129.3 Definitions**

For the purpose of this Part the following definitions shall apply:

- (a) Foreign Civil Aviation Authority (FCAA) – The CAA other than the DGCA that represents the State of Registry or the State of the Operator.
- (b) A Foreign Air Operator - any air operator that holds an AOC issued and controlled by a FCAA and authorized by DGCA to engaged schedule air transportation into territory of the Republic of Indonesia.
- (c) Validation of AOC a validation process for the AOC of the foreign operator, leading to the recognition of the AOC and to an authorization for operations by issuing Foreign Air Operator Operation Specification.

### **129.5 Requirement For Validation**

A Foreign Air Operator shall not perform an operation to which this Part applies except under and in accordance with an AOC that has been validated under this Part.

### **129.7 Compliance**

- (a) A Foreign Air Operator shall not operate an aircraft in commercial air transport operations to and from the Republic of Indonesia contrary to the requirements of:
  - (1) Civil Aviation Safety Regulations (CASR) Part 129;
  - (2) Applicable paragraphs of CASR Parts 91 Sub Part H;
  - (3) The AOC and its associated Operations Specifications issued by the State of the Operator to its Air Operator;
  - (4) The Foreign Air Operator Operation Specification issued under CASR Part 129;
  - (5) The rules of the State of Registry of the aircraft and the State of the Operator.

- (b) Despite of paragraph (a) (5), if a requirement of this Part is more stringent than the comparable requirement of a rule of the State of Registry or the State of the Operator mentioned in that paragraph, the requirement of this Part applies.
- (c) Each Foreign Air Operator must keep each of its employees and other persons used in its operations informed of the provisions of its Operations Specifications that apply to that employee's or person's duties and responsibilities.

#### **129.9 Airworthiness And Registration Certificates**

- (a) No foreign air operator may operate any aircraft to and from the Republic of Indonesia unless that aircraft carries current registration and airworthiness certificates issued by the state of registry in accordance with Article 83 bis of the Chicago Convention, and displays the nationality and registration markings of that state.
- (b) No foreign air operator may operate a foreign aircraft to and from the Republic of Indonesia except in accordance with the limitations on maximum certificated weights prescribed for that aircraft and that operation by the country of manufacture of the aircraft.

#### **129.11 Documents To Be Carried**

In addition to the requirement of Section 91.25, a foreign air operator shall ensure that the following documents are carried on flights into The Republic of Indonesia—

- (a) A certified true copy of the air operator certificate and associated operations specifications all of which shall be in the English language;
- (b) A Copy of the Document of Operations Specifications Validation;
- (c) 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;
- (d) The current AFM approved by the State of Registry, or equivalent document approved by the State of Operator. The AFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design;

#### **129.13 Flight Crewmember Certificates**

No person may act as a flight crewmember unless he holds a current certificate or license issued by the state in which that aircraft is registered, showing his ability to perform his duties connected with operating that aircraft.



### **129.15 Radio Equipment**

Subject to the applicable laws and regulations governing ownership and operation of radio equipment, each foreign air operator shall equip its aircraft with such radio equipment as is necessary to properly use the air navigation facilities, and to maintain communications with ground stations, along or adjacent to their routes in the Republic of Indonesia.

### **129.17 Air Traffic Rules And Procedures**

- (a) Each pilot must be familiar with the applicable rules, the navigational and communications facilities, and the air traffic control and other procedures, of the areas to be traversed by him within the Republic of Indonesia.
- (b) Each foreign air operator shall establish procedures to assure that each of its pilots has the knowledge required by paragraph (a) of this section and shall check the ability of each of its pilots to operate safely according to applicable rules and procedures.
- (c) Each foreign air operator shall conform to the practices, procedures, and other requirements prescribed by the DGCA for Indonesian air operators for the areas to be operated in.

## SUBPART B – VALIDATION OF AIR OPERATOR CERTIFICATE

### 129.19 Application, Issuance Or Denial Of A Validation Of Air Operator Certificate

- (a) A Foreign Air Operator applying to the DGCA for a Foreign Air Operator Operation Specification under this Part must submit an application—
  - (1) In a form and manner prescribed by the Director General; and
  - (2) At least 60 days before the intended date of operation.
- (b) An authorized officer or employee of the applicant, having knowledge of the matters stated in the application, must sign the application and certify in writing that the statements in the application are true. The application must include a copy of the appropriate written authority issued to that officer or employee by the applicant.
- (c) A foreign applicant may be issued a Foreign Air Operator Operation Specification, if after review, the Director General –
  - (1) Finds the applicant—
    - (i) Meets the applicable requirements of this Part;
    - (ii) Holds an economic authority required by the DGCA applicable to the operations to be conducted;
    - (iii) Holds a valid AOC issued by the State of the Operator that is acceptable to the DGCA, and authorizes the holder to conduct those operations into or from the Republic of Indonesia territory;
    - (iv) Holds an Insurance Certificate to cover its liability to his passenger and to third party;
    - (v) In case of wet-lease of aircraft, approval of FCAA of the State of the Operator of the lessee, with identification of the operator that exercises operational control on the aircraft.
    - (vi) Is properly and adequately equipped to conduct the operations described in the Foreign Air Operator Operation Specification; and
    - (vii) Complies with the applicable security requirements in Minister of Transportation Regulations PM 31 Year 2013 Concerning National Aviation Security Program.
  - (2) Satisfied, that the state of operator continues to maintain its functions in respect of operations under the AOC in accordance with the Convention on International Civil Aviation.
- (d) An application may be denied if the Director General finds that the applicant does not meet any of requirements and conditions of paragraph (c) of this Section.

**129.21 Amendment, Suspension, Cancellation, Termination Or Revocation  
Of A Foreign Air Operator Operation Specification**

- (a) Subject to provision of paragraph (b), a Foreign Air Operator Operation Specification remains in force as long as the AOC on which it is based remains valid or until it is amended, suspended, cancelled, terminated, or revoked by the Director General or its validity affected in any similar manner.
- (b) A Foreign Air Operator Operation Specification shall expire immediately at the end of the ninetieth (90<sup>th</sup>) day following the last commercial air transport operation to or from the Republic of Indonesia to which the validation applies.
- (c) The Director General may amend Foreign Air Operator Operation Specification issued under this Part if—
  - (1) The Director General determines that safety in commercial air transportation and the public interest require the amendment; or
  - (2) The Foreign Air Operator applies for an amendment, and the Director General determines that safety in commercial air transportation and the public interest allows the amendment.
- (d) The Director General may suspend, cancel, terminate or revoke any Foreign Air Operator Operation Specification issued under this Part if the Director General determines that safety and security in commercial air transportation and the public interest require the suspension, cancellation, termination or revocation;
- (e) Except as provided in paragraphs (f) and (g) of this section, when the Director General initiates an action to suspend, cancel, terminate or revoke a Foreign Air Operator's Foreign Air Operator Operation Specification, the following procedure applies:
  - (1) The DGCA notifies the Foreign Air Operator in writing of the proposed amendment, suspension, cancellation, termination or revocation.
  - (2) The DGCA sets a reasonable period (but not less than 7 days) within which the Foreign Air Operator may submit written information, views, and arguments on the proposed amendment, suspension, cancellation, termination or revocation.
  - (3) After considering all material presented, the DGCA notifies the Foreign Air Operator of—
    - (i) The adoption of the proposed amendment, suspension, cancellation, termination or revocation;
    - (ii) The partial adoption of the proposed amendment, suspension, cancellation, termination or revocation; or
    - (iii) The withdrawal of the proposed amendment, suspension, cancellation, termination or revocation.
  - (4) If the DGCA issues an action to amend, suspend, cancel, terminate or revoke the Foreign Air Operator Operation Specification, it becomes effective not less than 30 days after the Foreign Air Operator receives notice of it unless—

- (i) The DGCA finds under paragraph (g) of this section that there is an emergency requiring immediate action with respect to safety in commercial air transportation; or
  - (ii) The Foreign Air Operator petitions for reconsideration of the amendment, suspension, cancellation, termination or revocation under paragraph (e) of this section.
  
- (f) When the Foreign Air Operator applies for an amendment to its Foreign Air Operator Operation Specification, the following procedure applies:
  - (1) The Foreign Air Operator must file an application to the DGCA—
    - (i) In a form and manner prescribed by the Director General.
    - (ii) At least 60 days before the date proposed by the applicant for the amendment to become effective in cases of mergers; acquisitions of airline operational assets that require an additional showing to the DGCA for economic authority; major changes in the type of operation; and resumption of operations following a suspension of operations as a result of bankruptcy actions, unless a shorter time is approved by the Director General.
    - (iii) At least 30 days before the date proposed by the applicant for the amendment to become effective in all other cases.
  - (2) After considering all material presented, the DGCA notifies the Foreign Air Operator of—
    - (i) The adoption of the applied for amendment;
    - (ii) The partial adoption of the applied for amendment; or
    - (iii) The denial of the applied for amendment.
  - (3) If the DGCA approves the amendment, following coordination with the Foreign Air Operator regarding its implementation, the amendment is effective on the date of the DGCA approved.
  
- (g) The Foreign Air Operator may petition for reconsideration of a full or partial adoption of an amendment, a denial of an amendment or a suspension or cancellation or termination or revocation of a Foreign Air Operator Operation Specification.
  
- (h) When a Foreign Air Operator seeks reconsideration of a decision from the DGCA concerning the amendment, suspension, cancellation, termination or revocation of Foreign Air Operator Operation Specification, the following procedure applies:
  - (1) The Foreign Air Operator must petition for reconsideration of that decision within 30 days after the date that the Foreign Air Operator receives a notice of the decision.
  - (2) The Foreign Air Operator must address its petition to the DGCA.
  - (3) A petition for reconsideration, if filed within the 30-day period, suspends the effectiveness of any amendment, suspension, cancellation, termination or revocation issued by the DGCA unless the DGCA has found, under paragraph (g) of this

section, that an emergency exists requiring immediate action with respect to safety in commercial air transportation.

- (i) If the DGCA finds that an emergency exists requiring immediate action with respect to safety in commercial air transportation that makes the procedures set out in this section impracticable or contrary to the public interest, that office may make the amendment, suspension, cancellation, termination or revocation effective on the day the Foreign Air Operator receives notice of it. In the notice to the Foreign Air Operator, the DGCA will articulate the reasons for its finding that an emergency exists requiring immediate action with respect to safety in commercial air transportation or that makes it impracticable or contrary to the public interest to stay the effectiveness of the amendment, suspension, cancellation, termination or revocation.
- (j) The holder of a Foreign Air Operator Operation Specification shall forthwith surrender the Validation to the Director General within 30 days after the expiration, suspension, cancellation, termination or revocation.

#### **129.23 Form Of A Foreign Air Operator Operation Specification**

A Foreign Air Operator Operation Specification shall contain:

- (a) The Operations Specifications Validation number;
- (b) The AOC number issued by the State of the Operator;
- (c) The Air Operator's registered full name and trading name if different;
- (d) Address of Principal Place of Business;
- (e) Mailing address (if different);
- (f) The Air Operator's Republic of Indonesia business address and contact details;
- (g) The types of operations authorized;
- (h) Special limitations;
- (i) Special authorization;
- (j) Departure and Destination aerodrome(s);
- (k) Aircraft types authorized for use ;
- (l) The date of issue;
- (m) The date of expire;
- (n) Signature of the responsible Director within the DGCA on behalf of the Director General.

## **SUBPART C – SURVEILLANCE OF FOREIGN AIR OPERATOR**

### **129.25 Authority To Inspect**

Subject to the Convention on International Civil Aviation, a Foreign Air Operator shall ensure that any person authorized by the DGCA will be permitted at any time, without prior notice, to board any aircraft within the Republic of Indonesia operated for commercial air transportation, to inspect the documents and manuals required by Section 129.11 and to perform inspections to ensure compliance with these regulations.

### **129.27 Foreign Air Operator Responsibility**

- (a) A Foreign Air Operator shall:
  - (1) Give any person authorized by the DGCA access to an aircraft to conduct an inspection and to any documents, manuals and records which are related to flight operations and maintenance and any other documents, manuals and records that are required by the Convention on International Civil Aviation to be carried on board; and
  - (2) Provide all such documents, manuals and records, when requested to do so by the DGCA, within a reasonable period of time.
- (b) The pilot in command shall be responsible for complying with requirements mentioned in paragraph (a).

### **129.29 Prohibition And Detention Of Unsafe Aircraft Or Aircraft Likely To Be Operated In An Unsafe Manner From Resuming Its Flight Operation**

- (a) Whenever based on the inspection conducted in accordance with section 129.25 it has been determined that an aircraft is unsafe or is likely to be operated in an unsafe manner the DGCA shall prevent the aircraft from resuming its flight operations and take reasonable steps to ensure its continued detention as necessary until the unsafe condition is resolved.
- (b) The DGCA shall advise the State of Registry and the State of the Operator as applicable of the prevention or detention, in order for the State of Registry or the State of the Operator aware of the DGCA actions and take necessary action to resolve the unsafe condition.

## **SUBPART D – SECURITY REQUIREMENTS**

### **129.31 Aircraft Security**

Foreign Air Operators conducting operations under this Part must comply with the applicable security requirements in Minister of Transportation Regulations PM 31 Year 2013 Concerning National Aviation Security Program.

## **SUBPART E – AIRCRAFT INCIDENT / ACCIDENT INVESTIGATION**

### **129.33 Preservation Of Flight Recorder Recordings And Protection Of Evidences**

Pursuance to CASR Part 830, following an accident or serious incident within the Republic of Indonesia, the Operator shall preserve the original recorded data for flight recorders and protect other evidences and maintain safe custody of the aircraft and its contents within the meaning of Annex 13 to the Convention on International Civil Aviation until the National Transportation Safety Committee or the DGCA takes custody thereof or a release is granted.



## SUBPART F – TRANSITION PERIOD

### **129.35 Holders Of Foreign Air Operator Additional Operations Specifications**

- (a) Holders of DGCA foreign air operator Additional Operations Specifications issued based on CASR Part 129 Original issue may continue operations until December 2015.
- (b) The holders of DGCA foreign air operator Additional Operations Specifications shall apply for a Foreign Air Operator Operation Specification issued in compliance with this CASR Part 129 Amendment 1 during the transition period in paragraph (a) in accordance with schedule notified by the DGCA taking consideration of point 129.19 (a) (2) that the last applicant shall submit the application not less than 60 days before the last day of December 2015.
- (c) Requirements of surveillance to foreign air operators in accordance with Subpart C is effective upon the effectivity of this Part.

**SUBPART G – FOREIGN OPERATORS OF INDONESIAN-REGISTERED  
AIRCRAFT**

**129.37 Application, Issuance, Or Denial Of An Additional Operation Specification**

- (a) A Foreign Air Operator applying to the DGCA for an Additional Operations Specification under this Part must submit an application—
  - (1) In a form and manner prescribed by the Director General; and
  - (2) At least 60 days before the intended date of operation.
- (b) An authorized officer or employee of the applicant, having knowledge of the matters stated in the application, must sign the application and certify in writing that the statements in the application are true. The application must include a copy of the appropriate written authority issued to that officer or employee by the applicant.
- (c) A foreign applicant may be issued an Additional Operations Specification, if after review, the Director General –
  - (1) Finds the applicant—
    - (i) Meets the applicable requirements of this Part;
    - (ii) Holds a valid AOC issued by the State of the Operator; and
    - (iii) Is properly and adequately equipped to conduct the operations described in the Additional Operations Specification.
  - (2) Satisfied, that the state of operator continues to maintain its functions in respect of operations under the AOC in accordance with the Convention on International Civil Aviation.
- (d) An application may be denied if the Director General finds that the applicant does not meet any of requirements and conditions of paragraph (c) of this Section.

**129.39 Form Of An Additional Operation Specification**

An Additional Operations Specifications shall contain:

- (a) The Additional Operations Specifications number;
- (b) The AOC number issued by the State of the Operator;
- (c) The Air Operator's registered full name and trading name if different;
- (d) Address of Principal Place of Business;
- (e) Mailing address (if different);
- (f) The Air Operator's Republic of Indonesia business address and contact details;
- (g) The types of operations authorized;
- (h) Special limitations;
- (i) Special authorization;
- (j) Departure and Destination aerodrome(s);

- (k) Aircraft types authorized for use ;
- (l) The date of issue;
- (m) The date of expire;
- (n) Signature of the responsible Director within the DGCA on behalf of the Director General.

**129.41 Amendment, Suspension, Cancellation, Termination Or Revocation Of An Additional Operations Specifications**

- (a) An Additional Operations Specifications remains in force as long as the AOC on which it is based remains valid or until it is amended, suspended, cancelled, terminated, or revoked by the Director General or its validity affected in any similar manner.
- (b) The Director General may amend Additional Operations Specifications issued under this Part if—
  - (1) The Director General determines that safety in commercial air transportation and the public interest require the amendment; or
  - (2) The Foreign Air Operator applies for an amendment, and the Director General determines that safety in commercial air transportation and the public interest allows the amendment.
- (c) The Director General may suspend, cancel, terminate or revoke Additional Operations Specifications issued under this Part if the Director General determines that safety and security in commercial air transportation and the public interest require the suspension, cancellation, termination or revocation;
- (d) Except as provided in paragraphs (e) and (f) of this section, when the Director General initiates an action to suspend, cancel, terminate or revoke a Foreign Air Operator's Additional Operations Specifications, the following procedure applies:
  - (1) The DGCA notifies the Foreign Air Operator in writing of the proposed amendment, suspension, cancellation, termination or revocation.
  - (2) The DGCA sets a reasonable period (but not less than 7 days) within which the Foreign Air Operator may submit written information, views, and arguments on the proposed amendment, suspension, cancellation, termination or revocation.
  - (3) After considering all material presented, the DGCA notifies the Foreign Air Operator of—
    - (i) The adoption of the proposed amendment, suspension, cancellation, termination or revocation;
    - (ii) The partial adoption of the proposed amendment, suspension, cancellation, termination or revocation; or
    - (iii) The withdrawal of the proposed amendment, suspension, cancellation, termination or revocation.
  - (4) If the DGCA issues an action to amend, suspend, cancel, terminate or revoke the Additional Operations Specifications, it becomes effective not less than 30 days after the Foreign Air Operator receives notice of it unless—

- (i) The DGCA finds under paragraph (f) of this section that there is an emergency requiring immediate action with respect to safety in commercial air transportation; or
  - (ii) The Foreign Air Operator petitions for reconsideration of the amendment, suspension, cancellation, termination or revocation under paragraph (d) of this section.
- (e) When the Foreign Air Operator applies for an amendment to its Additional Operations Specifications, the following procedure applies:
  - (1) The Foreign Air Operator must file an application to the DGCA-
    - (i) In a form and manner prescribed by the Director General.
    - (ii) At least 60 days before the date proposed by the applicant for the amendment to become effective in cases of mergers; acquisitions of airline operational assets that require an additional showing to the DGCA for economic authority; major changes in the type of operation; and resumption of operations following a suspension of operations as a result of bankruptcy actions, unless a shorter time is approved by the Director General.
    - (iii) At least 30 days before the date proposed by the applicant for the amendment to become effective in all other cases.
  - (2) After considering all material presented, the DGCA notifies the Foreign Air Operator of—
    - (i) The adoption of the applied for amendment;
    - (ii) The partial adoption of the applied for amendment; or
    - (iii) The denial of the applied for amendment.
  - (3) If the DGCA approves the amendment, following coordination with the Foreign Air Operator regarding its implementation, the amendment is effective on the date of the DGCA approved.
- (f) The Foreign Air Operator may petition for reconsideration of a full or partial adoption of an amendment, a denial of an amendment or a suspension or cancellation or termination or revocation of an Additional Operations Specifications.
- (g) When a Foreign Air Operator seeks reconsideration of a decision from the DGCA concerning the amendment, suspension, cancellation, termination or revocation of Additional Operations Specifications, the following procedure applies:
  - (1) The Foreign Air Operator must petition for reconsideration of that decision within 30 days after the date that the Foreign Air Operator receives a notice of the decision.
  - (2) The Foreign Air Operator must address its petition to the DGCA.

- (3) A petition for reconsideration, if filed within the 30-day period, suspends the effectiveness of any amendment, suspension, cancellation, termination or revocation issued by the DGCA unless the DGCA has found, under paragraph (f) of this section, that an emergency exists requiring immediate action with respect to safety in commercial air transportation.
- (h) If the DGCA finds that an emergency exists requiring immediate action with respect to safety in commercial air transportation that makes the procedures set out in this section impracticable or contrary to the public interest, that office may make the amendment, suspension, cancellation, termination or revocation effective on the day the Foreign Air Operator receives notice of it. In the notice to the Foreign Air Operator, the DGCA will articulate the reasons for its finding that an emergency exists requiring immediate action with respect to safety in commercial air transportation or that makes it impracticable or contrary to the public interest to stay the effectiveness of the amendment, suspension, cancellation, termination or revocation.
- (i) The holder of an Additional Operations Specifications shall forthwith surrender the Validation to the Director General within 30 days after the expiration, suspension, cancellation, termination or revocation.

**129.43 Maintenance Program And Minimum Equipment List Requirements For Indonesian-Registered Aircraft**

- (a) Each foreign air operator and each foreign person operating an Indonesian-registered aircraft outside the Republic of Indonesia shall ensure that each aircraft is maintained in accordance with a program acceptable to the DGCA.
- (b) No foreign air operator or foreign person may operate an Indonesian-registered aircraft with inoperable instruments or equipment unless the following conditions are met:
  - (1) A master minimum equipment list exists for the aircraft type.
  - (2) The foreign operator submits for review and approval its aircraft minimum equipment list based on the master minimum equipment list, to the office of the Directorate of Airworthiness Certification of the DGCA. The foreign operator must show, before minimum equipment list approval can be obtained, that the maintenance procedures used under its maintenance program are adequate to support the use of its minimum equipment list.
  - (3) For leased aircraft maintained and operated under a Republic of Indonesia operator's continuous airworthiness maintenance program and DGCA-approved minimum equipment list, the foreign operator submits the DGCA operator's approved continuous airworthiness maintenance program and approved aircraft minimum equipment list to the DGCA office prescribed in paragraph (b)(2) of this section for review and evaluation. The foreign operator

- must show that it is capable of operating under the lessor's approved maintenance program and that it is also capable of meeting the maintenance and operational requirements specified in the lessor's approved minimum equipment list.
- (4) The DGCA letter of authorization permitting the operator to use an approved minimum equipment list is carried aboard the aircraft. The minimum equipment list and the letter of authorization constitute a supplemental type certificate for the aircraft.
  - (5) The approved minimum equipment list provides for the operation of the aircraft with certain instruments and equipment in an inoperable condition.
  - (6) The aircraft records available to the pilot must include an entry describing the inoperable instruments and equipment.
  - (7) The aircraft is operated under all applicable conditions and limitations contained in the minimum equipment list and the letter authorizing the use of the list.

#### 129.45 Flight Recorders

- (a) No person shall operate an aircraft under this part that is registered in the Republic of Indonesia unless it is equipped with one or more approved flight recorders. The flight data recorder must record the parameters that would be required to be recorded if the aircraft were operated under CASR Part 121 or CASR Part 135, and must be installed by the compliance times required by those parts, as applicable to the aircraft.
- (b) No person shall operate an aircraft under this part unless it is equipped with cockpit voice recorder as provided in CASR Part 121 or CASR Part 135, as applicable.

MINISTER FOR TRANSPORTATION  
REPUBLIC OF INDONESIA,

ttd

IGNASIUS JONAN

Salinan sesuai dengan aslinya

KEPALA BIRO HUKUM DAN KSLN,

