



REQUIREMENT OF THE CIVIL AVIATION AUTHORITY OF THAILAND

No. 8

ON THE APPLICATION, ISSUANCE, AND CERTIFICATION OF PERSONNEL LICENCES ISSUED BY A
CONTRACTING STATE OR BY A STATE ENTERING INTO AN AGREEMENT WITH THAILAND
B.E. 2560 (2017)

Whereas Section 42, Paragraph Two of the Air Navigation Act B.E. 2497 prescribes that the holder of a personnel licence issued by a contracting state by a state entering into an agreement with Thailand who has submitted the licence to the Competent Official for certification shall be deemed to have been approved by the Competent Official under this Act; be it, therefore, by virtue of the provisions in Section 43 of the Air Navigation Act B.E. 2497 as amended by the Royal Decree B.E. 2558 on the Amendment to the Air Navigation Act B.E. 2497, which legislate the requirements on the application, issuance, and certification of personnel licences, and the provisions in Section 6/1 which prescribe that the Director General of the Civil Aviation Authority of Thailand shall have the authority to issue requirements pursuant to the Air Navigation Act B.E. 2497, the Director General of the Civil Aviation Authority of Thailand hereby issues the following requirements:

Clause 1. These Requirements shall be known and cited as “Requirements of the Civil Aviation Authority of Thailand on the Application, Issuance, and Certification of

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Personnel Licences Issued by a contracting state or by a State Entering into an Agreement with Thailand B.E.2560 (2017)".

Clause 2. These Requirements shall come into force on the day following the date of its publication in the Government Gazette.

Clause 3. In these Requirements:

“Certificate” means the certificate of a personnel licence issued by a contracting state or state party with Thailand.

“Competent Official” means the Director General of the Civil Aviation Authority of Thailand or the person designated by the Director General of the Civil Aviation Authority of Thailand.

“Director General” means the Director General of the Civil Aviation Authority of Thailand.

“Office” means the Office of the Civil Aviation Authority of Thailand.

“Transport Aircraft” means an aircraft that is used or intended to be used in commercial transportation of goods or passengers for remuneration and has been registered in accordance with the laws of Thailand.

“Private Aircraft” means an aircraft that is used or intended to be used in non-commercial transportation and has been registered in accordance with the laws of Thailand.

“Convention” means the Convention on International Civil Aviation that was signed at Chicago on December 7, 1944, including the annexes and the amendments thereto.

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Clause 4. The applicant for a Certificate or temporary Certificate shall have the following qualifications:

Must hold a personnel licence issued by a contracting state or by a state entering into an agreement with Thailand.

(1) Must have knowledge in Thai Air Law and Human Performance by passing a theoretical examination conducted by the Office.

In the case of the application for a private pilot certificate or a sports or recreational pilot certificate, the applicant is not required to pass a theoretical examination in Human Performance; and in the case of the application for a temporary Certificate under Clause 12 (1), (2), (3), and (4), the applicant is not required to pass a theoretical examination in Thai Air Law and Human Performance.

(2) Must be an individual or employee or contract employee or member of any one of the following organizations:

(a) The holder of a Private Aircraft Operating Licence who has granted permission to the applicant to perform duties in his/her aircraft.

(b) The holder of an Air Operator Certificate (AOC) or Air Operator Licence (AOL) who employs the applicant to perform duties in his/her aircraft.

(c) The holder of Approved Training Organization (ATO) which employs the applicant to perform duties in his/her aircraft.

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(d) An association or foundation that has been approved by the Director General for flight regulations, rules, or provisions, of which the applicant is a member and will be operating a flight on its aircraft.

(e) The holder of a Repair Station Certificate who employs the applicant to perform duties in the aircraft for which he/she provides the service.

(3) Must not be a person whose Certificate is being suspended or revoked, unless such suspension or revocation has been terminated for at least 2 years.

(4) Must not have the prohibited characteristics pursuant to the Working of Alien Act and other applicable laws.

Clause 5. The applicant who intends to undergo the theoretical examination under Clause 4 (2) for the purpose of applying for a Certificate shall submit to the Competent Official the application form and the following documentary evidence:

(1) Certified true copy of the personnel licence issued by a contracting state or by a state entering into an agreement with Thailand (every page)

(2) Certificate of employment or membership issued by the respective organization

(3) Certified true copy of the passport of the applicant

Clause 6. After passing the theoretical examination under Clause 5, the results thereof shall be valid for a lifetime unless the Competent Official has reasonable grounds to suspect that the applicant lacks knowledge and proficiency, in which case the Competent Official may order the said applicant to retake the theoretical examination.

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Clause 7. The applicant who is to act as a pilot on a Transport Aircraft and has passed the theoretical examination under Clause 5 shall undertake a proficiency check on a FSTD or actual aircraft conducted by the Office's staff or Check Airman or Designated Check Pilot who has been appointed by the Director General, or undertake a proficiency check on a FSTD conducted by the Check Airman of an foreign training organization accepted by the Director General. This shall not apply to the case of the issuance of a temporary Certificate under Clause 12.

Clause 8. The applicant for a Certificate or temporary Certificate shall submit to the Competent Official the application according to the form prescribed by the Office, along with the following documentary evidence:

(1) In the case of which the applicant is a pilot or flight engineer on a Transport Aircraft:

(a) Certified true copy of the personnel licence issued by a contracting state or by a state entering into an agreement with Thailand (every page)

(b) Certified true copy of the medical certificate issued by a contracting state or by a state entering into an agreement with Thailand (every page)

(c) A copy of the original Certificate with certified true (only in the case of which the applicant is not a initial applicant)

(d) Certificate of employment issued by the respective organization

(e) Letter or document certifying that the applicant has completed training in Operations Manual (OM) and Standard Operating Procedures (SOP) and Flight Crew

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Training Program in accordance with the training manual of the respective organization which has been certified by the Office, unless in the case of an application for a temporary Certificate under Clause 12 (1), (3), and (4)

(f) Certified true copy of the results of theoretical knowledge under Clause 5. Unless in the case of an application for a temporary Certificate under Clause 12

(g) Results of proficiency check under Clause 7, except in the case of an application for a temporary Certificate under Clause 12 (1), (3), and (4)

(h) 3 color photos with 1 inch in size, dressed in the uniform of the respective organization or proper attired with no head covering or tinted glasses, and taken within 6 months

(i) Certified true copy of the aircraft log in the preceding 90 days commencing from the submission date of the application

(j) Certified true copy of the passport of the applicant

In the case of an application for a temporary Certificate for an Instructor Aircraft Type Rating under Clause 12 (1) and for a Delivery/Ferry Flight under Clause 12 (3), a memorandum of understanding or agreement shall be executed between the applicant's respective organization and the other holder of an Air Operator Certificate or the holder of a Foreign Air Operator Certificate or the aircraft manufacturer or the Approved Training Organization, whereby such memorandum of understanding or contract shall specify the secondment of the applicant, the name of the applicant, the aircraft type for training, the

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duration of training, and the objectives of training such as Delivery/Ferry Flight, School Flight, and Initial Operating Experience (IOE).

(2) In the case of which the applicant is a pilot or flight engineer on a Private Aircraft, the following documentary evidence shall be submitted:

(a) Certified true copy of the personnel licence issued by a contracting state or by a state entering into an agreement with Thailand (every page)

(b) Certified true copy of the medical certificate issued by a contracting state or by a state entering into an agreement with Thailand (every page)

(c) Copy of the original Certificate with certified true (only in the case of which the applicant is not an initial applicant)

(d) Certificate of employment or employment agreement or letter of authorization issued by the holder of a Private Aircraft Operating Licence, authorizing the applicant to operate flights on its Private Aircraft, as the case may be

(e) Certificate or document certifying that the applicant has completed training in accordance with the Training and Procedures Manual of the respective organization or the Approved Training Organization, or in accordance with the regulations of the respective association or foundation, as the case may be

(f) Copy of the results of theoretical examination under Clause 5

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(g) 3 color photos with 1 inch in size, dressed in the uniform of the respective organization or proper attired with no head covering or tinted glasses, and taken within 6 months

(h) Copy of the aircraft log in the preceding 90 days commencing from the submission date of the application), certified true with an original signature

(i) Certified true copy of the passport of the applicant

(3) In the case of which the applicant is an aircraft maintenance engineer of the holder of an Air Operator Certificate or the holder of a Repair Station Certificate in Thailand or the Approved Training Organization or the association or foundation that has been accepted by the Director General for flight regulations, rules, or provisions, the following documentary evidence shall be submitted:

(a) Certified true copy of the personnel licence (every page) issued by a Contracting State or State party with Thailand)

(b) Certified true copy of the original Certificate (only in the case of which the applicant is not a initial applicant)

(c) Certificate of employment or employment agreement issued by the holder of an Air Operator Certificate or the holder of a Repair Station Certificate or the Approved Training Organization or the respective association or foundation, as the case may be

(d) Certificate or document certifying that the applicant has completed an aircraft maintenance engineer training course according to the rating, or documentary

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evidence with a signature certifying the maintenance of the aircraft or parts thereof according to the rating for which the application is sought

(e) Certified true copy of the results of theoretical examination under Clause 5

(f) 3 color photos with 1 inch in size, dressed in the uniform of the respective organization or proper attired with no head covering or tinted glasses, and taken within 6 months

(g) Certified true copy of the passport of the applicant

The Competent Official may request additional documents or evidence that demonstrate the applicant's qualifications and flight experience in order to support the consideration on the issuance of a Certificate or temporary Certificate whenever deemed appropriate.

Clause 9. Upon receipt of the application and documentary evidence under Clause 8, the Competent Official shall coordinate with the Civil Aviation Authority of the contracting state or contracting state with Thailand from which the licence is issued to the applicant in order to validate that the licence conforms to the requirements prescribed in Annex 1 of the Convention; whereby the licence and limitations thereof shall remain effective, and there shall be no evidence of suspension or revocation of the applicant's licence by the contracting state or contracting state with Thailand.

Upon receipt of validation from the Civil Aviation Authority of the contracting state or contracting state with Thailand pursuant to Paragraph One, the Competent

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Official shall examine the accuracy and completeness of the documentary evidence under Clause 8. If the documentary evidence is found to be accurate and complete, the Competent Official shall notify the applicant to pay the fee for the issuance of the Certificate and shall thereafter issue the Certificate or temporary Certificate, as the case may be, to the applicant within 5 business days from the date on which the payment is made.

In issuing the Certificate or temporary Certificate, the Competent Official may prescribe conditions or limitations therein.

Clause 10. The categorize of type ratings, aircraft type ratings, or personnel ratings in the Certificate shall be in accordance with the following:

(1) In the case of a pilot or flight engineer, the rating shall be equivalent to the type rating or aircraft type rating specified in the personnel licence issued by contracting state or state party with Thailand, but shall be limited to the type rating or aircraft type rating required for the performance of duties.

(2) In the case of a flight instructor, the type rating shall be determined based on the experience, training, and instruction or based on the flight instructor rating specified in the personnel licence issued by contracting state or state party with Thailand, but shall be limited to the flight instructor rating required for the performance of duties.

(3) In the case of other personnel, the rating shall be equivalent to the rating specified in the personnel licence issued by contracting state or state party with Thailand, but shall be limited to the rating required for the performance of duties.

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Clause 11. Under the provisions in Clause 12, the Certificate shall be valid for a maximum of 1 year commencing from the date of issuance, unless in the case of which the validity period of any one of the following items under (1) to (4) has expired prior thereto, wherein such validity period shall be deemed the validity period of the Certificate.

(1) Validity period of a personnel licence issued by contracting state or state party with Thailand , of which an application has been submitted to the Competent Official for certification

(2) Validity period of a type rating

(3) Validity period of a medical certificate issued by contracting state or state party with Thailand

(4) Validity period of a medical certificate pursuant to the Ministerial Regulation on Personnel Licence and the amendment thereto

Clause 12. The Competent Official will consider issuing a temporary Certificate, with the validity period not exceeding 90 days, to the applicant for the following activities:

(1) Flight Instructor-Aircraft Type Rating

(2) Aircraft Maintenance Engineer who instructs and/or certifies the airworthiness of a Thai aircraft

(3) Delivery/Ferry Flight

(4) Test Flight

(5) Pilot Proficiency Checks

(6) School Flight

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(7) Initial Operating Experience (IOE) or Route Introduction (RI)

In issuing a temporary Certificate under Paragraph One, the Competent Official shall specify in the temporary Certificate the aircraft type rating required for the performance of duties on a Thai aircraft, as well as the type of activity. The temporary Certificate shall be issued on a one-time basis.

In the event that the activity specified in the temporary Certificate is not complete within the permitted period, a one-time extension may be granted. In such case, the applicant shall submit a request for extension to the Competent Official prior to the expiration of the validity period by specifying the reason and necessity of the respective organization for such extension. The validity period of the temporary Certificate shall be extended for a period not exceeding 45 days.

Clause 13. The holder of the Certificate or temporary Certificate shall have the privileges pursuant to the type rating, conditions, and limitations specified in the Certificate or temporary Certificate. The Certificate or temporary Certificate shall become valid only in the presence of a valid personnel licence or medical certificate issued by a contracting state or state party with Thailand.

The holder of the Certificate or temporary Certificate shall maintain the validity of the personnel licence or medical certificate issued by a contracting state or state party with Thailand throughout the period of performing duties on an aircraft that is registered in accordance with the laws of Thailand.

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Clause 14. The Certificate or temporary Certificate shall become invalid in the event that the personnel licence of the Certificate holder has been suspended or revoked by a state party to the Convention or by a state entering into an agreement with Thailand.

Clause 15. The Competent Official may suspend or revoke the Certificate or temporary Certificate in the event that the holder thereof is found to have:

(1) Violated or failed to comply with the Air Navigation Act B.E. 2497, ministerial regulations, rules, requirements, announcements, or provisions issued pursuant to the Air Navigation Act B.E. 2497, and any other applicable laws; or

(2) Failed to comply with the manuals, operational procedures, or safety procedures approved by the Director General, or violated the flight regulations or rules of an association or foundation that have been accepted by the Director General, to the extent that such violation poses or may pose risks to Air navigation.

Clause 16. Any Certificate or temporary Certificate issued prior to the effective date of these Requirements shall remain valid until the expiration thereof and shall be deemed to have been issued pursuant to these Requirements.

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Clause 17. Any application submitted prior to the effective date of these Requirements shall be deemed to have been submitted pursuant to these Requirements and shall be processed according to these Requirements.

Given on 21 April 21 B.E. 2560 (2017).

-Signature-

(Mr. Chula Sukmanop)

Director General

The Civil Aviation Authority of Thailand

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