

ORDER OF THE HEAD OF THE NATIONAL COUNCIL FOR PEACE AND ORDER

NO. 40/2560

**RE: SUPPORTING MEASURES FOR THE EXECUTION OF AIR NAVIGATION TO
BE IN ACCORDANCE WITH THE STANDARD OF THE INTERNATIONAL CIVIL
AVIATION ORGANIZATION**

The Civil Aviation Authority of Thailand has submitted the request for progress assessment in relation to significant safety concern (SSC) and recertification of air operator certificate (RE-AOC) to the International Civil Aviation Organization (ICAO) and it has notified an important condition that it shall not grant a permission to any air operator which has not passed the assessment not reissue a certificate for air operator which operates international air service from the 1st of September B.E. 2560 (2017) whereby the International Civil Aviation Organization notified the Civil Aviation Authority of Thailand that the ICAO Coordinated Validation Mission (ICVM) will conduct a progress assessment between the 20th of September B.E. 2560 (2017) and the 27th of September B.E. 2560 (2017). At present, it appears that there are a group of air operators that has not passed the assessment or obtained recertification of air operator certificate (RE-AOC), it is, therefore, necessary to provide powers to the Civil Aviation Authority of Thailand in prescribing that air operators that have not passed the assessment or obtained recertification of air operator certificate (RE-AOC) shall be prohibited from operating international air service for a period of time until the proceeding is complete. This is to ensure the compliance with the significant condition that the Civil Aviation Authority of Thailand has notified the International Civil Aviation Organization in conducting an assessment. The result of such assessment will significantly affect the traffic right and air service operation of Thailand which would negatively affect the credibility and economic security in air aviation of the country.

By virtue of section 265 of the Constitution of the Kingdom of Thailand in conjunction with section 44 of the Constitution of the Kingdom of Thailand (Interim) B.E. 2557, the Head of the National Council for Peace and Order, with the approval of the National Council for Peace and Order, hereby issues the Order as follows:

Clause 1. To ensure that the supervision and control of air aviation during the period of assessment for recertification of air operator certificate (RE-AOC) is in accordance with the significant condition notified by the Civil Aviation Authority of Thailand to the International Civil Aviation Organization, the Civil Aviation Authority of Thailand shall have the power to prescribe that air operators that have not passed the assessment or obtained recertification of air operator certificate (RE-AOC) shall be prohibited from operating international air service between the 1st of September B.E. 2560 (2017) and the 31st of January B.E. 2561 (2018).

Any violation or failure to comply with the prohibition under paragraph one shall be a violation or failure to comply with section 27 of the Air Navigation Act B.E. 2497 and the penalty provision under section 76(2) of the Air Navigation Act B.E. 2497 amended by the Air Navigation Act (No. 11) B.E. 2551 shall apply to such violation or non-compliance.

Clause 2. The Civil Aviation Authority of Thailand shall undertake an assessment and recertify air operator certificate promptly and shall ensure that they are in accordance with the standard prescribed by the International Civil Aviation Organization.

Clause 3. In the case where it deems appropriate, the Prime Minister or the Council of Ministers may propose to the National Council for Peace and Order to amend this Order.

Clause 4. This Order shall come into force as from the date of its publication in the Government Gazette.

Given on the 13th B.E. 2560 (2017)

General Prayut Chan-O-Cha

Head of the National Council for Peace and Order