

REGULATION OF THE MINISTER OF TRANSPORTATION OF  
THE REPUBLIC OF INDONESIA  
NUMBER PM 63 OF 2017

ON

THE TENTH AMENDMENT ON DECREE OF THE MINISTER OF  
TRANSPORTATION NUMBER KM 18 OF 2002 ON CERTIFICATION AND  
OPERATING REQUIREMENTS FOR COMMUTER AND CHARTER AIR  
CARRIERS

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER OF TRANSPORTATION OF THE REPUBLIC OF INDONESIA,

Considering : a. that the provision of certification and operating requirements for commuter and charter air carriers have been regulated in Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers as last amended by the Regulation of the Minister of Transportation Number PM 53 of 2016 on Amendment to the Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;

b. that it is necessary to amend the provisions on the single engine operation, operation specification, leasing of aircraft, safety management system, validity periods for proficiency and competency, and maintenance program as regulated in KM 18 of 2002, as well as the addition of a new provision on the source of aeronautical products;

c. that based on the consideration as referred to in point a and b, it needs to establish a Regulation of the Minister of Transportation of the Tenth Amendment on the Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;

- Observing : 1. Law of the Republic of Indonesia Number 1 of 2009 on Aviation (State Gazette of the Republic of Indonesia of 2009 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 4956);
2. Regulation of the President Number 7 of 2015 on the Organization of the State Ministries (State Gazette of the Republic of Indonesia of 2015 number 8);
3. Presidential Regulation Number 40 of 2015 on Ministry of Transportation (State Gazette of the Republic of Indonesia of 2015 Number 75);
4. The Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers that have been amended several times, last by the Regulation of the Minister of Transportation of the Republic of Indonesia Number PM 53 of 2016 on the Amendment to the Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers (State Bulletin of the Republic of Indonesia of 2016 Number 694);
5. Regulation of the Minister of Transportation Number PM 189 of 2015 on the Organization and Management of the Ministry of Transportation (State Bulletin of the Republic of Indonesia of 2015 Number 1844) as amended by the Regulation of the Minister of Transportation Number PM 86 of 2017 (State Bulletin of the Republic of Indonesia of 2017 Number 1012);

HAS DECIDED

To Issue : REGULATION OF MINISTER OF TRANSPORTATION ON TENTH AMENDMENT ON THE DECREE OF THE MINISTER OF TRANSPORTATION NUMBER KM 18 OF 2002 ON CERTIFICATION AND OPERATING REQUIREMENTS FOR COMMUTER AND CHARTER AIR CARRIERS.

Article I

Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers as amended several times with the Ministerial Regulation:

- a. Number of KM 17 of 2003 on the Consummation of Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;
- b. Number of KM 12 of 2008 on Amendment to Decree of the Minister of transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;
- c. Number 45 of 2008 on Third Amendment to Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;
- d. Number of KM 18 of 2009 on Fourth Amendment to Decree of the Minister of Transportation on Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;
- e. Number KM 42 of 2009 on the Fifth Amendment to Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;
- f. Number PM 4 of 2012 on Sixth Amendment to Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers;

- g. Number PM 34 of 2015 on the Seventh Amendment to Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers (State Bulletin of the Republic of Indonesia of 2015 Number 289);
- h. Number PM 152 of 2015 on the Eighth Amendments to Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers (State Bulletin of the Republic Indonesia of 2015 Number 1590);
- i. Number PM 53 of 2016 on the Ninth Amendment of Decree of the Minister of Transportation Number KM 18 of 2002 on Certification and Operating Requirements for Commuter and Charter Air Carriers (State Bulletin of the Republic Indonesia of 2016 Number 694);

amended as follows:

- 1. To delete section 135.1 Definitions and Abbreviation so that section 135.1 reads as follows:  
135.1 Reserved
- 2. To amend section 135.11 to read as follows:  
135.11 Requirements of Single Engine Operation
  - (a) Unless otherwise authorized by the Director, no certificate holder shall conduct an air transportation service under this part in a single engine aircraft except:
    - (1) in accordance with the AOC and operations specifications;
    - (2) where the aircraft is certified for 10 or more passengers, the minimum flight crew must include a Pilot-in-Command and Second in Command.
  - (b) A certificate holder may apply to the Director to operate a single engine airplane under VFR and IFR conditions where in addition to the requirements laid down in Sub sections (a) and (b) of this section, the following conditions are met:

(1) Turbine engine reliability

- (i) Turbine engine reliability shall be shown to have a power loss rate of less than 1 per 100 000 engine hours.

Note: Power loss in this context is defined as any loss of power, the cause of which may be traced to faulty engine or engine component design or installation, including design or installation of the fuel ancillary or engine control systems.

- (ii) The operator shall be responsible for engine trend monitoring.

- (iii) To minimize the probability of in-flight engine failure, the engine shall be equipped with:

- (A) an ignition system that activates automatically, or is capable of being operated manually, for take-off and landing, and during flight, in visible moisture;

- (B) a magnetic particle detection or equivalent system that monitors the engine, accessories, gearbox, and reduction gearbox, and which includes a flight deck caution indication; and

- (iv) an emergency engine power control device that permits continuing operation of the engine through a sufficient power range to safely complete the flight in the event of any reasonably

probable failure of the fuel control unit.

(2) Systems and equipment

Single-engine turbine-powered airplanes approved to operate at night and/or in the IMC shall be equipped with the following systems and equipment intended to ensure continued safe flight and to assist in achieving a safe forced landing after an engine failure, under all allowable operating conditions:

- (i) two separate electrical generating systems, each one capable of supplying all probable combinations of continuous in-flight electrical loads for instruments, equipment and systems required at night and/or in IMC;
- (ii) a radio altimeter;
- (iii) an emergency electrical supply system of sufficient capacity and endurance, following loss of all generated power, to as a minimum:
  - (A) maintain the operation of all essential flight instruments, communication and navigation systems during a descent from the maximum certificated altitude in a glide configuration to the completion of a landing;

- (B) lower the flaps and landing gear, if applicable;
  - (C) provide power to one pitot heater, which must serve an air speed indicator clearly visible to the pilot;
  - (D) provide for operation of the landing light specified in point (x) of paragraph (b) (2) of this section;
  - (E) provide for one engine restart, if applicable; and
  - (F) provide for the operation of the radio altimeter;
- (iv) two attitude indicators, powered from independent sources;
  - (v) a means to provide for at least one attempt at engine re-start;
  - (vi) airborne weather radar;
  - (vii) a certified area navigation system capable of being programmed with the positions of aerodromes and safe forced landing areas, and providing instantly available track and distance information to those locations;
  - (viii) for passenger operations, passenger seats and mounts which meet the dynamically-tested performance standards and which are fitted with a shoulder harness or a safety belt with a diagonal shoulder strap for each passenger seat;

- (ix) in pressurized airplanes, sufficient supplemental oxygen for all occupants for descent following engine failure at the maximum glide performance from the maximum certificated altitude to an altitude at which supplemental oxygen is no longer required;
  - (x) (x) a landing light that is independent of the landing gear and is capable of adequately illuminating the touchdown area in a night and forced landing;
  - (xi) an engine fire warning system.
- (3) Minimum equipment list
- The minimum equipment list of an operator which has been approved in accordance with CASR 135 Subpart K – Aircraft Instruments and Equipment and CASR 91 Subpart C – Equipment, Instrument, and Certificate Requirements shall specify the operating equipment required for night and/or IMC operations, and for day/VMC operations.
- (4) Flight manual information
- The flight manual shall include limitations, procedures, approval status and other information relevant to operations by single-engine turbine-powered airplanes at night and/or in IMC.
- (5) Event reporting
- (i) An operator approved for operations by single-engine



turbine-powered airplanes at night and/or in the IMC shall report all significant failures, malfunctions or defects to the DGCA who in turn will notify the State of Design.

- (ii) The DGCA shall review the safety data and monitor the reliability of information so as to be able to take any actions necessary to ensure that the intended safety level is achieved. The DGCA will notify major events or trends of particular concern to the appropriate Type Certificate Holder and the State of Design.
- (6) Operator planning
- (i) Operator route planning shall take account of all relevant information in the assessment of intended routes or areas of operations, including the following:
    - (A) the nature of the terrain to be overflown, including the potential for carrying out a safe forced landing in the event of an engine failure or major malfunction;
    - (B) weather information, including seasonal and other adverse meteorological influences that may affect the flight; and
    - (C) other criteria and limitations as specified by the DGCA.

- (ii) An operator shall identify aerodromes or safe forced landing areas available for use in the event of engine failure, and the position of these shall be programmed into the area navigation system.
- (7) Flight crew experience, training and checking
- (i) An operator's flight crew training and checking shall be appropriate to night and/or IMC operations by single-engine turbine-powered airplanes, covering normal, abnormal and emergency procedures and, in particular, engine failure, including descent to a forced landing in night and/or in IMC conditions.
  - (ii) all flights operated under the instrument flight rule shall be operated with a minimum flight crew of 2 pilots, who hold a valid commercial pilot licence or higher and have a valid instrument rating, except a SIC is not required if:
    - (A) each aircraft is equipped with a serviceable three axis autopilot,
    - (B) each aircraft is equipped with a headset and boom mike and a transmit button that is affixed to the control wheel,
    - (C) each aircraft is equipped with a control wheel

mounted, approach chart holder with a means of proper illumination,

- (D) the flight is not operated above flight level 250,
- (E) the pilot-in-command has successfully completed a single pilot instrument flight check on that aircraft type,
- (F) the pilot has acquired not less than 75 hours of instrument flight, experience as pilot-in-command of which not less than 50 hours must be actual instrument time in an aircraft, and is otherwise qualified in accordance with this Part, and
- (G) the certificate holder's the operational control system is certified for the conduct of IFR flight.

(8) Route limitations over water

The operator shall apply route limitation criteria for single-engine turbine-powered airplanes operating at night and/or in IMC on over water beyond gliding distance if operations from an area suitable for a safe forced landing/ditching having regard to the characteristics of the airplane, seasonal weather influences, including likely sea state and temperature, and the availability of search and rescue services.

(9) Operator certification or validation

The operator shall demonstrate the

ability to conduct operations by single-engine turbine-powered airplanes at night and/or in IMC through a certification and approval process specified by the DGCA.

3. To delete SUBPART D Safety Management System so that SUBPART D reads as follows:

SUBPART D RESERVED

4. To amend section 135.27 to read as follows:

135.27 Contents of the Operations Specifications

- (a) Each Operations Specification is an attachment to the Air Operator Certificate and addresses at least the following standard operational and maintenance areas;

- (1) Air Operator Certificate number.
- (2) Operator name.
- (3) Issuance date of the Operations Specifications.
- (4) Title, name and signature of authority representative
- (5) Aircraft model.
- (6) Type of operations.
- (7) Area (s) of operation.
- (8) Special limitations.
- (9) Special authorizations.

- (b) Operations Specifications shall be supported by appropriate detailed documents, which contain authorization, conditions, and limitations.

5. To amend section 135.39 to read as follows:

135.39 Sources of Aeronautical Products

- (a) A certificate holder under this part must have the system to obtain the aeronautical products from:

- (1) A manufacturer of aeronautical products;

- (2) A manufacturer who produces, identifies and certifies standard parts and materials which conform to established industrial, national or international standards, and which are referenced in approved design data,
  - (3) An organization approved either by DGCA, or Foreign Civil Aviation Authority under CASR part 145, subpart F, to perform maintenance on aeronautical products and who is authorized to certify such products as serviceable and in a condition for safe operation,
  - (4) A supplier who provides original certification of product conformity to approved design data for supplies acquired from authorized sources.
- (b) A certificate holder under this part must ensure that the source of aeronautical products has the organization, facilities, equipment and personnel necessary to comply with the policies, responsibilities, methods and procedures established in his product quality control system;
6. To amend section 135.41 to read as follows:
- 135.41 Leasing of Aircraft
- (a) Wet Lease
    - (1) Prior to operating an air transportation service with wet leased aircraft, an air carrier shall provide to the Director, copy of the lease agreement, or a written memorandum outlining the terms of such agreement. Where any air carrier whether foreign or domestic, agrees to

provide an aircraft to another person certified under this part, the agreement must state which AOC holder and which AMO as applicable, is proposed to be responsible for providing:

- (i) applicable crewmembers;
  - (ii) operational control; and
  - (iii) the maintenance and servicing of that aircraft.
- (2) Upon receiving a copy of an agreement, or a written memorandum of the terms thereof are, the Director determines which party to the agreement is conducting the operation and issues an amendment to the certificate holder's operations specifications containing the following:
- (i) The names of the parties to the agreement and the duration thereof
  - (ii) The nationality and registration numbers marks of each aircraft involved in the agreement
  - (iii) The type of operation (e.g., scheduled, passenger, etc)
  - (iv) The areas of operation
  - (v) The regulation of the CASRs applicable to the operation
- (3) In making a determination under Paragraph (b) of this section, the Director considers the responsibility under the agreement for the following:
- (i) Crewmembers and training
  - (ii) Airworthiness and performance of maintenance

- (iii) Dispatch
  - (iv) Servicing the aircraft
  - (v) Scheduling
  - (vi) Any other factor the Director considers relevant.
- (4) After a review of the leasing arrangement, if a foreign operator is considered responsible for the operation of the leased aircraft each route segment must include either a takeoff or a landing to or from a foreign airport.
- (b) Dry Lease
- (1) Under most dry lease agreements, the lessee, who provides the crew, is the accountable party who exercises operational control over the aircraft with all the attendant responsibilities. If the lessee does not have operational control of the leased aircraft under the lease agreement, DGCA may evaluate the arrangements to ensure that the operation can be conducted with an adequate level of safety in accordance with the applicable regulations.
  - (2) DGCA required an applicant for an AOC, or an existing operator, wishes to use dry leased aircraft, the applicant or operator should provide the DGCA with the following information:
    - (i) the aircraft type, model and serial number;
    - (ii) the name and address of the registered owner;
    - (iii) State of Registry, nationality and registration marks;

- (iv) certificate of airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of Registry;
  - (v) name, address and signature of lessee or person responsible for operational control of the aircraft under the lease agreement, including a statement that such an individual and the parties to the lease agreement fully understand their respective responsibilities under the applicable regulations;
  - (vi) copy of the lease agreement or description of lease provisions;
  - (vii) duration of the lease; and
  - (viii) areas of operation.
- (3) After careful review within the authority and liaison as necessary with other competent authorities, the DGCA needs to make the determination as to which party to the lease agreement is in fact responsible for the conduct of the operation. In making this determination, the DGCA will consider the responsibilities of the parties under the lease agreement for:
- (i) flight crew member licensing and training;
  - (ii) cabin crew member training;
  - (iii) airworthiness of the aircraft and the performance of maintenance;
  - (iv) operational control, including dispatch and flight following;



- (v) scheduling of flight crew and cabin crew members; and
  - (vi) signing the maintenance release.
- (4) If the lease arrangement is determined to be a dry lease involving aircraft that possess valid certificates of registration and certificates of airworthiness issued by DGCA, which is the aircraft is Indonesian register, the dry lease arrangement is acceptable to the DGCA, the operations manual and/or the operations specifications should be amended to provide at least the following data:
- (i) names of the parties to the lease agreement and the duration thereof ;
  - (ii) nationality and registration marks of each aircraft involved in the agreement;
  - (iii) type of aircraft to be used;
  - (iv) areas of operation; and
  - (v) regulations applicable to the operation.

(c) Damp Lease

Damp Lease is a wet-leased aircraft that includes a cockpit crew but not cabin attendants, generally understood to be a wet lease of an aircraft where the aircraft is operated under the AOC of the lessor, with the flight crew and possibly part of the cabin crew being provided by the lessor. Part or all of the cabin crew is provided by the lessee.

The lessee's cabin crew members will need to receive additional training, under the

approved training program of the lessor, with respect to their emergency duties on the particular aircraft. In addition, they may have no knowledge of the requirements of the lessor's State of the Operator with respect to flight and duty time limitations and the provision of rest periods, and to the performance of their duties and responsibilities aboard the wet leased aircraft.

7. To amend section 135.367 to read as follows:

135.367 Maintenance Program.

- (a) Each certificate holder shall have an maintenance program for each aircraft type including foreign registered aircraft, approved by DGCA, or the state of registry, containing the following:
  - (1) maintenance tasks and the intervals at which these are to be performed, taking into account the anticipated utilization of the aircraft;
  - (2) when applicable, a continuing structural integrity programme;
  - (3) procedures for changing or deviating from (1) and (2) above;
  - (4) when applicable, condition monitoring and reliability programme descriptions for aircraft systems, components and engines; and
  - (5) maintenance task as required inspection items.
- (b) Maintenance tasks and intervals, that have been specified as mandatory in approval of the type design shall be identified as such.
- (c) Maintenance program required by this section shall be developed by considering the human factor principles.

(d) Copies of all amendments to the maintenance programme shall be furnished promptly to all organizations or persons to whom the maintenance program has been issued.

8. To amend section 135.471 to read as follows:

135.471 Validity Periods for Proficiency and Competency

(a) No certificate holder shall assign a person to act and no person shall act, as:

- (1) a flight crew member, (in the appropriate crew position);
- (2) a flight attendant; or
- (3) a flight operations officer;

on any type of aircraft unless, in addition to completing the annual recurrent training required by this subsection, that person has successfully completed a Pilot Proficiency Check (PPC), Pilot Competency Check (PCC) or Competency Check, (CC), the validity period of which has not expired.

Validity periods for a PPC, PCC, or CC, are as prescribed herein:

- (1) In the case of a multi-engine aircraft with a MCTOW of greater than 12500 pounds, or a turbojet aircraft, a PPC shall be valid to:
  - (i) for a PIC, the first day of the seventh (7) month following the month the PPC was taken; and
  - (ii) for a SIC, the first day of the thirteenth (13) month following the month in which the PPC was taken.

- (2) In the case of a multi-engine aircraft with a MCTOW of 12500 pounds or less, except for turbojet aircraft, a PPC shall be valid to;
    - (i) for a PIC, the first day of the thirteenth (13) of the month following the month the PPC was taken, and
    - (ii) for a SIC, the first day of the twenty fifth (25) month following the month in which the PPC was taken.
  - (3) In the case of a single engine aeroplane, a Pilot Competency Check, (PCC), shall be valid to the first day of the thirteenth (13) month following the month in which the PCC was taken.
  - (4) In the case of a single engine helicopter, a pilot proficiency check, the PPC shall be valid to the first day of the thirteenth (13) months, from the month the PPC was taken.
  - (5) In the case of a flight attendant, a competency check shall be valid to the first day of the twenty thirteenth (13) months following the month in which the CC was taken.
  - (6) In the case of a FOO, a competency check shall be valid to the first of the thirteenth month, following the month in which the CC was taken.
- (b) An approved company check pilot who has been delegated the authority to perform

flight checks on that aircraft type, or a DGCA inspector shall conduct any pilot proficiency check required by this Subpart. The Director or a person acceptable to him/her shall conduct all other checks required by this Subpart. A certificate holder shall submit to the Director for approval, a list of proposed examiners, including their qualifications relevant to their position as examiners.

- (c) For the purposes of completing any check required by this subpart, where an aircraft type simulator has been approved for training;
  - (1) in the cases of a PPC required by Sub sections (a) (1) and (2) of this section, the same credits given the simulator for training purposes shall apply to the PPC.
  - (2) In the case of the CC is required by Sub section (a) (5) of this section, the same training credits given to that cabin training devices, shall apply to the CC.
- (d) Where any flight simulator, or other training device approved for training and checking, does not have all the training and checking credits needed to complete the entire check, the portions of such check not approved to be completed in a simulator, must be carried out in that type of aircraft, as appropriate.
- (e) Where a pilot proficiency check, a competency check or annual training is renewed within the last 60 days of its validity period, such check or training is deemed to have taken place on the last day of the validity period.

- (f) The Director may extend the validity period of a pilot proficiency check, a competency check or annual training by up to 60 days where the Director is of the opinion that aviation safety is not likely to be affected.
- (g) Where the validity period of a pilot proficiency check, a competency check or annual training has been expired for 24 months or more, the person shall requalify by meeting all initial training requirements relating to that aircraft.

## Article II

This Ministerial Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Ministerial Regulation by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta  
on 4 August 2017

MINISTER OF TRANSPORTATION  
OF THE REPUBLIC OF INDONESIA,

signed

BUDI KARYA SUMADI

Promulgated in Jakarta  
on 8 August 2017

DIRECTOR GENERAL  
OF LEGISLATION MINISTRY OF LAW AND HUMAN RIGHTS OF  
THE REPUBLIC OF INDONESIA,

Signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2017 NUMBER 1099

Jakarta, 16 August 2017

Has been translated as an Official Translation  
on behalf of Minister of Law and Human Rights  
of the Republic of Indonesia,

DIRECTOR GENERAL OF LEGISLATION,

WIDODO EKATJAHJANA

