



BERMUDA

CIVIL AVIATION (AIR TRANSPORT LICENSING) REGULATIONS 2026

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	SCHEDULE

The Minister responsible for aviation, in exercise of the powers conferred by section 18 of the Civil Aviation (Air Transport Licensing) Act 2007, makes the following Regulations:

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Citation

1 These Regulations may be cited as the Civil Aviation (Air Transport Licensing) Regulations 2026.

Interpretation

2 (1) In these Regulations unless the context otherwise requires—

“Act” means the Civil Aviation (Air Transport Licensing) Act 2007;

“Authority” means the Bermuda Civil Aviation Authority established by section 3 of the Bermuda Civil Aviation Authority Act 2016;

“charter service” means an air transport service for reward, where the aircraft is at the disposal of the person or persons chartering it;

“decision date” has the meaning assigned in regulation 13(7)(a);

“hearing” or “preliminary hearing” means a hearing or preliminary hearing at which oral evidence or argument may be heard and “to hear” shall be construed accordingly;

“party” in relation to a case before the Panel means a person having the right to be heard under regulation 12(1);

“party” in relation to an appeal to the Minister means any of the persons specified in regulation 14(3)(c) and (d);

“scheduled service” means an air transport service for reward, operating to a published time-table and fare structure available directly to the general public;

“statement of the policies” means the statement published by the Panel in accordance with section 16 of the Act;

“statutory duties” means the duties of the Panel set out in section 7 of the Act;

“transcript date” has the meaning assigned in regulation 13(7)(b).

(2) Any period of time specified in these Regulations by reference to days, working days or months—

(a) where such period is expressed to begin after a particular date, shall begin on the first day after that date, and shall be inclusive of the last day unless that day falls on a Saturday, Sunday or any other public holiday, in which case the period shall run to the immediately following working day; and

(b) where such period is expressed to run to or expire before a particular date or event, the period shall be calculated to expire on the last working day before the particular date or the date of that event.

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(3) In computing any period of time specified in these Regulations by reference to hours or working days the whole of any Saturday, Sunday or other public holiday shall be disregarded.

(4) For the purposes of these Regulations, a need to allocate scarce bilateral capacity arises when the Panel has been notified by the Minister that in the Minister's opinion, by virtue of any provision made by or under the terms of an air services agreement or other international agreement or arrangement applying to Bermuda or Bermudian airlines, the share of the capacity on air transport services which may be provided by Bermudian airlines within the meaning given by section 2 of the Act (whether capacity is expressed in terms of the number of passenger seats or the amount of cargo carrying space which may be offered for sale by such operators, or otherwise) will, within 6 months of the date of notification, be insufficient to enable all persons holding air transport licences (authorising them to operate such air transport services) to make available all the capacity which they plan to provide.

Service of documents

3 (1) Anything required to be served on any person under these Regulations or under the Act shall be set out in a notice in writing which may be served either—

- (a) by delivering it to that person;
- (b) by leaving it at the proper address of that person;
- (c) by sending it by prepaid registered post to the proper address of that person, in which event the notice shall be regarded as served when it first becomes available for collection; or
- (d) by sending it to that person at his proper address by facsimile or other electronic communication which produces a document containing a text of the notice, or from which such a document can be produced, in which event the notice shall be regarded as served when such communication is received,

and where the person is a body corporate the notice may be served upon the secretary of that body.

(2) For the purposes of this regulation the proper address of any person shall, in the case of a body corporate, be the registered or principal office of that body corporate and in any other case be the last known address of the person to be served.

Publication by the Panel

4 Any notice or other matter (not being a schedule of terms referred to in regulation 7) required by these Regulations, or the Act, to be published by the Panel shall, unless these Regulations or the Act provide otherwise in respect of such notice or matter, be published by the Panel in the Gazette.

Application for the grant, revocation, suspension or variation of licences

5 (1) The Panel may refuse to consider an application for the grant, revocation, suspension or variation of an air transport licence unless—

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- (a) subject to regulation 11, in the case of an application for the grant of a licence it has been served on the Panel not less than 6 months before the beginning of the period for which the licence is proposed to be in effect, and in any other case it has been served on the Panel not less than 6 months before the date on which it is proposed that the revocation, suspension or variation shall take effect;
- (b) in the case of an application for the grant of a licence, the application has been made in such form and contains such particulars as the Panel may specify by publication in such manner as the Panel thinks fit; and
- (c) the application is accompanied by any applicable fee as specified in the Schedule.

(2) Any person specified in regulation 12(1)(b) or (c) may apply to the Panel for the variation, suspension or revocation of an air transport licence but no person may apply for the variation of such schedule of terms as provided in regulation 7.

(3) The Panel shall refuse to consider an application for the revocation, suspension or variation of an air transport licence made by a person other than the holder of the licence unless a copy of the application has been served on the holder of a licence within 24 hours after it has been served on the Panel.

(4) The Panel shall, as soon as practicable after an application for the grant, revocation, suspension or variation of an air transport licence has been served upon it, publish such particulars of the application as it thinks necessary for indicating the substance of the application and shall make a copy of the application available at the office of the Authority for inspection by any person at any reasonable time.

(5) But—

- (a) the Panel may dispense with publication in any case where it is satisfied that for reasons of urgency it is desirable to do so and it is of the opinion that to do so is unlikely to prejudice the interests of any persons of a description specified in regulation 12(1);
- (b) the Panel may dispense with publication in the case of an application—
 - (i) for the grant of a licence for not more than four flights in any one direction between the same two places;
 - (ii) made by its holder for the revocation or suspension of a licence;
 - (iii) for the variation of a licence if in its opinion to do so is unlikely to prejudice the interests of any persons of a description specified in regulation 12(1).

(6) If within 12 months after the date on which objections to and representations about an application for the grant, variation, suspension or revocation of an air transport licence must have been served on the Panel, the Panel has not made a decision on the application or given notice under regulation 12(3) of the date, time and place of the hearing of such application, it shall as soon as practicable republish such particulars of the application as it thinks necessary for indicating the substance of the application and

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shall republish such particulars at 12 monthly intervals thereafter until such time as a decision has been made on the application or such notice has been given.

(7) The Panel may direct that an application shall be treated as being such number of separate applications as it may specify in the direction, and the application shall be treated accordingly.

Revocation, suspension or variation of licences without application being made

6 (1) Subject to paragraph (3) of this regulation, if the Panel proposes to revoke, suspend or vary an air transport licence (other than in pursuance of an application made to it in that regard) on the ground that it is not or is no longer satisfied as to the matters specified in section 9(3) of the Act, it shall—

- (a) serve on the holder of the licence not less than 21 days' notice of its intention to publish particulars of the proposal together with the reasons for its proposal;
- (b) consider any representations which may be made to it by the holder of the licence before the expiration of the said notice; and
- (c) as soon as practicable after the expiration of the said notice or at such earlier time as the Panel and the holder of the licence may agree, publish particulars of the proposal unless it has abandoned the proposal.

(2) But the Panel may—

- (a) with the consent of the holder of the licence dispense with publication of its proposal to revoke or suspend the licence;
- (b) dispense with publication of its proposal to vary the licence if it is satisfied that the variation is unlikely to prejudice the interests of any person of a description specified in regulation 12(1).

(3) Subject to paragraph (3) of this regulation, if the Panel proposes to revoke, suspend or vary an air transport licence on other than what is referred to in paragraph (1) of this regulation and other than in pursuance of an application made to it in that regard, it shall publish particulars of the proposal and of the reasons for it, unless—

- (a) the Minister has directed the Panel to revoke, suspend or vary the licence as proposed or the proposal is made under a direction made by the Minister under regulation 16(1) to re-hear the case;
- (b) the Panel is satisfied that to dispense with publication is unlikely to prejudice the interests of any person of a description specified in regulation 12(1) and the holder of the licence consents to the proposal not being published.

(4) The Panel may suspend an air transport licence notwithstanding that it has not complied with the requirements of paragraph (1) or (2) of this regulation if it has served on the holder of the licence not less than 6 working days' notice of its proposal to suspend the licence, together with its reasons for the proposal, and if, after considering

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any representations which may be made to it by the holder of the licence before the expiration of such notice it is not, or is no longer, satisfied in section 9(3) of the Act.

(5) Before reaching a decision that it has reason to believe that the holder of an air transport licence is not a person in section 9(4) of the Act, the Panel shall—

- (a) serve on the holder of the licence not less than 21 days' notice of its intention to consider the matter; and
- (b) consider any representations which may be made to it by the holder of the licence before the expiration of the said notice.

Variation of schedule of terms

7 (1) If the Panel establishes any schedule of terms and includes in any air transport licence a term that the holder of the licence shall comply with terms set out in that schedule, as varied from time to time, by the Panel, the Panel may at any time propose to vary that schedule or any part thereof, and any such proposal shall for the purposes of these Regulations be treated as a proposal for the variation of every air transport licence which contains such a term as mentioned relating to that schedule or that part of that schedule, as the case may be.

(2) When any air transport licence contains such a term as mentioned relating to a schedule, the Panel shall publish that schedule and any variation to it, and shall give notice of such publication in the Gazette.

(3) The Panel shall maintain a list of the names and addresses of all persons who hold an air transport licence which includes such a term as is referred to in paragraph (1) of this regulation and shall serve copies of that list on any person requesting a copy.

Objections and representations

8 (1) Any holder of an air transport licence or of a Bermuda air operator's licence or any person who has applied for a Bermuda air operator's certificate, and such application remains current and has not been refused, may serve on the Panel an objection to, or representation about, an application or proposal for the grant, revocation, suspension or variation (other than the provisional variation) of an air transport licence if he does so—

- (a) where an application or proposal is published, within such period (being, subject to paragraph (2), not more than 21 days nor less than 7 days) as the Panel may specify when publishing the application or proposal;
- (b) where the application or proposal is not published, but he has been notified by the Panel that the application or proposal has been made and will not be published, within 3 working days after being so notified.

(2) But, nothing shall—

- (a) permit the Panel to specify a period of less than 21 days for the service of objections or representations unless it is satisfied that for reasons of urgency it is desirable to do so;

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- (b) permit the Panel to specify a period of less than 21 days for the service of objections or representations in a case where it has made a proposal in accordance with regulation 6, unless it has proposed to—
 - (i) revoke, suspend or vary an air transport licence in accordance with a direction given by the Minister;
 - (ii) vary an air transport licence for the sole reason that there is a need to allocate scarce bilateral capacity.

(3) Where the person making the objection or representation is the holder of an air transport licence he shall, within 24 hours after it has been served on the Panel, serve a copy of it on—

- (a) the applicant;
- (b) any other person who is the holder of a licence to which the application or proposal relates,

and where the person making the objection or representation is not the holder of the air transport licence, the Panel shall within 7 days after the day on which the objection or representation has been served on the Panel serve a copy of it on the holder of the licence, indicating whether the person making the objection or representation wishes to be heard.

(4) Upon being served, the applicant shall, if so required in writing by the person making the objection or representation, serve him with a copy of the application within 3 working days after being required so to do.

(5) References in this regulation to publication include references to re-publication in accordance with regulation 5(5), but when an application is republished, nothing in this regulation shall require a person who has served an objection to or representation about the application when it was previously published to re-serve that objection or representation.

Furnishing of information by the Panel

9 (1) Before the date fixed for the hearing of a case, the Panel shall serve on every person who has the right to be heard in connection with the case, and on any person who the Panel proposes to hear, any information in the possession of the Panel that has been provided in connection with the case or that the Panel has reason to believe will be referred to at the hearing.

(2) But—

- (a) the Panel shall not serve any such information which has been provided by the Minister if the Minister has certified to the Panel that it would not be in the public interest for it to be disclosed;
- (b) before serving any information provided by any other person (not being a person who has provided information in connection with the case but does not wish to be heard), the Panel shall consult that person and shall not serve any information which, in its opinion, relates to the commercial

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or financial affairs of the person who provided it and cannot be disclosed to the prospective recipient without causing disadvantage to that person which, when compared with the advantage to the public and to the prospective recipient of its disclosure, is unwarranted.

Preliminary meetings

10 (1) Before the date fixed for the hearing of a case, the Panel may hold a preliminary meeting to discuss the conduct of the case.

(2) The Panel shall give to every party to the case and to every person who the Panel proposes to hear in connection with the case notice of the date, time and place of the preliminary meeting and any such person may attend in person or be represented by any person who he may have authorised to represent him.

(3) Preliminary meetings may, with the consent of the other members of the Panel, be conducted on behalf of the Panel by the Director-General.

Preliminary hearings of allegations of behaviour damaging to a competitor

11 (1) This regulation applies where the holder of an air transport licence (hereinafter referred to as “the applicant”)—

- (a) has applied to the Panel for the variation of an air transport licence held by another person (referred to as “the respondent”) for the purpose of restraining the respondent from engaging in behaviour damaging to the applicant’s business;
- (b) has included in his application a statement giving particulars of the behaviour complained of and of the extent to which the applicant’s business is being or is likely to be damaged;
- (c) has asked for a preliminary hearing of the application with a view to the respondent’s air transport licence being provisionally varied pending a hearing; and
- (d) has served a copy of his application on the respondent on the same day as he has served it on the Panel.

(2) The respondent shall, within 5 working days after the date of service of the application, serve on the Panel and on the applicant any representations he may wish the Panel to take into account in determining whether to hold a preliminary hearing.

(3) The Panel shall within 10 working days after the date of service of the application notify the applicant and the respondent of the date (which shall be within 20 working days after the date of service of the application), time and place of the preliminary hearing or of the fact that it has decided not to hold a preliminary hearing.

(4) A preliminary hearing shall be of such length as is reasonably practicable and shall be held by such means (whether oral or written) as the Panel thinks fit.

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(5) The Panel shall hold a preliminary hearing only if, having considered the terms of the application and of any representations served on it under paragraph (2), it is of the opinion that—

- (a) there is prima facie evidence that the behaviour complained of by the applicant is being engaged in by the respondent and that behaviour has or is likely to have the effect of seriously damaging the business of the applicant; and
- (b) having regard to its statutory duties, its statement of the policies, if any, and to the urgency of the matter, such a hearing is warranted.

(6) The applicant and the respondent shall have a right to be heard at a preliminary hearing and the Panel may hear such other persons as it thinks fit.

(7) Regulations 9, 13(1), (4), (5) and (6) shall apply in relation to a preliminary hearing as they apply in relation to a hearing.

(8) At a preliminary hearing the applicant and the respondent shall have the same rights as a party to a case in a hearing and the Panel may, to such extent as it thinks fit, permit any other person who it decides to hear to exercise the same rights.

(9) Within 5 working days after the end of the preliminary hearing the Panel shall notify the applicant and the respondent in respect of the application—

- (a) whether or not it has decided provisionally to vary the respondent's air transport licence;
- (b) if so, the terms of the provisional variation; and
- (c) the date, time and place of the hearing;

and shall furnish its reasons for the decision, as required by section 11 of the Act within 10 working days after the end of the preliminary hearing.

(10) The only decision which may be taken by the Panel after a preliminary hearing is a decision provisionally to vary or to refuse provisionally to vary the respondent's air transport licence; and if the Panel provisionally varies the respondent's licence it shall in doing so provide that the provisional variation will cease to have effect when the decision reached by the Panel takes effect.

Hearings in connection with air transport licences

12 (1) Before any decision to grant, refuse to grant, revoke, suspend or vary (other than provisionally) an air transport licence is made, the following persons shall have a right to be heard—

- (a) the applicant;
- (b) the holder of an air transport licence;
- (c) the holder of an air operator's certificate granted by the Director-General under an Air Navigation (Overseas Territories) Order;

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- (d) such persons (being persons who wish to be heard and who have served objections or representations under regulation 8 expressing the views of passengers or shippers of cargo) as appear to the Panel to be representative of those who have served such objections or representations.

(2) But

- (a) no person (other than the applicant and the holder of the licence to which the decision will relate) shall have a right to be heard unless he has served an objection or representation under regulation 8 and (unless he is a person of a description specified in paragraph (1)(d)) in so doing has stated that he wishes to be heard; and
- (b) any person whose application for a Bermuda air operator's certificate has lapsed or been refused (and such refusal is not the subject of an appeal) since he served any such objection or representation shall not have the right to be heard.

(3) Notwithstanding that a person does not have the right to be heard, the Panel may, if it thinks fit, hear him provided he has served an objection or a representation under regulation 8.

(4) No hearing shall be held unless the Panel has served on all persons having a right to be heard and who it proposes to hear in connection with the case not less than 14 days' notice of the date, time and place of the hearing, and the notice shall clearly identify the application or proposal to which it relates; and a similar notice shall be published in the Gazette not less than 7 days before the date of the hearing.

(5) But—

- (a) no person (other than the applicant and the holder of the licence to which the decision will relate) shall have a right to be heard unless he has served an objection or representation and (unless he is a person of a description specified in paragraph (1)(d)) in doing so has stated that he wishes to be heard; and
- (b) any person whose application for a Bermuda air operator's certificate has lapsed or been refused (and such refusal is not the subject of an appeal) since he served any such objection or representation shall not have the right to be heard.

(6) Two or more cases may be heard together, if the Panel thinks fit, but a party to one case shall not on that account be deemed to be a party to any other case.

Procedure at hearings

13 (1) Hearings shall be conducted by the Panel, sitting with such advisers as it thinks fit.

(2) At a hearing every party to a case may appear in person or be represented by any other person who he may have authorised to represent him, and may produce oral

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and written evidence and may examine any other party to that case, any person who the Panel hears and any witnesses produced by any such party or person; and the Panel may, to such extent as it thinks fit, permit any person heard by it to exercise at the hearing the rights set out in this regulation of a party to the case.

(3) Any person who has served an objection or representation under regulation 8 but who does not wish to be heard, may make a written submission which he shall serve on the Panel not less than 3 working days before the date fixed for the hearing of the case.

(4) Every hearing shall be held in public unless the Panel shall otherwise decide in relation to the whole or part of a particular case.

(5) The failure of the Panel or of any person to give notice or publish any particulars in the time or manner provided for in the Act or in these Regulations or any other procedural irregularity shall not invalidate the action taken by the Panel; and the Panel may, and shall if it considers that any person may have been prejudiced, take such steps as it thinks fit before reaching its decision to cure the irregularity, whether by the giving of notice or otherwise.

(6) All the proceedings at a hearing of the Panel in connection with a case shall be recorded by a shorthand writer or by some other means, and if any party to the hearing requests a record of the proceedings the Panel shall cause a mechanical recording or transcript of the shorthand or other record to be made available for purchase by that person at a reasonable price.

(7) But—

- (a) the Panel shall not be required to make available a mechanical recording or transcript of the of the record of the proceedings at any time after the expiry of one year from the day of publication of its decision of the case; and
- (b) a mechanical recording or transcript of the record of proceedings conducted otherwise than in public shall only be required to be made available for purchase by any party to the case or by any other person heard by the Panel at those proceedings.

(8) When the Panel provides a person who has a right of appeal with written notice of its decision, the notice must specify a date that is at least three working days after the date on which the notice was made available for collection by, or dispatched to, that person (this date hereinafter referred to as the “decision date”).

(9) If, within seven days after the decision date, that person requests a mechanical recording or transcript of the proceedings, the Panel must provide the recording or transcript together with a statement specifying a date that is at least three working days after the date on which the recording or transcript was made available for collection by, or dispatched to, that person. (this date hereinafter referred to as the “transcript date”).

(10) The Panel must publish the decision date and the transcript date as soon as practicable thereafter.

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(11) When the Panel provides to a person having a right of appeal—

- (a) notification in writing of its decision of the case, the notification shall specify a date, being not less than 3 working days after the date on which a copy of the notification was available for collection by or despatch to that person (which date is hereinafter referred to as “the decision date”);
- (b) a mechanical recording or transcript of the record of proceedings in the case in pursuant to a request made by that person within 7 days after the decision date, the recording or transcript shall be accompanied by a statement specifying a date, being not less than 3 working days after the date on which the recording or transcript was available for collection by or despatch to that person (which date is hereinafter referred to as “the transcript date”);

and the Panel shall as soon as may be thereafter publish the decision date and the transcript date.

Appeals to the Minister

14 (1) Every party to a case before the Panel (not being a person having a right to be heard by virtue only of regulation 12(1)(d)) shall have a right of appeal to the Minister from the Panel’s decision with respect to an air transport licence or an application for a licence.

(2) An appeal to the Minister shall be made by a notice signed by or on behalf of the appellant and clearly identifying the case to which it relates and stating the grounds on which the appeal is based and the arguments on which the appellant relies.

(3) The appellant shall serve the notice of appeal on—

- (a) the Minister;
- (b) the Panel;
- (c) each of the parties to the case before the Panel;
- (d) each person who, pursuant to regulation 12(2), the Panel decided to exercise its discretion to hear in connection with the case.

(4) Subject to paragraph (9), the notice of appeal shall be served within 21 days after the decision date or, if the appellant has made a request and has within 24 hours after making his request to the Panel served notice on each of the persons referred to in paragraphs (3)(a), (c) and (d) that he has done so, not later than 21 days from the transcript date.

(5) Any person having the right to appeal against a decision of the Panel may require it to furnish him with the names and addresses of the persons of the description specified in paragraph (3)(c) and (d).

(6) Subject to paragraph (9), any party to the appeal (other than the appellant) may within 14 days after service thereof serve on the Minister a submission giving

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reasons why the Panel's decision should or should not be upheld and shall within such period serve copies of any such submission on the Panel, the appellant and the persons who have been served with notice of the appeal under paragraphs(3)(c) and (d).

(7) Subject to paragraph (9), within 28 days after receiving notice of an appeal, the Panel shall serve on the Minister any submission it may wish to make in connection with the appeal, including, if it thinks fit, an amplification and explanation of the reasons for its decision, and shall, within such period, serve copies of any such submission on the appellant and on the persons who have been served with notice of the appeal under paragraphs 3)(c) and (d).

(8) Subject to paragraph (9), within 14 days after the expiry of the period of 28 days referred to in the preceding paragraph, the appellant may serve on the Minister a reply to any submission made under paragraph (6) or (7) and shall within such period serve copies of any such reply on the Panel and on the persons who have been served with notice of the appeal under paragraphs (3)(c) and (d).

(9) Where a case has come before the Panel solely because of a need to allocate scarce bilateral capacity, the references in paragraph (4) to 21 days shall be taken as references to 5 working days, the reference in paragraph (6) to 14 days shall be taken as a reference to 5 working days, the reference in paragraph (7) to 28 days shall be taken as a reference to 8 working days and in paragraph (8) for the words "within 14 days after the expiry of the period of 28 days" there shall be substituted "within 4 working days after the expiry of the period of 8 working days".

(10) Before deciding an appeal the Minister may—

- (a) ask the appellant, any other person who has made a submission pursuant to the preceding paragraphs, or the Panel, to amplify or explain any point made by them or to answer any other question, the answer to which appears to the Minister necessary to enable him to determine the appeal, and the Minister shall as the case may be give the appellant, the other parties to the appeal and the Panel an opportunity of replying to such amplification, explanation or answer;
- (b) obtain from the Panel any information in its possession that was not furnished to a person entitled to be heard by the Panel in relation to the case pursuant to paragraph (b) of the proviso to regulation 9.
- (c) Before taking the information in paragraph (b) into account, the Minister shall give both the Panel and the person who provided the information to the Panel an opportunity to make written submissions concerning it.
- (d) A copy of any submission made by the Panel shall be served only on the person who provided the information to the Panel and a copy of any submission made by that person shall be served only on the Panel.

(11) In the appeal proceedings, no person may submit to the Minister evidence which was not before the Panel when it decided the case.

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Appeal from decisions after preliminary hearings of allegations of behaviour damaging to a competitor

15 (1) Regulation 14 shall apply in relation to appeals from decisions of the Panel after preliminary hearings of allegations of behaviour damaging to a competitor as it applies in relation to any other case but with the modifications set out as follows.

(2) Those modifications are—

- (a) in paragraph (1) the reference to every party shall be taken as a reference to the applicant and the respondent;
- (b) in paragraph (3) the reference in subparagraph (c) to each of the parties shall be taken as a reference to the applicant or respondent, as the case may be, and the reference in subparagraph (d) to regulation 12(2) shall be taken as a reference to regulation 11(6);
- (c) in paragraph (4) the first reference to 21 days shall be taken as a reference to 5 working days and the reference to the decision date shall be taken as a reference to the date upon which the Panel furnished reasons for its decision; and all the subsequent words in that paragraph (which relate to a request for a transcript and a time from the transcript date) shall be deleted;
- (d) in paragraph (6) the reference to 14 days shall be taken as a reference to 5 working days;
- (e) in paragraph (7) the reference to 28 days shall be taken as a reference to 8 working days;
- (f) in paragraph (8) for “within 14 days after the expiry of the period of 28 days” there shall be substituted “within 4 working days after the expiry of the period of 8 working days”.

Decisions on appeals

16 (1) The Minister may, if he thinks fit, uphold the decision of the Panel or direct it to re-hear the case which is the subject of the appeal or reverse or vary its decision.

(2) The Minister shall notify the Panel, the appellant and the persons who have been served with the notice of appeal of his decision and of the reasons for it and the Panel shall publish the Minister’s notification in such manner as it thinks fit and shall give notice of such publication in the Gazette.

(3) Where the Minister directs the Panel to re-hear a case he shall at the same time notify the Panel and persons referred to in paragraph (2) whether the Panel’s decision is to have effect pending the further decision of the Panel.

(4) In determining an appeal the Minister may, if he thinks fit, order the appellant to pay to any other party a specified sum in respect of costs incurred by the other party in connection with the appeal.

(5) The failure of any person (other than the appellant in serving notice of appeal on the Minister within the time prescribed in regulation 14(4)) to serve any notice,

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submission or reply, or copies thereof or to furnish any particulars in the time or manner provided for in the Act or in these Regulations or any other procedural irregularity shall not invalidate the decision of the Minister; and the Minister may, and shall if he considers that any person may have been prejudiced, take such steps as he thinks fit before deciding the appeal to cure the irregularity.

Transfer of licences

17 (1) Subject to the provisions of this regulation—

- (a) if the sole holder of an air transport licence (being an individual) dies, the licence shall be treated from the time of his death as if it had then been granted to his legal personal representative;
- (b) if in connection with the reconstruction of any body corporate or the amalgamation of any bodies corporate the whole of the business of the holder of a licence (being a body corporate), or such part thereof as includes the provision of carriage by air for reward of passengers or cargo, is transferred or sold to another body corporate, the licence shall be treated, from the date of the transfer or sale of the whole or the relevant part of the business, as if it had been granted to that other body corporate.

(2) The person required by paragraph (1) to be treated as the holder of the air transport licence may apply to the Panel—

- (a) if he is the legal personal representative of an individual licence holder who has died, for the transfer of the licence to any person entitled to a beneficial interest in the deceased's estate (including himself in his personal capacity if he is in that capacity entitled to such an interest); and
- (b) in any other case, for the substitution of his own name in the licence for the name of the person by who the licence was held.

(3) The application shall state the grounds on which it is based and shall be served on the Panel within 21 days after the date on which the applicant first became entitled to make it; and if no application is made within that period the air transport licence shall cease at the expiration of that period to be treated as if granted to a person other than the person granted a licence.

(4) The application shall, for the purposes of these Regulations be treated as if it were an application for the variation of the air transport licence, and the provisions of regulations 14 and 16 as to appeals shall apply accordingly.

(5) The Panel shall not grant an application for the transfer of an air transport licence to, or the substitution of the name of, any person if it would be bound under section 9(3) or (4) of the Act to refuse that application if it were an application for the grant of a licence to that person.

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(6) For the purposes of this regulation “legal personal representative” means a person constituted executor, administrator or other representative of a deceased person by probate, administration or other instrument.

Surrender of licences

18 If revocation or variation of an air transport licence has taken effect, the Panel may require any person who has the licence in his possession or control to surrender it for cancellation or variation, as the case may be and any person who fails, without reasonable cause, to comply with any such requirement, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$20,000.

Revocation

19 The Civil Aviation (Air Transport Licensing) Regulations 2007 are revoked.

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SCHEDULE

(regulation 5)

Upon making an application for the grant of an air transport licence the applicant shall pay to the Authority the application fee and the relevant required funding amount specified in the table—

Air Transport Licence Scenario	Required Fees
Application fee plus—	US \$9,000
MTOM* less than 50 tonnes or; 2 or fewer routes	US \$30,600
MTOM* 50 tonnes but not exceeding 100 tonnes or; 3 routes but not exceeding 5 routes	US \$45,000
MTOM* 100 tonnes or greater or; more than 5 routes	US \$73,800
*Maximum Take Off Mass. Mass is based on the largest aircraft in the applicant's fleet.	

1 Upon making an application for the variation, suspension or revocation of an air transport licence the applicant shall pay to the Authority as an initial charge such amount as the Authority shall determine based on its estimate of the number of man-days work for the Authority and the Panel in assessing and deciding on the application. Such determination shall be calculated by reference to a man-day rate of \$1,800. Should the cost of assessing and deciding on the application exceed the initial charge the applicant will pay on demand (at intervals determined by the Authority, and before the assessment continues) the actual cost of the additional man-days expended. Should the cost of assessing and deciding on the application be less than the initial charge the Authority will refund the balance of the initial charge.

2 Where the circumstances of an application for the grant, revocation, suspension or variation of an air transport licence lead the Panel at any point in its assessment (including before the assessment commences) to consider it needs to instruct professional advisers (legal, accountancy, financial and other professional services) in order to assess the applicant or the application, the Authority will charge the applicant the amount of those professional fees (at intervals determined by the Authority, and before the assessment commences or continues).

3 No charges payable to the Authority under the provisions of this Schedule, nor any part of them, shall be refunded whether or not the relevant application is granted save as provided in paragraph 1.

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Made this 22nd day of June 2026

Minister of Tourism and Transport, Culture and Sport

[Operative Date: 22 June 2026]