

6 A I කොටස : (1) ලේඛ - ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ දේශීය විද්‍යා ගැටළු පත්‍රය - 1993.11.19
පළමු කොටස : (1) - இலங்கை சனநாயக சோசலிச குடியரசு வர்த்தமானப் பத்திரிகை - அதிகாரப்பூர்வம் - 1993.11.19
PART I: Sec. (1) - GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA - 1993.11.19

the 15th of January, 1994, no person shall carry on the business of air transportation in Sri Lanka except under the authority of, or otherwise in accordance with, the terms and conditions, of a licence issued in that behalf by the Director-General of Civil Aviation on application made therefore and on payment of the prescribed fee.

D. B. Wijetunga,
President.

Colombo,
17th November, 1993.

12-106/1

L.D. - B. 4/93.

AIR NAVIGATION (SPECIAL PROVISIONS) ACT, No. 55 OF 1992
Regulations under Section 13

REGULATIONS made by the President under Section 13 of the Air Navigation (Special Provisions) Act, No. 55 of 1992 read with Article 44(2) of the Constitution of the Democratic Socialist Republic of Sri Lanka in consultation with the Minister in-charge of the subject of tourism.

D. B. Wijetunga,
President.

Colombo,
17th November, 1993.

REGULATIONS

1. These regulations may be cited as the Air Transport Providers (Passengers) Licensing Regulations, No. 01 of 1993.
2. Every person desirous of obtaining a licence for the purpose of carrying out the business of air transportation for the carriage of passengers shall make an application in that behalf to the Director-General of Civil Aviation.
3. Every application made under regulation 2, shall be accompanied by any fee, information or documentation as prescribed by these regulations.
4. Every applicant for a licence under these regulations shall furnish to the Director-General of Civil Aviation all such information that the Director-General of Civil Aviation may require to determine such application.
5. Where an applicant is a company registered under the Companies Act, No. 17 of 1982, it shall have a paid up capital of not less than rupees 500,000 and where the applicant is a partnership or a sole proprietorship registered under the Business Names Ordinance (Chapter 149), it shall have a capital contribution of not less than rupees 500,000.
6. Every application for a licence shall be accompanied by -
 - (A) a fee of rupees One thousand in cash or money order or postal order or bank draft made payable to the Director-General of Civil Aviation;
 - (B) a letter of appointment from an Air Line or an appointed agent of an Air Line, stating that the applicant is a travel agent, where such person is an agent appointed by an Air Line or is a sub-agent appointed by the agent of the Air Line or where such applicant is not an agent as aforesaid a letter from an Air Line or an appointed agent of an Air Line stating that the applicant is a travel agent, engaged in the sale of airline tickets pertaining to that Air Line;
 - (C) sufficient information to satisfy the Director-General of Civil Aviation that the applicant is capable of carrying on the business of air transportation together with a profile of the managerial staff of the business and information as to the experience and qualifications with documentary proof of the Staff who will be called upon to handle the sale of tickets;
 - (D) sufficient information to satisfy the Director-General of Civil Aviation that the applicant is in possession of adequate premises to carry on the business of air transportation;
 - (E) the original or a certified copy of the certificate of registration issued by the Ceylon Tourist Board under the Travel Agents Code of 1973 where such registration is necessary to carry on the business of the applicant;

- (F) sufficient information to satisfy the Director-General of Civil Aviation that the applicant's resources and financial arrangements are adequate to discharge the actual and potential obligations in respect of the business activities relating to air transportation if any, which the applicant is presently engaged in and in which the applicant may be expected to engage in if the licence is issued, subject to these regulations;
 - (G) a written undertaking by the applicant that the applicant shall inform the Director-General of Civil Aviation of any change of ownership or legal status of the applicant or of any changes in the management;
 - (H) a certificate of incorporation, the registration of business names, a partnership agreement or such other document in proof of the legal status of the undertaking as the case may be;
 - (I) a certified copy of the final accounts of the business including a statement of income and expenditure for the period of six months immediately preceding the date of making of the application, and the balance sheet showing the assets and liabilities as at the end of that period as certified by a qualified Auditor;
 - (J) a written undertaking that the applicant shall furnish a bank guarantee in a sum prescribed by the Director-General of Civil Aviation, within one week of being informed of the sum in which the guarantee is required, guaranteeing the payment upon an order of court against the applicant of an amount not exceeding the prescribed sum to a passenger. The Director-General of Civil Aviation shall prescribe such sum having regard to the amount of annual turn over, two years immediately preceding the date of application of the applicant's business which sum shall not be less than two hundred thousand rupees and not more than five hundred thousand rupees. The Director-General of Civil Aviation may require that, instead of providing a bank guarantee, the applicant may insure his liability by taking out a valid policy of insurance in such sum and form acceptable to the Director-General of Civil Aviation.
7. If in the opinion of the Director-General of Civil Aviation, an applicant is unable to fully comply with the provisions set out in regulations 5 and 6, but is in substantial compliance with such matters, the Director-General of Civil Aviation may in such case, where the Director-General of Civil Aviation is of opinion that the interest of the passengers, or of any one dealing with the applicant is not detrimentally affected by permitting such applicant to continue in his business of air transportation, the Director-General of Civil Aviation may issue him with a temporary licence valid only for one year from the date of issue, permitting the applicant to carry on his business only for such period, but requiring him to fulfil the requirement imposed by regulations 5 and 6 within the period set out above.
8. A licence issued under these regulations by the Director-General of Civil Aviation shall be valid for a period of two years from the date on which such licence was issued and may be renewed thereafter for further periods of two years each, subject to the payment of a fee of Rupees One thousand for each renewal and subject to compliance with the requirements imposed by these regulations.
9. Notwithstanding anything to the contrary in the regulations hereinbefore contained, the Director-General of Civil Aviation shall have the power to call for any information or document he deems necessary from any licensee to implement any one or more provisions of these regulations.