



BERITA NEGARA REPUBLIK INDONESIA

No.1294, 2017

KEMENHUB. Pengoperasian Pesawat Udara.
Peraturan Keselamatan Penerbangan Sipil Bagian
91. Perubahan.

PERATURAN MENTERI PERHUBUNGAN REPUBLIK INDONESIA
NOMOR PM 81 TAHUN 2017
TENTANG
PERUBAHAN ATAS PERATURAN MENTERI PERHUBUNGAN
NOMOR PM 94 TAHUN 2015 TENTANG PERATURAN KESELAMATAN
PENERBANGAN SIPIL BAGIAN 91 (*CIVIL AVIATION SAFETY REGULATIONS
PART 91*) TENTANG PENGOPERASIAN PESAWAT UDARA
(*GENERAL OPERATING AND FLIGHT RULES*)

DENGAN RAHMAT TUHAN YANG MAHA ESA

MENTERI PERHUBUNGAN REPUBLIK INDONESIA,

- Menimbang : a. bahwa ketentuan mengenai *Automatic Dependent Surveillance - Broadcast (ADS-B)* pada ruang udara dan ketentuan mengenai pengoperasian pesawat udara yang berada di atas laut bebas (*over high sea*) telah diatur dalam Peraturan Menteri Perhubungan Nomor PM 94 Tahun 2015 Tentang Peraturan Keselamatan Penerbangan Sipil Bagian 91 (*Civil Aviation Safety Regulations Part 91*) Tentang Pengoperasian Pesawat Udara (*General Operating And Flight Rules*);
- b. bahwa dalam rangka meningkatkan keselamatan penerbangan di ruang udara Indonesia, perlu dilakukan pengaturan tentang implementasi *Automatic Dependent Surveillance - Broadcast (ADS-B)* pada ruang udara di bawah ketinggian Flight Level 290 (FL 290);
- c. bahwa dalam rangka implementasi ketentuan Annex 2 tentang *Rules Of the Air* perlu menyempurnakan

ketentuan mengenai pengoperasian pesawat udara yang berada di atas laut bebas (*over high sea*) yang berada di dalam ruang udara yang dilayani Indonesia (*Flight Information Region* (FIR) Indonesia);

- d. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a, huruf b dan huruf c, perlu menetapkan Peraturan Menteri Perhubungan tentang Perubahan Atas Peraturan Menteri Perhubungan Nomor PM 94 Tahun 2015 Tentang Peraturan Keselamatan Penerbangan Sipil Bagian 91 (*Civil Aviation Safety Regulations Part 91*) Tentang Pengoperasian Pesawat Udara (*General Operating And Flight Rules*);

- Mengingat :
1. Undang-Undang Nomor 1 Tahun 2009 tentang Penerbangan (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 1, Tambahan Lembaran Negara Republik Indonesia Nomor 4956);
 2. Peraturan Pemerintah Nomor 3 Tahun 2001 tentang Keamanan dan Keselamatan Penerbangan (Lembaran Negara Republik Indonesia Tahun 2001 Nomor 9, Tambahan Lembaran Negara Republik Indonesia Nomor 4075);
 3. Peraturan Pemerintah Nomor 77 Tahun 2012 tentang Perusahaan Umum (Perum) Lembaga Penyelenggara Pelayanan Navigasi Penerbangan Indonesia (Lembaran Negara Republik Indonesia Tahun 2012 Nomor 176);
 4. Peraturan Presiden Nomor 7 Tahun 2015 tentang Organisasi Kementerian Negara (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 8);
 5. Peraturan Presiden Nomor 40 Tahun 2015 tentang Kementerian Perhubungan (Lembaran Negara Republik Indonesia Tahun 2015 Nomor 75);
 6. Peraturan Menteri Perhubungan Nomor KM 8 Tahun 2010 tentang Program Keselamatan Penerbangan Nasional;

7. Peraturan Menteri Perhubungan Nomor PM 94 Tahun 2015 tentang Peraturan Keselamatan Penerbangan Sipil Bagian 91 (*Civil Aviation Safety Regulation Part 91*) tentang Pengoperasian Pesawat Udara (*General Operating And Flight Rules*) (Berita Negara Republik Indonesia Tahun 2015 Nomor 766);
8. Peraturan Menteri Perhubungan Nomor KM 189 Tahun 2015 tentang Organisasi dan Tata Kerja Kementerian Perhubungan (Berita Negara Republik Indonesia Tahun 2015 Nomor 1844) sebagaimana telah beberapa kali diubah, terakhir dengan Peraturan Menteri Perhubungan Nomor 44 Tahun 2017 tentang perubahan kedua atas Peraturan Menteri Perhubungan Nomor PM 189 Tahun 2015 tentang Organisasi dan Tata Kerja Kementerian Perhubungan (Berita Negara Republik Indonesia Tahun 2017 Nomor 816) ;

MEMUTUSKAN :

Menetapkan : PERUBAHAN ATAS PERATURAN MENTERI PERHUBUNGAN REPUBLIK INDONESIA NOMOR PM 94 TAHUN 2015 TENTANG PERATURAN KESELAMATAN PENERBANGAN SIPIL BAGIAN 91 (*CIVIL AVIATION SAFETY REGULATIONS PART 91*) TENTANG PENGOPERASIAN PESAWAT UDARA (*GENERAL OPERATING AND FLIGHT RULES*).

Pasal I

Beberapa ketentuan dalam Peraturan Menteri Perhubungan Nomor PM 94 Tahun 2015 tentang Peraturan Keselamatan Penerbangan Sipil Bagian 91 (*Civil Aviation Safety Regulation Part 91*) tentang Pengoperasian Pesawat Udara (*General Operating And Flight Rules*), diubah sebagai berikut :

1. Ketentuan butir 91.1 Subbagian A diubah sehingga berbunyi sebagai berikut:

91.1 Applicability

Except as provided in sub part H, this part prescribes rules governing the operation of aircraft (other than Moored balloons, kites, unmanned rockets, and unmanned free balloons, which are governed by Part 101 of the CASRs, and ultralight vehicles operated in accordance with Part 103 of the CASRs) within Indonesia territory.

2. Ketentuan butir 91.3 diubah sehingga berbunyi sebagai berikut :

91.3 Responsibility and Authority of the Pilot in Command

(a) The pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation and security of the aircraft.

(b) In an in-flight emergency requiring immediate action, the pilot in command may deviate from any rule of this part to the extent required to meet that emergency.

(c) Each pilot in command who deviates from a rule under Paragraph (b) of this section shall, upon the request of the Director, send a written report of that deviation to the Director.

(d) Pilot in command shall report aircraft observations during flight by air-ground data link. Where air-ground data link is not available or appropriate, special and other non-routine aircraft observations during flight shall be reported by voice communications as air-report. Aircraft observations shall be reported during flight at the time the observation is made or as soon thereafter as is practicable. The conditions encountered or observed to be reported are as follows :

i. moderate or severe turbulence; or

- ii. *moderate or severe icing; or*
 - iii. *severe mountain wave; or*
 - iv. *thunderstorms, without hail, that are obscured, embedded, widespread or in squall lines; or*
 - v. *thunderstorms, with hail, that are obscured, embedded, widespread or in squall lines; or*
 - vi. *heavy duststorm or heavy sandstorm; or*
 - vii. *volcanic ash cloud; or*
 - viii. *pre-eruption volcanic activity or a volcanic eruption; or*
 - ix. *dense smoke resulting from forest fire; or*
 - x. *wind shear; or*
 - xi. *meteorological conditions likely to affect the safety of other aircraft.*
- (e) *The pilot-in-command shall report the runway braking action as special air-report (AIREP) when the runway braking action encountered is not as good as reported.*
- (f) *The pilot-in-command of an aircraft shall ensure that a suspected communicable disease is reported promptly to air traffic control, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for the management of public health risk on arrival.*

3. Ketentuan butir 91.25 diubah sehingga berbunyi sebagai berikut:

91.25 Document to Be Carried

An operator shall ensure that the following documents are carried on each flight:

- (a) Certificate of Registration;*
- (b) Certificate of Airworthiness;*
- (c) Aircraft Journey Log;*
- (d) Aircraft Aeronautical Station License;*

- (e) *Attesting Noise certificate, or a suitable statement attesting noise certification as contained in another document approved by the DGCA;*
 - (f) *The appropriate licences for each member of the flight crew;*
 - (g) *Copy of the return to service, if any, in force with respect to the aircraft, or technical log, as applicable;*
 - (h) *AFM or RFM, for airplanes or helicopters;*
 - (i) *Operational Flight Plan;*
 - (j) *NOTAMS, AIS information and Meteorological briefing documentation;*
 - (k) *Current and suitable maps and charts for routes of proposed flight or possibly diverted flights;*
 - (l) *Search and rescue information;*
 - (m) *For international flights, a copy of the notified procedures to be followed by the pilot-in-command of an intercepted aircraft, and the notified visual signals for use by intercepting and intercepted aircraft;*
 - (n) *Passenger and cargo manifests;*
 - (o) *Copy of aircraft insurance.*
4. Ketentuan sub bagian 91.103 diubah sehingga berbunyi sebagai berikut :

91.103 Preflight Action

Each pilot in command shall, before beginning a flight, become familiar with all available information concerning that flight. This information must include:

- (a) *For a flight under IFR or a flight not in the vicinity of an airport, weather reports and forecasts, fuel requirements, alternatives available if the planned flight cannot be completed, and any known traffic delays of which the pilot in*

command has been advised by Air Traffic Controller (ATC) or Aeronautical Communication Officer (ACO);

(b) For any flight, runway lengths at airports of intended use, and the following takeoff and landing distance information:

(1) For civil aircraft for which an approved Airplane or Rotorcraft Flight Manual containing takeoff and landing distance data is required, the takeoff and landing distance data contained therein; and


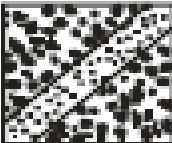


(2) For civil aircraft other than those specified in Paragraph (b)(1) of this section, other reliable information appropriate to the aircraft, relating to aircraft performance under expected values of airport elevation and runway slope, aircraft gross weight, and wind and temperature.





(c) No person may operate an aircraft without available on board all the essential information concerning the search and rescue services in the area over which an aircraft will be flown, such this information may be made available to the pilot by means of the operations manual or such other means as is considered appropriate.



5. Menambahkan ketentuan sub bagian 91.124 yang berbunyi sebagai berikut :

91.124 Marking

Visual ground marking	Meaning
A horizontal red square panel with yellow diagonals	landings are prohibited and that the prohibition is liable to be prolonged

	
<p>A horizontal red square panel with yellow diagonals</p> 	<p>that owing to the bad state of the manoeuvring area, or for any other reason, special precautions must be observed in approaching to land or in landing</p>
<p>A horizontal white dumb-bell</p> 	<p>Aircraft are required to land, take off and taxi on runways and taxiways only.</p>
<p>white dumb-bell with a black bar</p> 	<p>aircraft are required to land and take off on runways only, but other manoeuvres need not be confined runways and taxiways</p>
<p>Crosses of a single contrasting colour, yellow or white, displayed horizontally on runways and taxiways or parts.</p>	<p>An area unfit for movement of aircraft.</p>

	
<p>A horizontal white or orange landing T</p> 	<p>The direction to be used by aircraft for landing and take-off, which shall be in a direction parallel to the shaft of the T towards the cross arm.</p>
<p>A set of two digits displayed vertically at or near the aerodrome control tower</p> 	<p>To aircraft on the manoeuvring area the direction for take-off, expressed in units of 10 degrees to the nearest 10 degrees of the magnetic compass</p>
<p>When displayed in a signal area, or horizontally at the end of the runway or strip in use, a right-hand arrow of conspicuous colour,</p> 	<p>That turns are to be made to the right before landing and after take-off.</p>
<p>The letter C displayed vertically in black against a yellow background</p>	<p>The location of the air traffic services reporting office.</p>

	
<p>A double white cross displayed horizontally in the signal area</p> 	<p>That the aerodrome is being used by gliders and that glider flights are being performed.</p>

6. Ketentuan sub bagian 91.126 diubah sehingga berbunyi sebagai berikut :

91.126 Operating on or in the vicinity of an Airport in

Class G Airspace

(a) *General. Unless otherwise authorized or required, each person operating an aircraft on or in the vicinity of an airport in a Class G airspace area must comply with the requirements of this section.*

(b) *Direction of Turns, when approaching to land at an airport without operating Aerodrome Flight Information services unit in class G airspace area,*

(1) *Each pilot of an airplane must make all turns of that airplane to the left unless the airport displays approved light signals or visual ground marking as mentioned in 91.124 indicating that turns should be made to the right, in which case the pilot must make all turns to the right; and*

(2) *Each pilot of a helicopter must avoid the flow of fixed wing aircraft*

(c) *Flap setting. Except when necessary for training or certification, the pilot in command of a civil turbojet-powered aircraft must use, as a final flap setting, the minimum certificated landing flap set forth in the*

approved performance information in the Airplane Flight Manual for the applicable conditions. However each pilot in command has the final authority and responsibility for the safe operation of the pilot's airplane, and may use a different flap setting for the airplane if the pilot determines that it is necessary in the interest of safety.

- (d) Communication with the aerodrome flight information service unit. Unless otherwise required by AFIS Officer, no person may operate an aircraft to, from, through, or on an airport unless two way radio communication are maintained between that aircraft and Aerodrome Flight Information Service Unit responsible to provide Aerodrome Flight Information Services within the aerodrome. Communication must be established as soon as practicable. However if the aircraft radio fails in flight, the pilot in command may operate that aircraft and land if weather conditions are at or above basic VFR weather minimums, visual contact with the tower is maintained, and a clearance to land is received. If the aircraft radio fails while in flight under IFR, the pilot must comply with section 91.185*

An aircraft which is operating at an airport without operating Aerodrome Flight Information Service shall broadcast information regarding position on circuit and aerodrome.

- (e) Equipment requirements. Transport category aircraft. Starting from 1 January 2020, unless otherwise authorized by Director General, no person may operate a transport category*

aircraft within Class G from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.

- (f) Equipment requirements. All Aircraft. Starting from 1 January 2030, unless otherwise authorized by Director General, no person may operate an aircraft within Class G from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226*

7. Ketentuan Sub Bagian 91.127 diubah sehingga berbunyi sebagai berikut :

91.127 Operation in Class E Airspace

- (a) Unless otherwise required by the CASRs or unless otherwise authorized or required by the ATC facility having jurisdiction over the Class E airspace area, each person operating an aircraft on or in the vicinity of an airport in a Class E airspace area must comply with the requirements of Section 91.126.*
- (b) Departures. Each pilot of an aircraft must comply with any special traffic patterns established for that airport.*
- (c) Communications with control towers. Unless otherwise authorized or required by ATC, no person may operate an aircraft to, from, through, or on an airport having an operational control tower unless two-way radio communications are maintained between that aircraft and the control tower. Communications must be established as soon as practicable. However, if the aircraft radio fails in flight, the pilot in command may operate that aircraft and land if weather*

conditions are at or above basic VFR weather minimums, visual contact with the tower is maintained, and a clearance to land is received. If the aircraft radio fails while in flight under IFR, the pilot must comply with Section 91.185.

(d) Equipment requirements. Transport Category Aircraft. Starting from 1 January 2020, unless otherwise authorized by Director General, no person may operate a transport category aircraft within Class E from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.

(e) Equipment requirements. All Aircraft. Starting from 1 January 2030, unless otherwise authorized by Director General, no person may operate an aircraft within Class E from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226

8. Ketentuan sub bagian 91.129 diubah sehingga berbunyi sebagai berikut :

91.129 Operations in Class D Airspace

(a) General. Unless otherwise authorized or required by the ATC facility having jurisdiction over the Class D airspace area, each person operating an aircraft in Class D airspace must comply with the applicable provisions of this section. In addition, each person must comply with Sections 91.126 and 91.127. For the purpose of this section, the primary airport is the airport for which the Class D airspace area is designated. A

satellite airport is any other airport within the Class D airspace area.

- (b) Deviations. An operator may deviate from any provision of this section under the provisions of an ATC authorization issued by the ATC facility having jurisdiction over the airspace concerned. ATC may authorize a deviation on a continuing basis or for an individual flight, as appropriate.*
- (c) Communications. Each person operating an aircraft in Class D airspace must meet the following two-way radio communications requirements:*
 - (1) Arrival or through flight. Each person must establish two-way radio communications with the ATC facility (including foreign ATC in the case of foreign airspace designated in Indonesia) providing air traffic services prior to entering that airspace and thereafter maintain those communications while within that airspace.*
 - (2) Departing flight. Each person*
 - (i) From the primary airport or satellite airport with an operating control tower must establish and maintain two-way radio communications with the control tower, and thereafter as instructed by ATC while operating in the Class D airspace area; or*
 - (ii) From a satellite airport without an operating control tower, must establish and maintain two-way radio communications with the ATC facility having jurisdiction over the*

Class D airspace area as soon as practicable after departing.

(d) Communications failure. Each person who operates an aircraft in a Class D airspace area must maintain two-way radio communications with the ATC facility having jurisdiction over that area.

(1) If the aircraft radio fails in flight under IFR, the pilot must comply with 91.185 of the part.

(2) If the aircraft radio fails in flight under VFR, the pilot in command may operate that aircraft and land if

(i) Weather conditions are at or above basic VFR weather minimums;

(ii) Visual contact with the tower is maintained; and

(iii) A clearance to land is received.

(e) Minimum Altitudes. When operating to an airport in Class D airspace, each pilot of

(1) A large or turbine-powered airplane shall, unless otherwise required by the applicable distance from cloud criteria, enter the traffic pattern at an altitude of at least 1,500 feet above the elevation of the airport and maintain at least 1,500 feet until further descent is required for a safe landing;

(2) A large or turbine-powered airplane approaching to land on a runway served by an instrument landing system (ILS), if the airplane is ILS equipped, shall fly that airplane at an altitude at or above the glide slope between the outer marker (or point of interception of glide slope, if compliance

with the applicable distance from clouds criteria requires interception closer in) and the middle marker; and

- (3) *An airplane approaching to land on a runway served by a visual approach slope indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.*

Paragraphs (e)(2) and (e)(3) of this section do not prohibit normal bracketing manoeuvres above or below the glide slope that are conducted for the purpose of remaining on the glide slope.

- (f) *Approaches. Except when conducting a circling approach authorized by a DGCA-approved standard instrument approach procedure or unless otherwise required by ATC, each pilot must*

- (1) *Circle the airport to the left, if operating an airplane; or*
(2) *Avoid the flow of fixed wing aircraft, if operating a helicopter.*

- (g) *Departures. No person may operate an aircraft departing from an airport except in compliance with the following:*

- (1) *Each pilot must comply with any departure procedures established for that airport by the DGCA.*
(2) *Unless otherwise required by the prescribed departure procedure for that airport or the applicable distance from clouds criteria, each pilot of a turbine-powered airplane and each pilot of a*

large airplane must climb to an altitude of 1,500 feet above the surface as rapidly as practicable.

- (h) Reserved.*
- (i) Takeoff, landing, taxi clearance. No person may, at any airport with an operating control tower, operate an aircraft on a runway or taxiway, or take off or land an aircraft, unless an appropriate clearance is received from ATC. A clearance to "taxi to" the takeoff runway assigned to the aircraft is not a clearance to cross that assigned takeoff runway, or to taxi on that runway at any point but is a clearance to cross other runways that intersect the taxi route to that assigned takeoff runway. A clearance to "taxi to" any point other than an assigned takeoff runway is clearance to cross all runways that intersect the taxi route to that point.*
- (j) Equipment requirements. Transport category aircraft. Starting from 1 January 2020, unless otherwise authorized by Director General, no person may operate a transport category aircraft within Class D from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.*
- (k) Equipment requirements. All aircraft. Starting from 1 January 2030, unless otherwise authorized by Director General, no person may operate an aircraft within Class D from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.*

9. Ketentuan sub bagian 91.130 diubah sehingga berbunyi sebagai berikut :

91.130 Operation in Class C Airspace

- (a) General. Unless otherwise authorized by ATC, each aircraft operation in Class C airspace must be conducted in compliance with this section and Section 91.129. For the purpose of this section, the primary airport is the airport for which the Class C airspace area is designated. A satellite airport is any other airport within the Class C airspace area.*
- (b) Traffic patterns. No person may take off or land an aircraft at a satellite airport within a Class C airspace area except in compliance with DGCA arrival and departure traffic patterns.*
- (c) Communications. Each person operating an aircraft in Class C airspace must meet the following two-way radio communications requirements:*
- (1) Arrival or through flight. Each person must establish two-way radio communications with the ATC facility (including foreign ATC in the case of foreign airspace designated in Indonesia) providing air traffic services prior to entering that airspace and thereafter maintain those communications while within that airspace.*
- (2) Departing flight. Each person*
- (i) From the primary airport or satellite airport with an operating control tower must establish and*

maintain two-way radio communications with the control tower, and thereafter as instructed by ATC while operating in the Class C airspace area; or

(ii) From a satellite airport without an operating control tower, must establish and maintain two-way radio communications with the ATC facility having jurisdiction over the Class C airspace area as soon as practicable after departing.

(d) Equipment requirements. Unless otherwise authorized by the ATC having jurisdiction over the Class C airspace area, no person may operate an aircraft within a Class C airspace area designated for an airport unless that aircraft is equipped with the applicable equipment specified in Section 91.215.

Starting from 1 January 2020, unless otherwise authorized by Director General, no person may operate a transport category aircraft within Class C from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.

Starting from 1 January 2030, unless otherwise authorized by Director General, no person may operate an aircraft within Class C from ground up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.

(e) *Deviations. An operator may deviate from any provision of this section under the provisions of an ATC authorization issued by the ATC facility having jurisdiction over the airspace concerned. ATC may authorize a deviation on a continuing basis or for an individual flight, as appropriate.*

10. Ketentuan sub bagian 91.131 diubah sehingga berbunyi sebagai berikut :

91.131 Operation in Class B Airspace

(a) *Operating rules. No person may operate an aircraft within a Class B airspace area except in compliance with Section 91.129 and the following rules:*

(1) *The operator must receive an ATC clearance from the ATC facility having jurisdiction for that area before operating an aircraft in that area.*

(2) *Unless otherwise authorized by ATC, each person operating a large turbine engine-powered airplane to or from a primary airport for which a Class B airspace area is designated must operate at or above the designated floors of the Class B airspace area while within the lateral limits of that area.*

(3) *Any person conducting pilot training operations at an airport within a Class B airspace area must comply with any procedures established by ATC for such operations in that area.*

- (b) *Pilot requirements.*
 - (1) *No person may take off or land a civil aircraft at an airport within a Class B airspace area or operate a civil aircraft within a Class B airspace area unless__*
 - (i) *The pilot in command holds at least a private pilot certificate; or*
 - (ii) *The aircraft is operated by a student pilot or recreational pilot who seeks private pilot certification and has met the requirements of Section 61.95 of the CASRs.*
- (c) *Communications and navigation equipment requirements. Unless otherwise authorized by ATC, no person may operate an aircraft within a Class B airspace area unless that aircraft is equipped with__*
 - (1) *For IFR operation. An operable VOR or TACAN receiver; and*
 - (2) *For all operations. An operable two-way radio capable of communications with ATC on appropriate frequencies for that Class B airspace area.*
- (d) *Transponder requirements. No person may operate an aircraft in a Class B airspace area unless the aircraft is equipped with the applicable operating transponder and automatic altitude reporting equipment specified in Paragraph (a) of Section 91.215, except as provided in Paragraph (d) of that section.*
- (e) *Equipment requirements. Transport category. Starting from 1 January 2020,*

unless otherwise authorized by Director General, no person may operate a transport category aircraft within Class B from 10,000 feet up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.

- (f) Equipment requirements. All aircraft. Starting from 1 January 2030, unless otherwise authorized by Director General, no person may operate an aircraft within Class B from 10,000 feet up to FL 245 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.*

11. Ketentuan sub bagian 91.135 diubah sehingga berbunyi sebagai berikut :

91.135 Operation in Class A Airspace

(Except as provided in Paragraph (d) of this section, each person operating an aircraft in Class A airspace must conduct that operation under instrument flight rules (IFR) and in compliance with the following:

- (a) Clearance. Operations may be conducted only under an ATC clearance received prior to entering the airspace.*
- (b) Communications. Unless otherwise authorized by ATC, each aircraft operating in Class A airspace must be equipped with a two-way radio capable of communicating with ATC on a frequency assigned by ATC. Each pilot must maintain two-way radio communications with ATC while operating in Class A airspace.*

(c) *Other equipment requirements*

(1) *Transponder requirement. Unless otherwise authorized by ATC, no person may operate an aircraft within Class A airspace unless that aircraft is equipped with the applicable equipment specified in Section 91.215.*

(2) *After 31 December 2017, unless otherwise authorized by Director General, no person may operate an aircraft within Class A airspace, between FL 290 to FL 600 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.*

Starting from 1 January 2020, unless otherwise authorized by Director General, no person may operate an aircraft within Class A from FL 245 up to FL 290 unless that aircraft is equipped with the applicable ADS-B equipment specified in Section 91.226.

(d) *ATC authorizations. An operator may deviate from any provision of this section under the provisions of an ATC authorization issued by the ATC facility having jurisdiction of the airspace concerned. In the case of an inoperative transponder, ATC may immediately approve an operation within a Class A airspace area allowing flight to continue, if desired, to the airport of ultimate destination, including any intermediate stops, or to proceed to a place where*

suitable repairs can be made, or both. Requests for deviation from any provision of this section must be submitted in writing, at least 4 days before the proposed operation. ATC may authorize a deviation on a continuing basis or for an individual flight.

12. Menambahkan ketentuan butir 91.193, yang berbunyi sebagai berikut :

91.193 Operation within Airspace Designated as Reduced Vertical Separation Minimum Airspace

(a) Except as provided in paragraph (b) of this section, no person may operate a civil aircraft in airspace designated as Reduced Vertical Separation Minimum (RVSM) unless:

(1) The operator and the operator's aircraft comply with the requirement of appendix G of this part; and

(2) The operator is authorized by the Director to conduct such operations.

(b) The Director may authorize a deviation from the requirements of this section in accordance with Section 5 of appendix G to this part.

13. Ketentuan Sub bagian 91.226 diubah sehingga berbunyi sebagai berikut :

91.226 Automatic Dependent Surveillance Broadcast (ADS-B)

(a) If an aircraft carries ADS-B transmitting equipment for operational use in Indonesian airspace, the aircraft shall installed ADS-B transmitting equipment that minimum meets

the requirements in/equivalent with DO-260 or DO-260a or DO-260b

(b) ADS-B transmitting equipment in Indonesia Airspace must transmit :

- (1) A Flight identification that corresponds exactly to the aircraft identification mentioned on the flight notification field with ATC for the Flight ;or*
- (2) If no notification is filed for flight, the aircraft registration mark ;or*
- (3) Another Flight identification directed or approved by ATC*

14. Menambahkan ketentuan butir 91.327, yang berbunyi sebagai berikut :

91.327 Aircraft having a special airworthiness certificate in the light-sport category: Operating limitations.

(a) These operating limitations apply to person who operates an aircraft that has a special airworthiness certificate in the light-sport category:

- (1) To tow a glider in accordance with section 91.309;*
- (2) To conduct flight training;*
- (3) To conduct sport and recreational flight;*
or
- (4) To conduct "special purpose operations" includes -*
 - (i) Agricultural (spraying, dusting, and seeding, and livestock and predatory animal control);*
 - (ii) Forest and wildlife conservation;*

- (iii) *Aerial surveying (photography, mapping, and oil and mineral exploration);*
 - (iv) *Patrolling (pipelines, power lines, canals, prevention and controlling of hotspot and forest fire, and environment surveillance);*
 - (v) *Weather control (cloud seeding);*
 - (vi) *Emergency response on natural disaster; and*
 - (vii) *Aerial advertising (skywriting, banner towing, airborne signs and public address systems).*
- (b) *No person may operate an aircraft that has a special airworthiness certificate in the light-sport category unless—*
- (1) *The aircraft is maintained by a certificated person under CASR Part 65, section 65.5*
 - (a) *with appropriate light-sport aircraft maintenance training and use maintenance program acceptable to the DGCA;*
 - (2) *The owner or operator complies with all applicable airworthiness directives;*
 - (3) *The owner or operator complies with each safety directive applicable to the aircraft that corrects an existing unsafe condition. In lieu of complying with a safety directive an owner or operator may correct the unsafe condition in a manner different from that specified in the safety directive provided the person issuing the directive concurs with the action;*
 - (4) *Each alteration accomplished after the aircraft's date of manufacture meets*

manufacture technical data acceptable to DGCA;

- (5) Each major repair performed and inspected in accordance with maintenance program acceptable to the DGCA; and*
- (c) No person may operate an aircraft issued a special airworthiness certificate in the light-sport category specified in paragraph (a) of this section unless within the preceding 100 hours of time in service the aircraft has—*
 - (1) Been inspected by a certificated person under CASR Part 65, section 65.5 (a) with appropriate light-sport aircraft maintenance training and use maintenance program acceptable to the DGCA; or*
 - (2) Received an inspection for the issuance of an airworthiness certificate in accordance with CASR part 21.*
- (d) Each person operating an aircraft issued a special airworthiness certificate in the light-sport category must operate the aircraft in accordance with the aircraft's operating instructions, including any provisions for necessary operating equipment specified in the aircraft's equipment list.*
- (e) Each person operating an aircraft issued a special airworthiness certificate in the light-sport category must advise each person carried of the special nature of the aircraft and that the aircraft does not meet the airworthiness requirements for an aircraft issued a standard airworthiness certificate.*
- (f) The DGCA may prescribe additional limitations that it considers necessary.*

15. Ketentuan Sub bagian H diubah sehingga secara keseluruhan Sub bagian H berbunyi sebagai berikut :

SUBPART H - FOREIGN AIRCRAFT OPERATION AND OPERATIONS OF INDONESIAN-REGISTERED CIVIL AIRCRAFT OUTSIDE OF INDONESIA

91.701 Applicability

This subpart applies to the operations of :

- a. *civil aircraft of Indonesian registry outside of Indonesia territory;*
- b. *foreign civil aircraft within Indonesia territory;*
- c. *foreign civil aircraft outside of Indonesia territory but Within Indonesia FIR (Jakarta and Ujung Pandang FIR).*

91.703 *Operations of Civil Aircraft of Indonesian Registry Outside of Indonesia*

Each person operating a civil aircraft of Indonesian registry outside of Indonesia shall__

- (1) *When over the high seas which is not controlled by Indonesia, comply with Annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with Sections 91.117(c), 91.126, 91.127, 91.129, 91.130, 91.131 and 91.135;*
- (2) *When within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force;*
- (3) *Except for Sections 91.307(b), 91.309, and 91.711, comply with this part so far as it is not inconsistent with applicable regulations of the foreign country where the aircraft is operated or Annex 2 of the Convention on International Civil Aviation; and*

- (4) *When operating within airspace designated as Reduced Vertical Separation Minimum (RVSM) airspace, comply with section 91.193.*

91.705 through 91.710 [Reserved]

91.711 *Special Rules for Foreign Civil Aircraft*

- (a) *General. In addition to the other applicable regulations of this part, each person operating a foreign civil aircraft within Indonesia shall comply with this section.*
- (b) *VFR. No person may conduct VFR operations which require two-way radio communications under this part unless at least one crewmember of that aircraft is able to conduct two-way radio communications in the English language and is on duty during that operation.*
- (c) *IFR. No person may operate a foreign civil aircraft under IFR unless__*
- (1) *That aircraft is equipped with__*
- (i) *Radio equipment allowing two-way radio communication with ATC when it is operated in controlled airspace; and*
- (ii) *Radio navigational equipment appropriate to the navigational facilities to be used;*
- (2) *Each person piloting the aircraft__*
- (i) *Holds a current Indonesian instrument rating or is authorized by his foreign airman certificate to pilot under IFR; and*
- (ii) *Is thoroughly familiar with Indonesian enroute, holding, and letdown procedures; and*

- (3) *At least one crewmember of that aircraft is able to conduct two-way radio telephone communications in the English language and that crewmember is on duty while the aircraft is approaching, operating within, or leaving Indonesia.*
- (d) *Over water. Each person operating a foreign civil aircraft over water off the shores of Indonesia shall give flight notification or file a flight plan in accordance with the Supplementary Procedures for the ICAO region concerned.*
- (e) *Flight at and above FL 240. If VOR navigational equipment is required under Paragraph (c)(1)(ii) of this section, no person may operate a foreign civil aircraft within Indonesia at or above FL 240, unless the aircraft is equipped with distance measuring equipment (DME) capable of receiving and indicating distance information from the VORTAC facilities to be used. When DME required by this paragraph fails at and above FL 240, the pilot in command of the aircraft shall notify ATC immediately and may then continue operations at and above FL 240 to the next airport of intended landing at which repairs or replacement of the equipment can be made. However, Paragraph (e) of this section does not apply to foreign civil aircraft that are not equipped with DME when operated for the following purposes and if ATC is notified prior to each take off :*
- (1) *Ferry flights to and from a place in Indonesia where repairs or alterations are to be made.*
- (2) *Ferry flights to a new country of registry.*

(3) Flight of a new aircraft of Indonesian manufacture for the purpose of__

(i) Flight testing the aircraft;

(ii) Training foreign flight crews in the operation of the aircraft; or

(iii) Ferrying the aircraft for export delivery outside Indonesia.

(3) Ferry, demonstration, and test flight of an aircraft brought to Indonesia for the purpose of demonstration or testing the whole or any part thereof.

91.713 Operations of foreign civil aircraft outside of Indonesia territory but within Indonesia FIRs (Jakarta and Ujung Pandang FIR)

Each person operating foreign civil aircraft outside of Indonesia territory but within Indonesia FIR (Jakarta and Ujung Pandang FIR) shall__

(1) comply with Annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with Sections 91.117(c), 91.126, 91.127, 91.129, 91.130 91.131, and 91.135 ; including those portion over the high sea where the rules applied without exception.

(2) When operating within airspace designated as Reduced Vertical Separation Minimum (RVSM) airspace, comply with section 91.193.

91.715 Special Flight Authorizations for Foreign Civil Aircraft

(a) Foreign civil aircraft may be operated without airworthiness certificates required under Section 91.203 if a special flight authorization for that operation is issued under this section. Application for a special flight authorization must be made to the DGCA.

(b) The DGCA may accepted a special flight authorization for a foreign civil aircraft issued by foreign authority subject to any condition and limitations that the DGCA considers necessary for safe operation in the Republic of Indonesia airspace.

91.717 through 91.799 [reserved]

Pasal II

Peraturan Menteri ini mulai berlaku pada tanggal diundangkan.

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

Ditetapkan di Jakarta
pada tanggal 6 September 2017

MENTERI PERHUBUNGAN
REPUBLIK INDONESIA,

ttd

BUDI KARYA SUMADI

Diundangkan di Jakarta
pada tanggal 20 September 2017

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

ttd

WIDODO EKATJAHJANA