

Information Package for Potential Air Operator Certificate (AOC) Applicants

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Part A - Introduction to the AOC application process

1. Introduction

According to Regulamento Administrativo n.º 10/2004 (as amended), to conduct commercial air transport with its principal place of business in Macao SAR, it is necessary for one to hold an Air Operator Certificate (AOC) issued by the AACM, certifying one's technical capabilities to conduct the authorized operations. However, it must be emphasized that the AOC does not confer any traffic rights to its holder.

With the aim of providing useful information to potential AOC applicant, this document outlines the AOC certification process, describes briefly the Macao SAR civil aviation regulatory structure, and provides answers to some frequently asked questions.

2. AOC Certification Process

The Macao SAR AOC application process is divided into the following 5 phases:

- I. Pre-application phase
- II. Formal application phase
- III. Document evaluation phase
- IV. Demonstration and inspection phase
- V. Certification phase

Applicant should refer to the latest revision of Aeronautical Circular AC/OPS/004 – *Application Procedures for the Issuance of an Air Operator Certificate (AOC)* for full detail of the certification process.

The length of the entire certification process varies depending on the scope and complexity of the proposed operations, as well as the promptness and quality of the documentation submitted by the applicant. It is impractical for AACM to estimate or establish a definite timeline for the completion of any AOC certification process.

3. Macao SAR Civil Aviation Regulatory Framework

Like the legislative framework of many countries and regions, Macao SAR's civil aviation activities are regulated by various legal instruments of different hierarchies.

The overarching legislation regulating our civil aviation system is Decreto-Lei n.º 10/91/M of 4 February (as amended), which established the AACM as the agency in Macao SAR to regulate civil aviation activities.

In relation to commercial air transport activities, Regulamento Administrativo n.º 10/2004 (as amended) laid down the framework for the civil aviation industry and established the necessity for a Macao-based commercial air transport operator to obtain an AOC to conduct such operations (please also note the concession regime for public transport services). It also requires the

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establishment of the Air Navigation Regulation of Macao (ANRM) by AACM, which stipulates a series of regulations to ensure the safe and efficient operations of AOC holders.

The above are further supplemented by a series of Aeronautical Circulars with binding effect to address detail technical requirements.

As the nature and scope of operation of each AOC holder may vary, it is not possible for AACM to laid down a list of legislation that shall be complied with by an AOC applicant. In contrast, AOC applicant is invited to review the content of each piece of legislation with consideration of its proposed scope of operations, in order to identify those legislation that are applicable to its operations. The ability to identify the applicable legislation will be one of the basic indicators for AACM to determine an applicant's readiness to proceed with the application.

In addition to the abovementioned legislations, AACM also publishes Aeronautical Information Publication (AIP), Aeronautical Information Circulars (AIC), and Safety Notices (SN) that contain useful information to promote the safe and efficient operations of flight operations. Potential applicants are invited to review these materials as part of the preparation process.

Potential AOC applicant may refer to the AACM website Laws and Regulations section (<https://www.aacm.gov.mo/law.php?pageid=75>) as well as the Aeronautical Circular section (https://www.aacm.gov.mo/law_notice.php?pageid=77) for the latest effective version of the abovementioned legislations. The AIP, AIC and SN are also available on the AACM website.

4. Application Fee

An application fee is payable to the AACM upon applying for the issuance of an AOC. This fee is calculated based on the 12th Schedule to the ANRM referencing to the weight of the aircraft to be operated. In addition, AACM will recover from the applicant all the expenses incurred for the purpose of evaluating and processing the application based on the number of man-day utilised.

5. Recommendations for potential AOC applicants

- I. Review the Macao SAR civil aviation legislation as mentioned in Paragraph 3 and identify the legislation that apply to the desired operations, with special attention to the AOC application procedures and post-holder requirements as laid down in Aeronautical Circular AC/OPS/004 (as amended) and AC/OPS/026 (as amended) respectively.
- II. Make reference to the FAQ section (Part B of this document).
- III. When decided to proceed with the application, complete and submit the POPS (Part C of this document) to AACM. Thereafter, depending on the acceptability of the POPS, AACM will consider organizing a Pre-application meeting with the applicant and commence the application process in accordance with the requirements laid down in Aeronautical Circular AC/OPS/004 (as amended).

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Part B - Frequently asked questions (FAQ)

A. Who may apply?

The applicant shall be a Macao incorporated company duly registered on Macao's company registry, which has commercial aviation activities stated in company's articles of association and has its principal place of business in Macao Special Administrative Region. Furthermore, for those wishing to provide commercial air transport for public service, a public service sub-concession contract is also required (for detail please see B (a), (b) and (c) below).

B. What other factors needed to be considered before apply?

(a) Operations type

AACM issues two kinds of AOC, depending on the scope of operations:

1. Commercial air transport for public service;
2. Commercial air transport not for public service, that is, helicopter operations and executive jet operations. Executive jet operations are those operations for non-scheduled air services using aircraft with a unit capacity not greater than 40 passengers for hire by third parties for casual business passenger traffic.

(b) Any need for Sub-concession contract

If your scope of operations belongs to (a) 1 above, the applicant must have obtained a public service sub-concession contract prior to the formal application of an AOC for this type of operations. Whereas, if your scope of operations belongs to (a) 2, sub-concession contract is not required.

(c) Sub-concession contract negotiation

It is the applicant's responsibility to enter into the sub-concession contract negotiation with the existing concessionaire (i.e. Air Macau Company Limited)

(d) Minimum company capital

1. For commercial air transport for public service operations, the amount for minimum company capital realised is corresponding to concession or sub-concession contract, as appropriate.
2. For commercial air transport not for public service, that is, helicopter operations and executive jet operations, the minimum company capital realized is MOP \$25,000,000.00. (Twenty-five Millions Patacas)

(e) Management and key staff personnel

According to the post-holder requirements, the following areas must be held accountable by at least an suitably experienced company personnel acceptable to the AACM:

- Flight Operations;
- Aircraft Maintenance;
- Crew Training;
- Ground Operations;
- Safety Management System; and
- Quality System

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All key personnel should be selected during the pre-application phase, and available to serve your formal application process.

In addition, a person responsible for managing aviation security for the proposed operation is required to be identified and undergo the required certification process before becoming acceptable to the AACM.

- (f) **Certification team experience**
AOC application is a highly comprehensive, complex and technical process. AACM will presume that your AOC certification team already has prior background in setting up an air transport operator and initial AOC application experience. The availability of such team is an indicator of whether or not the application will be successful and is a key factor in determining the length of the certification process.
- (g) **Language**
Although the official languages of Macao SAR are Chinese and Portuguese, the working language of the aviation industry in Macao SAR is English. It is a common practice that operations manuals subjected to approval or acceptance and other company materials be written in the English language. Moreover, flight crew members are required to undergo English language test and meet operational English proficiency requirements in order to fulfil competency requirements.
- (h) **Continuing Airworthiness Management & Maintenance Arrangements and Operator's Aircraft Registered in Macao**

For related information, please refer to Part II, III and Nineteenth Schedule of ANRM; and also the applicable ACs (AC/AW/004, AC/AW/011, AC/AW/022, etc, as examples)

- (i) **Training and checking arrangements**
Training requirements (flight crew, cabin crew and flight operations officer) can be found in 9th Schedule to the ANRM. Other requirements for flight crew members and flight operations officers can be found in AC/OPS/025. More detail requirements for cabin crew can be referred to AC/OPS/016.
- (j) **Licensing requirements**
The requirements can be found in 8th Schedule to the ANRM. Other relevant requirements like language proficiency test, medical provisions, etc. can be referred to the PEL series of AC (Aeronautical Circular). For licensing application procedures and examination dates and guidance can be found in our AICs (Aeronautical Information Circular).
- (k) **Tariff**
For details of importing aircraft into Macau, applicant may have to contact corresponding Bureaus of Macau government.

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C. How to apply?

Application process can be briefly summarized into five phases: Pre-application phase, formal application phase, document evaluation phase, demonstration and inspection phase and certification phase.

When decided to proceed with the application, the applicant should complete and submit the POPS to AACM (last part of this information package). Thereafter, depending on the acceptability of the POPS, AACM will consider organizing a Pre-application meeting with the applicant and commence the application process in accordance with the requirements laid down in Aeronautical Circular AC/OPS/004 (as amended).

D. What documents to be submitted?

Some of the documents required to be submitted with the formal application are:

- Cover letter with AOC application form (FS/APP/001);
- Detailed business plan;
- If applying for schedule services, documentation regarding the proposed routes/destination aerodromes and corresponding analytical reports;
- Schedule of Events corresponding to the application;
- Compliance statement;
- Documents of purchase, leases, contracts or letters of intent for aircraft, facilities, training and services appropriate to the operation proposed;
- Sub-concession contract, if applicable.

For the full list of required documents, please refer to AC/OPS/004.

E. What are the applicable legislations/regulations must first be familiar for AOC application?

As the proposed operations of each applicant may vary, it is not practical to specify a full list of legislation that is applicable to all types of operations. However, below is a list of the important instruments that are applicable in most cases:

- The Framework of Civil Aviation Activity in Macao
 - Administrative Regulation no. 10/2004
 - Administrative Regulation no. 18/2008
- Air Navigation Regulation of Macao (ANRM)
 - Currently approved by Executive Order no. 64/2019
- AACM Charging Scheme (12th Schedule to the ANRM)
 - Currently approved by Executive Order no. 45/2012
- Application Procedures for the Issuance of an AOC
 - Aeronautical Circular No. AC/OPS/004

Note: Please always refer to the AACM website for the latest revision of the above.

AOC Prospective Operator's Pre-Assessment Statement (POPS)

(to be completed by an potential applicant for an AOC, please see the end of this form for completion instructions)

Section 1 – General Information

1. Company Registered Name:	
2. Trading Name (if different):	
3. Company Registration Number:	
4. Address:	
5. Telephone:	
6. Fax:	
7. Email:	

Section 2 – Proposed Operation

8. Proposed types of operations: (tick as appropriate)	<input type="checkbox"/> Passengers and Cargo <input type="checkbox"/> For public service* <input type="checkbox"/> Passengers only <input type="checkbox"/> Not for public service <input type="checkbox"/> Cargo only <input type="checkbox"/> Scheduled operations <input type="checkbox"/> Non-Schedule operations <i>* Sub-concession contract is required</i>														
9. Proposal for continuing airworthiness management and maintenance arrangements: (tick as appropriate)	<input type="checkbox"/> Intends to perform its maintenance as an AMO <input type="checkbox"/> Intends to contract its maintenance to an AMO Please specify AMO approval number: _____ In any case, please specify proposed AMO rating(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Airframe <input type="checkbox"/> Powerplant <input type="checkbox"/> Propeller <input type="checkbox"/> Avionics </div> <div> <input type="checkbox"/> Computers <input type="checkbox"/> Instruments <input type="checkbox"/> Accessory <input type="checkbox"/> Specialized service </div> </div>														
10. Proposed operations commencement date:															
11. Aircraft data	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Type and model</th> <th style="width: 30%;">Seating/Cargo payload capacity</th> <th style="width: 30%;">No. of aircraft</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>			Type and model	Seating/Cargo payload capacity	No. of aircraft									
Type and model	Seating/Cargo payload capacity	No. of aircraft													
12. Geographic area(s) of intended operations and proposed route structure:															
13. Additional information that provides a better understanding of the proposed operation or business (attach additional sheets if necessary):															

Section 3 – Management and key staff personnel				
<i>Note: Certain key management positions are subjected to qualification and experience requirements, as well as AACM acceptance. Please refer to the relevant regulations (in particular AC/OPS/026)</i>				
14. Minimum position for:	Name	Company title	Brief description of qualification and experience	Contact
Accountable Manager				
Flight Operations				
Aircraft Maintenance				
Crew Training				
Ground Operations				
Safety Management System				
Quality System				
Security Manager				
Section 4 – Proposed training and checking arrangement				
15. Flight crew:				
16. Cabin crew: (if applicable)				
17. FOO: (if applicable)				
Section 5 – List of attachment				
<i>Please specify the list of documentation attached to this statement, and the Section and item number that each document refers to.</i>				
Section 6 – Applicant's declaration (to be completed by the accountable executive of the company)				
<i>The signature and the information contained in this form denote an intent to apply for an AOC. The undersigned hereby declares the information contained in this form and in any attachments is true and correct.</i>				
Name and Company Title:			Signature:	Date:
_____			_____	_____
Section 7 - For AACM Use Only				
Informed applicant: <input type="checkbox"/> may proceed with Pre-application meeting <input type="checkbox"/> further preparation and/or information required AACM reply reference: _____				
Remarks:				

Pre-Assessment Statement completion instruction

Section 1

Item 1-7 Enter general information of the company, including the company registration number under the Macao SAR company registry

Section 2

Item 8 Indicate the proposed type of air operation. Check all applicable boxes

Item 9 Indicate whether the applicant intends to perform maintenance as an AMO or intends to contract out its maintenance. Also, in either case, the proposed maintenance organization ratings will be indicated

Item 10 Enter the proposed date when operations or services are intended to commence

Item 11 Data for all aircraft to be used to be provided. Provide a copy of ownership certificate or lease agreement for each aircraft (or any memorandum or similar documentation indicating intention to obtain rights to utilize the aircraft)

a) Indicate number and types of aircraft by make, model and series, if possible, indicate individual aircraft serial number and registration marks

b) Number of passenger seats and/or cargo payload capacity

Item 12 Indicate geographic area(s) of intended operation and proposed route structure

Item 13 Provide any information that would assist AACM in understanding the type and scope of the operation or business to be performed by the applicant. If an air operator intends to contract out maintenance and inspection of its aircraft and/or associated equipment, identify the AMO selected and list the maintenance and inspections that the contracting organization will perform. Provide copies of all maintenance contracts where applicable (or any memorandum or similar documentation indicating intention to establish such contract)

Section 3

Item 14 Enter the names, title, contact details and description of the qualification/experience of the management and key staff personnel. The qualification/experience description should address the personnel requirements laid down in the relevant regulations, in particular AC/OPS/026

Section 4

Item 15-17 Identify the type of aircraft, flight simulation training device or training apparatus (flight and cabin crew) to be used and the particulars of the training to be provided, including whether the training will be provided in-house or contracted out to a third party as well as the availability of qualified training personnel

Note: Applicant may provide the required information on separate sheets provided that the Section and Item numbers are clearly indicated.

Personal Data Collection Statement

The personal data provided to the AACM are intended only for the processing of the application. For the purpose of complying with legal obligations, the personal data provided by the applicant may be transferred to other competent entities. The applicant may request, in writing, access and rectification of personal data.