

[ATO, January 01, 1999]

REVISED SCHEDULE OF FEES AND CHARGES FOR AIR NAVIGATION FACILITIES (D.O. 99E-002)

Corollary to Department Order No. 98-1177 dated 03 September 1998 which was amended by Department Order No. 98-1190 dated 18 November 1998, enumerating revision in the Fees and Charges of the Air Transportation Office, the following amendments are hereby adopted for implementation.

PART 1: Definitions

Sec 1. The following terminologies shall be construed to mean as follows:

- a) *Flight Information Region (FIR)* — An airspace of defined dimension within which flight information service and alerting service are provided;
- b) *Aeronautical Mobile Service (AMS)* — A Telecommunication service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft stations may participate; emergency position indicating radio beacon stations may also participate in this service on designed distress and emergency frequencies;
- c) *Overfly Flights* — Means aircraft on flight entering and leaving the Manila Flight Information Region (FIR) without landing at any airport in the Republic of the Philippines;
- d) *Class "B" Messages* — Reservation and General Aircraft Operating Agency Messages. These message categories are described in ICAO Document "Aeronautical Telecommunications" Annex 10, Volume II, Paragraph 4.4.1.1.8 and 4.4.1.1.9;
- e) *Aeronautical Fixed Telecommunication Network (AFTN)* — A worldwide system of aeronautical fixed circuits provided as part of the Aeronautical Fixed Service for the exchange of messages and/or digital data between aeronautical fixed stations having the same or compatible communications characteristics;
- f) *Aeronautical Fixed Service (AFS)* — A telecommunication service between specified fixed points provided primarily for the safety of air navigation and for the regular, efficient and economical operation of air services.

PART II: General Provisions

Sec. 1. Applicability — The charges prescribed herein shall be applicable to aircraft on international, domestic and general aviation operations flying into and out of the airports in the Republic of the Philippines, and aircraft overflying the Manila Flight Information Region without landing at any Philippine airport, for the use of air

navigation facilities provided at this airport and/or associated enroute points.

Sec. 2. Exemptions — Unless otherwise specifically provided, the payment of fees and charges prescribed herein shall not apply to the following:

- a) Aircraft registered in the name of and operated by the Republic of the Philippines;
- b) Aircraft exclusively used by head of states and diplomatic and consular representatives of foreign governments, (Civil registered aircraft other than state-owned aircraft, which are chartered or hired by or for representatives or personnel of foreign governments are not exempted by this provision);
- c) Aircraft engaged in non-commercial activities, mercy and humanitarian missions, or government-sponsored missions, subject to the approval of the Assistant Secretary;
- d) Aircraft which, by provision of existing laws or treaties, is exempted from payment of fees and other charges;
- e) Military aircrafts of foreign governments where such governments provide similar exemptions to military aircraft of the Republic of the Philippines;
- f) Aircraft diverted from its planned route or forced to return to the airport of departure, due to emergency.

PART III: Operational Charges

Sec. 1. Basis — Operational charges for the use of the enroute and airport/terminal navigation facilities and services provided as required by the International Civil Aviation Organization (ICAO) exclusive of telecommunication services for Class "B" messages of the aeronautical fixed services, shall be based on each arrival, departure or overflight.

For purposes of this Section, one flight shall mean from one point of departure to one point of arrival.

Sec. 2. Overflight — A charge in U. S. Dollar or its Peso equivalent at the time of payment based on the derived formula for calculating Air Navigation Charges (ANC) which is equal to the distance (D) flown by an aircraft in kilometer divided by one hundred (100) and multiplied by its weight factor (W). The distance (D) flown for overflights, however, as a basis of computation shall not exceed 1,100 kilometers.

$$ANC(\text{U.S. \$}) = D/100 \times W$$

The weight factor (W) was determined to have the following values:

MTOW	Weight Factor (W)
More than 300 tonnes	43
200 - 300 tonnes	36
100 - 200 tonnes	28
50 - 100 tonnes	20