



**MENTERI PERHUBUNGAN
REPUBLIK INDONESIA**

PERATURAN MENTERI PERHUBUNGAN REPUBLIK INDONESIA

NOMOR PM 53 TAHUN 2016

TENTANG

PERUBAHAN KESEMBILAN ATAS KEPUTUSAN MENTERI
PERHUBUNGAN NOMOR KM 18 TAHUN 2002 TENTANG PERSYARATAN-
PERSYARATAN SERTIFIKASI DAN OPERASI BAGI PERUSAHAAN
ANGKUTAN UDARA NIAGA UNTUK PENERBANGAN KOMUTER DAN
CHARTER

DENGAN RAHMAT TUHAN YANG MAHA ESA

MENTERI PERHUBUNGAN REPUBLIK INDONESIA,

- Menimbang : a. bahwa ketentuan sertifikasi dan pengoperasian perusahaan angkutan udara untuk penerbangan komuter dan charter telah diatur dalam Keputusan Menteri Perhubungan Nomor KM 18 Tahun 2002 Tentang Persyaratan-Persyaratan Sertifikasi dan Operasi Bagi Perusahaan Angkutan Udara Niaga Untuk Penerbangan Komuter Dan Charter yang telah diubah terakhir dengan Peraturan Menteri Perhubungan Nomor PM 152 Tahun 2015;
- b. bahwa perlu mengatur ketentuan mengenai *wet lease* pesawat udara serta perubahan pada standar sertifikasi dan pengoperasian lainnya untuk perusahaan angkutan udara untuk penerbangan komuter dan charter;

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- c. bahwa berdasarkan pertimbangan sebagaimana dimaksud pada huruf a dan huruf b, perlu menetapkan Peraturan Menteri Perhubungan tentang Perubahan Kesembilan Atas Keputusan Menteri Perhubungan Nomor KM 18 Tahun 2002 tentang Persyaratan-Persyaratan Sertifikasi Dan Operasi Bagi Perusahaan Angkutan Udara Niaga Untuk Penerbangan Komuter dan Charter;

Mengingat : 1. Undang-Undang Republik Indonesia Nomor 1 Tahun 2009 tentang Penerbangan (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 1, Tambahan Lembaran Negara Republik Indonesia Nomor 4956);

2. Peraturan Presiden Nomor 7 Tahun 2015 tentang Organisasi Kementerian Negara (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 8);

3. Peraturan Presiden Nomor 40 Tahun 2015 tentang Kementrian Perhubungan (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 75);

4. Keputusan Menteri Perhubungan Nomor KM 18 Tahun 2002 tentang Persyaratan Persyaratan Sertifikasi dan Operasi Bagi Perusahaan Angkutan Udara Niaga Untuk Penerbangan Komuter dan Charter yang telah diubah terakhir dengan Peraturan Menteri Perhubungan Republik Indonesia Nomor PM 152 Tahun 2015 (Berita Negara Republik Indonesia Tahun 2015 Nomor 1590);

5. Peraturan Menteri Perhubungan Nomor PM 189 Tahun 2015 tentang Organisasi dan Tata Kerja Kementerian Perhubungan (Berita Negara Republik Indonesia Tahun 2015 Nomor 1844);

MEMUTUSKAN:

Menetapkan : PERATURAN MENTERI PERHUBUNGAN TENTANG PERUBAHAN KESEMBILAN ATAS KEPUTUSAN MENTERI PERHUBUNGAN NOMOR KM 18 TAHUN 2002 TENTANG PERSYARATAN-PERSYARATAN SERTIFIKASI DAN OPERASI

BAGI PERUSAHAAN ANGKUTAN UDARA NIAGA UNTUK
PENERBANGAN KOMUTER DAN CHARTER.

Pasal I

Beberapa ketentuan dalam Lampiran Keputusan Menteri Perhubungan Nomor KM 18 Tahun 2002 Tentang Persyaratan Persyaratan Sertifikasi dan Operasi Bagi Perusahaan Angkutan Udara Untuk Penerbangan Komuter dan Charter yang telah beberapa kali diubah dengan:

- a. Peraturan Menteri Perhubungan Nomor KM 42 Tahun 2009;
- b. Peraturan Menteri Perhubungan Nomor PM 4 Tahun 2012;
- c. Peraturan Menteri Perhubungan Nomor PM 34 Tahun 2015;
- d. Peraturan Menteri Perhubungan Nomor PM 152 Tahun 2015:

diubah sebagai berikut:

1. Ketentuan definisi pada butir 135.1 Sub Bagian A, ditambahkan definisi "Wet Lease" yang berbunyi sebagai berikut:

Wet Lease: Any agreement in which a lessor, leases an aircraft, with at least one pilot flight crewmember, to either an air carrier, foreign air carrier, or a foreign person (the lessee).

2. Ketentuan butir 135.23 huruf a Sub Bagian B diubah, sehingga butir 135.23 berbunyi sebagai berikut:

135.23 Duration of Validity and Surrender of Air Operator Certificate and Operations Specification

- (a) An Air Operator Certificate issued under this Part is valid for a period not exceed 24 (twenty four) calendar months from the month of the AOC is issued or renewed. unless --*

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- (1) *The certificate holder surrenders it earlier to the DGCA; or*
 - (2) *The DGCA suspends, revokes, or otherwise earlier terminates the Certificate due to the violation by the certificate holder to the provision of this Part; or*
 - (3) *The certificate holder does not conduct or cease all operations for which it holds authority in its Operations Specifications for more than the time specified in section 135.24b.*
 - (4) *The certificate holder violates the provision of Aviation Act No. 1 Year 2009 as the basis for granting of the certificate, or violate requirements to conduct operation of its organization in accordance with authority granted, limitation imposed and procedures approved as they are specified on its Operation Specifications concerning; or*
 - (5) *The certificate holder apply for renewal of validity of his Certificate.*
- (b) *Operations Specifications issued under this Part are effective as long as the Air Operator Certificate or Operating Certificate is valid unless--*
- (1) *The Operations Specifications are amended as provided in section 135.31;*
 - (2) *The certificate holder does not conduct a kind of operation for more than the time specified in section 135.24a and fails to follow the procedures of section 135.24a upon resuming that kind of operation; or*
 - (3) *The DGCA suspends or revokes the Operations Specifications for a kind of operation due to the incapacity of the certificate holder to operate of that kind of operation.*

(c) *Within 7 days after a Certificate has been suspended, revoked or terminated under this Part, the Certificate and Operations Specifications must be surrendered by the certificate holder to the DGCA.*

3. Ketentuan butir 135.41 Sub Bagian B diubah sehingga berbunyi sebagai berikut:

135.41 *Wet Leasing of Aircraft*

(a) *Prior to operating an air transportation service involving 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:*

(1) applicable crewmembers;

(2) operational control; and

(3) the maintenance and servicing of that aircraft.

(b) *Upon receiving a copy of an agreement, or a written memorandum of the terms thereof, 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:*

(1) The names of the parties to the agreement and the duration thereof;

(2) The nationality and registration numbers marks of each aircraft involved in the agreement;

(3) The type of operation (e.g. scheduled, passenger, etc);

(4) The areas of operation;

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- (5) *The regulation of the CASRs applicable to the operation.*
 - (c) *In making a determination under Paragraph (b) of this section, the Director considers the responsibility under the agreement for the following:*
 - (1) *Crewmembers and training;*
 - (2) *Airworthiness and performance of maintenance;*
 - (3) *Dispatch;*
 - (4) *Servicing the aircraft;*
 - (5) *Scheduling;*
 - (6) *Any other factor the Director considers relevant.*
 - (d) *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.*
4. Ketentuan butir 135.153 Sub Bagian H diubah sehingga berbunyi sebagai berikut:
- 135.153 Aircraft Requirement: General*
- In addition to CASR part 91.25, no air operator certificate holder may operate an aircraft unless there has been issued with respect to and carried on board an aircraft:*
- (a) *A certified true copy of Air Operator Certificate and a copy of Operation Specifications relevant to the aircraft type;*
 - (b) *A current weight and balance document.*

5. Ketentuan butir 135.327 dihapus.
6. Ketentuan butir 135.389 huruf (e) dan huruf (f) diubah sehingga butir 135.389 berbunyi sebagai berikut:

135.389 Flight crew qualifications

- (a) Subject to subsections (b) and (c) of this section, no certificate holder shall assign a person to act and no person shall act as a flight crewmember unless that person:*
 - (1) Holds the flight crew licence, ratings and certificates required by CASR Part 61;*
 - (2) Holds a valid medical certificate issued pursuant to CASR Part 67;*
 - (3) Within the preceding 90 days has completed at least three take-offs and landings:*
 - (i) where a type rating is required, in an aircraft of that type or, in a flight simulator of that type which has been approved by the Director for take-off and landing credits;*
 - (ii) where a type rating is not required, in an aircraft of that category, class and type;*
 - (iii) where the 90 day recency requirement has been exceeded by more than 30 days, such pilot shall undergo the recency training prescribed in Subpart N of this part.*
 - (4) Has successfully completed all appropriate phases of training and checking prescribed in Subpart N;*
 - (5) Is otherwise qualified in accordance with this Subpart.*

- (b) *Notwithstanding Section .139 of part 61, no certificate holder shall permit and no person shall act as the pilot in command of an aircraft with a maximum certified take-off weight of more than 12500 pounds, unless that person is the holder of an airline transport pilot licence issued pursuant to Part 61.*
- (c) *No certificate holder may assign and no person shall act as second in command of an aircraft being operated under the instrument flight conditions, unless that person is the holder of a valid airline transport pilot licence, or a commercial licence with a valid instrument rating.*
- (d) *The holder of any document required by Subsection (a) of this section, shall carry such documents at all times when performing the privileges of the documents and upon request of the Director, present such documents for inspection.*
- (e) *No certificate holder may use the services of any person as a pilot on an airplane engaged in operations under this part if that person has reached his or her 60th birthday. No person may serve as a pilot on an airplane engaged in operations under this part if that person has reached his or her 60th birthday.*
- (f) *In the case of operations with more than one pilot, no certificate holder may use the services of any person as a pilot on an airplane engaged in operations under this part and no person may serve as a pilot on an airplane engaged in operations under this part if that person has reached his or her 65th birthday.*

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(g) *Airmen who have reached their 65th birthday, may not function as a flight instructors (airplane), nor may they serve as pilot flight crew members in operations under this part.*

7. Ketentuan judul butir 135.412 dan butir 135.412 huruf (a) (2) diubah sehingga butir 135.412 berbunyi sebagai berikut:

135.412 Qualification: Instructors For Flight Operations Officer and Flight Attendants

(a) *For the purpose of this section:*

(1) *A Ground Instructor is a person who has the appropriate knowledge, experience, training and demonstrated ability to instruct Flight Attendant in all curriculum segments pertinent to flight attendant training on ground as required.*

(2) *A Company Instructor is a person who has appropriate knowledge, experience, training and demonstrated ability to instruct flight attendant in all curriculum segments pertinent to flight attendant training in flight on airplane as required.*

(3) *A Flight Operations Officer Instructor is a person who has appropriate training experience and demonstrated ability to evaluate and certify to the knowledge and skills of other Flight Operation Officer/Dispatcher.*

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(b) *No certificate holder may use a person nor may any person serve as a Ground Instructor and Flight Instructor for Flight Attendant in a training program established under this part unless, with respect to the airplane type involved, that person:*

- (1) Complete an approved initial training program and held a license/ certificate of flight attendant on type of aircraft for three years or equivalent with his/her experience as a flight attendant in previous company;*
- (2) Complete instructor training course or equivalent;*
- (3) Observe subject(s) being taught by a qualified Instructor (minimum of 40 hours observation)*
- (4) Be observed by a Company Instructor teaching a course for at least eight hours;*
- (5) Hold at least a Class III medical certificate unless serving as required crewmember, in which case holds a Class I or a Class II medical certificate as appropriate;*
- (6) Maintain currency by teaching initial or recurrent training during the year and attend the annual Instructor Workshop at the training facility.*

(c) *No certificate holder may use a person nor may any person serve as Flight Operation Officer Instructor in a training program established under this subpart unless, with respect to the airplane involved, that person:*

- (1) Complete an approved initial training program and held license/certificate of Flight Operation Officer;*
- (2) Complete instructor training course or equivalent;*

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- (3) *Observe subject(s) being taught by a qualified Instructor (minimum of 40 hours observation);*
- (4) *Be observed by a Company Instructor teaching a course for at least eight hours;*
- (5) *Maintain currency by teaching initial or recurrent training during the year and attend the Annual Instructor Workshop at the training facility.*

(d) *Completion of the requirement of this section as applicable shall be entered in the individual's training record maintained by the certificate holder.*

- 8. *Appendix B – Aeroplane Flight Recorder Specifications dihapus.*
- 9. *Appendix C – Helicopter Flight Recorder Specifications dihapus;*
- 10. *Appendix D – Aeroplane Flight Recorder Specification dihapus.*
- 11. *Appendix E – Helicopter Flight Recorder Specifications dihapus.*
- 12. *Appendix F – Aeroplane Flight Recorder Specification dihapus.*

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Pasal II

Peraturan Menteri ini mulai berlaku setelah 6 (enam) bulan terhitung sejak tanggal diundangkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Menteri ini dengan penempatannya dalam Berita Negara Republik Indonesia.

Ditetapkan di Jakarta
pada tanggal 29 April 2016

MENTERI PERHUBUNGAN
REPUBLIK INDONESIA,

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IGNASIUS JONAN

Diundangkan di Jakarta
pada tanggal 3 Mei 2016

DIREKTUR JENDERAL
PERATURAN PERUNDANG-UNDANGAN
KEMENTERIAN HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,

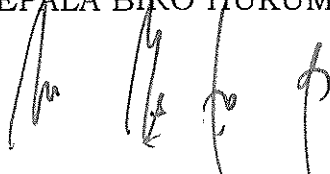
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WIDODO EKATJAHJANA

BERITA NEGARA REPUBLIK INDONESIA TAHUN 2016 NOMOR 694

Salinan sesuai dengan aslinya

KEPALA BIRO HUKUM,



SRI LESTARI RAHAYU

Pembina Utama Muda (IV/c)

NIP. 19620620 198903 2 001