

(English Translation)

-Royal Emblem-

The Requirement of Civil Aviation Authority of Thailand

No.34

on Permission for Air Operators to Operate Boeing 737 MAX Aircraft

Following the accidents of the Boeing 737-8 aircraft type operated by Lion Air (Indonesia) on 29th October, 2018 and Ethiopian Airlines on 10th March, 2019. The Civil Aviation Authority of Thailand (CAAT) has issued CAAT Publication No. 3/2562 dated 13 March B.E. 2562 (2019) regarding the unsafe and risks in the operation of Boeing 737 MAX aircraft type and temporarily prohibited the Air Operators to operate an aircraft of the Boeing 737 MAX aircraft type. Since the Federal Aviation Administration (FAA), as the State of Design, and the European Union Aviation Safety Agency (EASA) has published guidance for correcting the unsafe condition in order to enable the Boeing 737 Max return to service. Together with the civil aviation regulators of other countries around the world such as the UK Civil Aviation Authority (UK CAA), Transport Canada Civil Aviation (TCCA), Civil Aviation Safety Authority of Australia (CASA) and the Civil Aviation Authority of New Zealand has also issued requirements to remove the restrictions to allow air operators to operate with taking a Boeing 737 MAX aircraft return to service.

The Civil Aviation Authority of Thailand has reviewed and verified all requirements and related documents regarding the Boeing 737 MAX Return to Service which issued by the FAA and aircraft manufacturers as well as conducting a Safety Risk Assessment (SRA) for the Boeing 737 Max aircraft operations in Thailand. Therefore, to ensure that Thai and Foreign Air Operators who seeking to operate the Boeing 737 Max aircraft have complied with all the details specified in the Airworthiness Directive and other relevant documents issued by the FAA. By virtue of Section 15/10 (1) paragraph two of the Air Navigation Act B.E. 2497 and its amendments, the Director General of the Civil Aviation Authority of Thailand hereby issues a requirement to prescribe rules for permitting Air Operators to operating any aircraft of a Boeing 737 Max aircraft type as follows.

Article 1 This requirement is called " The Requirement of Civil Aviation Authority of Thailand No.34 on Permission for Air Operators to Operate Boeing 737 MAX Aircraft".

Article 2 This requirement shall come into force from the day following the date on which it is published in the Government Gazette.

(Remark: This requirement published in the Government Gazette on 19th October, 2021)

For convenience use only

Article 3 In this requirement,

“Boeing 737 MAX” means Boeing 737-8 and Boeing 737-9 aircraft type

“Thai Air Operator” means an Air Operator who obtains an Air Operator Certificate from the Director

“Foreign Air Operator” means a Foreign Certified Air Operator who undertakes to engage in Commercial Air Transport into or from Thailand, whether directly or indirectly or by aircraft lease or any other arrangement

“Director” means the Director General of the Civil Aviation Authority of Thailand

Article 4 A Thai Air Operator who seeking to operate Boeing 737 MAX shall obtain permission from the Director.

A Thai Air Operator shall submit an application for permission in writing to the Director along with following documents and evidence:

(1) Documents and evidence showing that the Air Operator has complied with all requirements prescribed in Airworthiness Directive No. 2020-24-02 issued by the FAA including any additional amendment or other relevant directives issued by the FAA (if any);

(2) A Flight Crew Training Programme which has been revised and developed to include both ground and flight training elements contained in Appendix 7 of the FAA Flight Standardization Board Report, Revision 17 dated 16 November 2020, with additional simulator training to ensure the pilots are adequately trained to manage human factors (HF) issues related to startle factor and management of high workload during aircraft emergency situations. In addition, the full flight simulator used to deliver the training is capable of supporting the training elements contained in the Flight Crew Training Programme and shall be;

(a) installed binary simulation load revision 3.23.4_3, or higher; and

(b) updated the flight control computer software to at least version P12.1.2 and is active.

When the Director has considered the documents and evidence under paragraph two (1) and it appears that a Thai Air Operator has fully complied with the FAA Airworthiness Directive No. 2020-24-02, and a revised Flight Crew Training Programme complies with the requirements specified in paragraph two (2), the Director will approve that revised Flight Crew Training Programme and grant a written permission to the Air Operator to operate Boeing 737 MAX by stipulating conditions to commence operation with Boeing 737 Max after completing pilot training requirements in accordance with the Approved Flight Crew Training Programme. In this regard, the Director may also specify additional conditions as deemed necessary for safety in the written permission.

Article 5 A Foreign Air Operators who seeking to operate Boeing 737 MAX by flying into or from Thailand shall obtain permission from the Director.

A Foreign Air Operators shall submit an application for permission in writing to the Director along with following documents and evidence:

(1) Documents and evidence showing that the Foreign Air Operator is permitted by the State of Registry or State of Operator to bring Boeing 737 MAX return to service or authorized to operate Boeing 737 MAX;

(2) Documents and evidence showing that the Foreign Air Operator has complied with all requirements prescribed in one of the following Airworthiness Directives;

(a) FAA Airworthiness Directive No. 2020-24-02 including any additional amendments or other relevant directives issued by the FAA (if any); or

(b) EASA Airworthiness Directive No. 2021-0039; or

(c) State of Registry or State of Operator Airworthiness Directive that is equivalent to (a) or (b)

(3) Documents and evidence showing that all pilots who will operate Boeing 737 MAX are fully trained in accordance with all elements contained in Appendix 7 of the FAA Flight Standardization Board Report, Revision 17 dated 16 November 2020.

When the Director has considered the documents and evidence under paragraph two and it appears that the Foreign Air Operator has been granted permission from the State of Registry or State of Operator to bring Boeing 737 MAX return to service or authorized to operate Boeing 737 MAX including all pilots has been fully trained, the Director will grant a written permission to the Foreign Air Operator to operate Boeing 737 MAX. In this regard, the Director may also specify additional conditions as deemed necessary for safety in the written permission.

Announced on 1 October B.E. 2564 (2021)

-Signature-

(Mr. Suttipong Kongpol)

Director General

The Civil aviation Authority of Thailand