

Royal Decree Prescribing Exemption from the Qualifications and Characteristics
Relating to the Registered Capital and Business Management Power of an Applicant
for an Aircraft Production License, a Major Aircraft Appliances Production License and
an Applicant for a Repair Station Certificate, Class One
B.E. 2564 (2021)

HIS MAJESTY KING MAHA VAJIRALONGKORN

PHRA VAJIRAKLAOCHAOYUHUA

Given on the 25th Day of May B.E. 2564;

Being the 6th Year of the Present Reign.

His Majesty King Maha Vajiralongkorn Phra Vajiraklaochaoyuhua
is graciously pleased to proclaim that:

Whereas it is expedient to grant exemption from the qualifications
and characteristics of an applicant for an Aircraft Production License, a Major Aircraft
Appliances Production License and an applicant for a Repair Station Certificate, Class
One relating to the registered capital and business management power.

By virtue of Section 175 of the Constitution of the Kingdom of
Thailand and Section 6/2 of the Air Navigation Act B.E. 2497 (1954) as amended by
the Air Navigation Act (No. 13) B.E. 2562 (2019), the Royal Decree is enacted by
His Majesty the King as follows:

Section 1 This Royal Decree is cited as “Royal Decree Prescribing
Exemption from the Qualifications and Characteristics Relating to the Registered
Capital and Business Management Power of an Applicant for an Aircraft Production
License, a Major Aircraft Appliances Production License and an Applicant for a Repair
Station Certificate, Class One B.E. 2564.”

Section 2 This Royal Decree shall come into force on the day
following the date of its publication in the Government Gazette.

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NO LEGAL AUTHORITY. THE CIVIL AVIATION AUTHORITY OF THAILAND SHALL ASSUME NO
RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT.
THE ORIGINAL THAI TEXT AS FORMALLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS
REMAINS THE SOLE AUTHORITY HAVING LEGAL FORCE.

Section 3 In this Royal Decree,

“Repair Station Certificate, Class One” means a Repair Station Certificate, Class One for an aircraft of maximum take-off mass of five thousand and seven hundred kilograms or above;

“Advanced technology” means engineering techniques or technologies and production or maintenance processes of high quality in line with production certification standards or repair station certification standards, as the case may be, as well as utilization of specialized, highly-skilled and knowledge-centric personnel and technology relating to sophisticated or specific system or equipment.

Section 4 The qualifications and characteristics of an applicant for an Aircraft Production License and an applicant for a Major Aircraft Appliances Production License relating to the registered capital, which must belong to a person holding Thai nationality and to the business management power, which must be controlled by a person holding Thai shall be exempted, provided that an applicant has been promoted under the law on investment promotion or other relevant laws pertaining to investment promotion and such operation requires advanced technology.

The applicant for such License and Certificate under paragraph one shall submit a plan for technology transfer and training of Thai personnel, together with the aforesaid application.

Section 5 The plan for technology transfer and training of Thai personnel pursuant to Section 4, paragraph 2 shall at least consists of the followings:

(1) technology transfer and training of Thai personnel in a field of aircraft production, major aircraft appliances production or aircraft maintenance, as the case may be;

(2) appointment of Thai personnel to work in place of foreign personnel in a position which relates to management or which requires skills and expertise in technology of aircraft production, major aircraft appliances production or aircraft maintenance, as the case may be;

(3) utilization of Thai personnel in the operation for not less than 80 percent within the period of five years from the date being granted with the license or certificate;

(4) promotion of a research and development project or an activity for dissemination of knowledge relating to technology of aircraft production, major aircraft appliances production or aircraft maintenance, as the case may be,

in Thailand, resulting in concrete and measurable development or improvement in relevant sectors, which shall include at least the followings:

(a) improving and enhancing potentiality of domestic aviation industry sector or other granted with Aircraft Production License or a Major Aircraft Appliances Production License or Repair Station Certificate holding Thai nationality, done in the form of an agreement;

(b) developing collaboration with a Thai academic institute to conduct a research and development or dissemination of knowledge relating to technology of aircraft production, major aircraft appliances production or aircraft maintenance;

(c) promoting study on science of aircraft production, major aircraft appliances production or aircraft maintenance for a person holding Thai nationality by providing scholarship or sponsorship programme;

Section 6 In a case where an applicant for the License or Certificate pursuant to Section 4, paragraph one is not prepared for submitting the plan for technology transfer in any area pursuant to Section 5 (4), such applicant may request the Director General for a waiver of submitting such plan in such area. The Director General may allow an applicant for the License or Certificate to submit the plan in the aforesaid area after the prescribed period but within the period of five years from the date of being granted with the License or Certificate.

Section 7 Upon granting an Aircraft Production License, a Major Aircraft Appliances Production License or a Repair Station Certificate as the case may be, to the applicant for such License or Certificate pursuant to Section 4, paragraph one, a plan for technology transfer and training of Thai personnel pursuant to Section 4, paragraph 2 shall be laid down as a condition with which the holder of such License or Certificate has to comply.

The holder of such License or Certificate under paragraph one shall have a duty to make a report on result of a plan for technology transfer implementation by following criteria as specified by the Director General.

Section 8 This Royal Decree shall be applied for a period of ten years.

The holder of an Aircraft Production License, a Major Aircraft Appliances Production License or a Repair Station Certificate who was exempted from the qualifications and characteristics under this Royal Decree shall be granted with such exemption afterwards until expiration or revocation of such License or Certificate.

Section 9 This Royal Decree shall be applied to any applicant for an Aircraft Production License, a Major Aircraft Appliances Production License or a Repair Station Certificate who submitted the application before the date of expiration of this Royal Decree and whose application is under the process of the Director General's consideration. Upon granting an Aircraft Production License, a Major Aircraft Appliances Production License or a Repair Station Certificate as the case may be, to the applicant for such License or Certificate, the holder of such Aircraft Production License, Major Aircraft Appliances Production License or Repair Station Certificate shall be deemed as those who have been granted with exemption from the qualifications and characteristics under this Royal Decree.

Section 10 The Minister of Transport shall be responsible for the enforcement of this Royal Decree.

Countersigned by:

General Prayut Chan-o-cha
Prime Minister