

Civil Aviation Authority of Singapore (Airport Development Levy) Order 2018

Table of Contents

Enacting Formula

Part 1 PRELIMINARY

1 Citation and commencement

2 Definitions

3 Chargeable flights

4 Non-chargeable passengers

Part 2 AIRPORT DEVELOPMENT LEVY

5 By whom ADL is payable

6 Calculation of ADL payable

7 When is ADL payable

8 Interest on late payment of ADL

Part 3 COLLECTION OF AIRPORT DEVELOPMENT LEVY

9 Designated ADL collection agent

10 Returns, etc., on collection of ADL to Authority

11 Payment of ADL collections to Authority

12 Returns by aircraft operator by whom ADL is payable

13 Penalty for shortfall in ADL collections

Part 4 GENERAL ADMINISTRATION

14 Remissions

15 Offences

No. S 437

CIVIL AVIATION AUTHORITY OF SINGAPORE ACT (CHAPTER 41)

CIVIL AVIATION AUTHORITY OF SINGAPORE (AIRPORT DEVELOPMENT LEVY) ORDER 2018

In exercise of the powers conferred by section 87A(2) of the Civil Aviation Authority of Singapore Act, the Minister for Transport makes the following Order:

PART 1

PRELIMINARY

Citation and commencement

1. This Order is the Civil Aviation Authority of Singapore (Airport Development Levy) Order 2018 and comes into operation on 1 July 2018.

Definitions

2.—(1) In this Order, unless the context otherwise requires —

“accounting period” means —

- (a) a period ending on the last day of each month; or
- (b) such other period as, in any particular case, the Authority may allow;

“ADL collection agent” means the person designated under paragraph 9, for the purposes of section 87A(3)(d) of the Act, to collect any ADL on behalf of the Authority;

“air passenger ticket” means a ticket or other record (in electronic form or

otherwise) on the basis of which an individual is treated as being entitled to travel as a passenger on a particular flight or flights, regardless of the number of seats on the flight for that passenger;

“air service” means the carriage of one or more individuals by means of an aircraft on a flight, whether or not the flight is a service for hire or reward;

“aircraft operator”, in relation to a chargeable flight, means the person who conducts, or offers to conduct, an air service by the use of an aircraft for that flight;

“airport development levy” or “ADL” means the levy payable under this Order;

“airport licensee” means the holder of an airport licence for an airport;

“Changi Airport” means the airport declared under the Civil Aviation Authority of Singapore (Changi Airport) Notification 2009 (G.N. No. S 293/2009);

“chargeable flight” has the meaning given by paragraph 3(2);

“chargeable passenger” means a passenger who —

- (a) is carried on a chargeable flight; and
- (b) is not a non-chargeable passenger;

“non-chargeable passenger” has the meaning given by paragraph 4;

“non-commercial flight” means a flight, being neither a scheduled nor non-scheduled flight, in which —

- (a) an aircraft is used by a corporation whose business is not public passenger transport for an air service that —
 - (i) is in aid of the conduct of the corporation’s business; and
 - (ii) is carried out by one or more pilots employed by the corporation to fly the aircraft; or
- (b) an aircraft is used in an air service for a purpose that is not in paragraph (a) and not public passenger transport, such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, or aerial advertisement;

“non-scheduled flight” means a flight on a non-scheduled journey in respect of which a permit is required by the Air Navigation (Licensing of Air Services) Regulations (Cap. 6, Rg 2);

“passenger” means an individual embarking or intending to embark on an aircraft for the purpose of travelling onboard as a passenger;

“prime lending rate” means the average of the prime lending rates at any particular time of the Development Bank of Singapore Ltd, the Oversea-Chinese Banking Corporation Limited and the United Overseas Bank Limited;

“reporting period” means —

- (a) a period of 7 days ending on the Sunday of each week; or
- (b) such other longer period as, in any particular case, the Authority may allow;

“scheduled flight” means a flight on a scheduled journey within the meaning given by the Air Navigation (Licensing of Air Services) Regulations;

“transfer passenger” means a passenger entitled under a single air passenger ticket to depart from Singapore —

- (a) within 24 hours after the passenger’s scheduled time of arrival by air in Singapore;
- (b) on an aircraft with a flight number that is different from the flight number of the aircraft in which the passenger arrives in Singapore (called the arriving aircraft); and
- (c) for an immediate destination which is in a country that is not the country in which the passenger embarked on the arriving aircraft,

and includes such a passenger who, because of a delay for reasons beyond the passenger’s control or the control of the aircraft operator of the flight concerned, leaves Singapore instead at another time on the departing flight specified in his or her air passenger ticket or on another flight that is provided by the aircraft operator as a replacement of the flight specified on his or her air passenger ticket;

“transit passenger” means a passenger entitled under a single air passenger ticket to depart from Singapore —

- (a) within 24 hours after the passenger’s scheduled time of arrival by air in Singapore;
- (b) on an aircraft with the same flight number as the aircraft in which the passenger arrives in Singapore (called the arriving aircraft); and
- (c) for an immediate destination which is in a country that is not the

country in which the passenger embarked on the arriving aircraft, and includes such a passenger who, because of a delay for reasons beyond the passenger's control or the control of the aircraft operator of the flight concerned, leaves Singapore instead at another time on the departing flight specified in his or her air passenger ticket or on another flight that is provided by the aircraft operator as a replacement of the flight specified on his or her air passenger ticket.

(2) For the purposes of this Order, a flight of an aircraft is not treated as having begun until it starts push back from its stand at an airport.

(3) Where any act is required or allowed to be done on a certain day under this Order and that day happens to be a Saturday or public holiday, the act may be considered as done in due time if it is done on the next day afterwards, not being a Saturday or public holiday.

Chargeable flights

3.—(1) For the purposes of section 87A(1)(b) of the Act, an airport development levy or ADL is payable in respect of every air passenger ticket that covers at least one chargeable flight.

(2) In this Order, any of the following flights that begins on or after 1 July 2018 from Changi Airport to a place outside Singapore is called a chargeable flight:

- (a) a scheduled flight;
- (b) a non-scheduled flight;
- (c) a non-commercial flight.

Non-chargeable passengers

4.—(1) A non-chargeable passenger is any of the following individuals carried on an aircraft on a chargeable flight:

- (a) operating crew required to perform duties on an aircraft or travelling on an aircraft in order to commence duties on an aircraft from another destination but not employees of an aircraft operator travelling on its aircraft other than as part of the operating crew;
- (b) any passenger on —
 - (i) a military aircraft;