

**TITLE 12 – CIVIL AVIATION
CHAPTER 1 - CIVIL AVIATION SAFETY ACT**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

CIVIL AVIATION SAFETY ACT 1988

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AN ACT to create a Civil Aviation Directorate, to provide for the regulation and promotion of civil aviation in the Republic of the Marshall Islands to foster its safe development and for other purposes, incidental thereto.

<i>Commencement:</i>	<i>March 28, 1988</i>
<i>Source:</i>	<i>P.L. 1988-11</i>
<i>Amended By:</i>	<i>P.L. 1999-85</i>

PART I - PRELIMINARY

§101. Short title.

This Act may be cited as the “Civil Aviation Safety Act 1988.” [P.L. 1988-11, §1]

§102. Interpretation.

In this Act, the words:

- (a) “**aeronautics**” means the science and art of flight;
- (b) “**air carrier**” means an air carrier operated by a citizen of the Marshall Islands who undertakes, whether directly or indirectly or by a lease or any other arrangement, to engage in domestic air transportation, or foreign air transportation;
- (c) “**air commerce**” means:
 - (i) the carriage by aircraft of persons or property for compensation or hire, or the carriage of mail by aircraft;

- (ii) the operation or navigation of aircraft in the conduct or furtherance of a business or vocation between places in the Marshall Islands; or
- (iii) any operation or navigation of aircraft which directly engages in the safety in the operations described in Paragraphs (i) and (ii) of this Section;
- (d) **“aircraft”** means any contrivance now known or hereafter invented, used, or designed for navigation of a flight in the air;
- (e) **“aircraft engine”** means an engine used, or intended to be used, for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers;
- (f) **“airman”** means any individual who engages, as the person in command or as pilot, mechanic, or member of the crew, in the navigation of aircraft while underway; and any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances; and any individual who serves in the capacity of aircraft dispatcher;
- (g) **“air navigation facility”** means any facility used in, available for use in, or designed for use in aid of air navigation, including land areas, lights, any apparatus or equipment or disseminating weather information, for signaling, for radio directional finding, or for radio or other electrical communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and take-off of aircraft;
- (h) **“airport”** means a landing area used regularly by aircraft for receiving or discharging passengers or cargo;
- (i) **“air transportation”** means the carriage by aircraft of persons or property as a common carrier for compensation or hire or the carriage of mail by aircraft, between places in the Marshall Islands;
- (j) **“appliances”** means instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including

parachutes and including communication equipment and any other mechanism or mechanisms installed in or attached to aircraft during flight), and which are not part or parts of aircraft, aircraft engines, or propellers;

- (k) “**citizen of the Marshall Islands**” means:
 - (i) an individual who is a citizen of the Marshall Islands, or
 - (ii) a partnership of which each member is a citizen of the Marshall Islands, or
 - (iii) a corporation or association created or organized and authorized under the laws of the Marshall Islands;
- (l) “**civil aircraft**” means any aircraft other than a public aircraft or a military aircraft;
- (m) “**director**” means Director of Civil Aviation appointed under this Act;
- (n) “**foreign air carrier**” means any carrier, not being an air carrier, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in foreign air transportation;
- (o) “**foreign air transportation**” means the carriage by aircraft of persons or property as a common carrier for compensation or hire or the carriage of mail by aircraft between a place in the Marshall Islands and any place outside thereof;
- (p) “**foreign country**” includes, for the purposes of this Act only and without prejudice to the relationship of the Government of the United States or the Government of the Marshall Islands as to the nature and extent of the jurisdiction under law of either of them, the United States;
- (q) “**landing area**” means any locality, either of land or water, including airports and intermediate landing fields, which is used, or intended to be used, for the landing and take-off of aircraft, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo;
- (r) “**Minister**” means the Minister responsible for civil aviation;