

GEN 4.2 AIR NAVIGATION SERVICES CHARGES**1. GENERAL**

The charges for the air navigation services for aircraft flying en-route and in the terminal area of the Republic of Kazakhstan are collected by Republic State Enterprise on to rights of economic activity "Kazaeronavigatsia" of the Civil Aviation Committee of Ministry of industry and infrastructural development of the Republic of Kazakhstan (RSE "Kazaeronavigatsia").

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The charges for the air navigation services (ANS) are collected from all users of the airspace of the Republic of Kazakhstan, regardless of its state ownership, the type of property and subordination.

2. CHARGES FOR EN-ROUTE AIR NAVIGATION SERVICES AND IN TERMINAL AREA.

Tariffs for air navigation services for foreign users of the airspace of the Republic of Kazakhstan operating international flights en-route and in the terminal area:

Tariffs and rate of charges for air navigation services	MTOW, tons	Tariffs (rate of charges) per 100 km of the great circle distance, USD
En –route	up to 50,0	51
	50,1 – 100,0	69
	100,1 – 200,0	85
	200,1 – 300,0	92
	above 300,0	96
Terminal area	Per 1 ton of maximum take-off weight	5

Charges for air navigation services for aircraft flying en-route within FIRs depend on the maximum take-off weight (MTOW) and distance travelled by aircraft and are calculated by the following formula:

$$P = T \times (S : 100)$$

Where:

P - amount of charges;

T - rate for 100 km of distance travelled

S – the flight distance is assembled from the segments of AWYs of the Republic of Kazakhstan, the length of which is calculated by orthodromy.

Flight distance on AWY segments is rounded to the whole tens within the FIR of the Republic of Kazakhstan.

The calculation of distance for flights executed outside of the AWYs is made by the following formula:

$$S = V \times t$$

where:

S – flight distance. The distance is rounded to the whole tens within the FIR of the Republic of Kazakhstan.

V – flight execution speed (km/h)

t – flight execution time – flying hours (h).

The rounding of flight distance to the whole tens is made by the following:

Less than 5 km – rounded to the less side,

5 km and more – rounded to the larger side.

When landing at ADs of the Republic of Kazakhstan where air traffic service is provided by the ATS units of

RSE "Kazaeronavigatsia" branches, the distance travelled on the route segments to/from the AD is reduced by 20 km for each take-off and landing.

The amount of the charge for air navigation services for aircraft in the terminal area (in the take-off and landing zone) depends on the maximum take-off weight (MTOW) and is calculated by the following formula:

$$P = T \times W$$

where:

P – amount of charges;

T – rate of charges per 1 ton of maximum take-off weight (MTOW) of an aircraft

W – MTOW in tons to be rounded off to decimals.

For the charging purpose for air navigation services en-route and in the terminal area, the MTOW is rounded to the tenth of a ton in the following order: less than 50 kg - rounded down (to zero), 50 kg or more - rounded up (up to 0.1 ton).

Information about the fleet in operation, including registration marks and MTOW, is required to be submitted by users of the airspace of the Republic of Kazakhstan in advance to the RSE "Kazaeronavigatsia".

MTOW for each type of aircraft is taken into account, in the case the airspace user does not submit a real MTOW for a particular aircraft flying in the airspace of the Republic of Kazakhstan.

Tariffs and rates for the air navigation services en-route and in the terminal area of the Republic of Kazakhstan, except for international flights are approved by the authorized state body in the sphere of the natural monopoly.

3. EXEMPTIONS/REDUCTIONS

The following categories of flights in the airspace of the Republic of Kazakhstan is exempted from payment of air navigation facility charges:

- a. aircraft suffering or having suffered a distress, as well as aircraft whose routes have been changed due to an emergency on board, failure or malfunction of the equipment on board, from the moment of determining the location of the aircraft;
- b. aircraft on search and rescue operations, as well as aircraft involved in the search and rescue exercises, according to the contract with ANS provider;
- c. aircraft on medical and (or) humanitarian aid to the population in natural disasters;
- d. aircraft of State Aviation of the Republic of Kazakhstan;
- e. aircraft carrying the President of the Republic of Kazakhstan, the Prime Minister of the Republic of Kazakhstan, royalty, heads of states and government of foreign states.
- f. in accordance with international treaties ratified by the Republic of Kazakhstan, if exemption of payment for the air navigation services provided by the clauses;
- g. Light and ultralight aircraft (aircraft - up to 5 700 kg, helicopters - up to 3 180 kg).

4. METHODS OF PAYMENT

Invoices with a statement of the executed flights for the air navigation services provided to the foreign users of the airspace of the Republic of Kazakhstan are billed in US dollars twice a month on the 15th and the last date of the month. Payment for the air navigation services is made by transferring to RSE Kazaeronavigatsia bank account the fee in US dollars or tenge (KZT) according to the official exchange rate of National Bank of the Republic of Kazakhstan and fixed on a date of payment.

Scheduled flights in the airspace of the Republic of Kazakhstan is carried on terms of payment upon the execution of flights, in accordance with the invoices provided by RSE "Kazaeronavigatsia". Payment must be made within 10 banking days from the date of the invoice receipt.

Non- scheduled (charter) flights in the airspace of the Republic of Kazakhstan are carried under the conditions of 100% advance payment on the basis of the invoice issued by the RSE "Kazaeronavigatsia" for preliminary payment.

In accordance with limited terms of storage of control facilities, on which statements and credit notes for the

air navigation services provided in the airspace of the Republic of Kazakhstan are compiled, all claims on the issued invoices should be submitted to RSE "Kazaeronavigatsia" within a month from the date of their receipt.

In the event of a failure to comply with the payment deadlines, the user of the airspace must pay a penalty of 0.03% of the amount due for each day of delay, but not more than the existing indebtedness.

In the event of a failure to comply with the payment deadline, RSE "Kazaeronavigatsia" has the right, having warned 3 days ahead, to terminate partially or completely further air navigation services until the amounts of the debt and the penalty are fully paid and/or require advance payment for subsequent air navigation services. The warning is communicated to users of airspace through the AFTN network and/or other available contacts.

Air navigation services invoices are billed to the user who, at the time of its flight was the operator of the aircraft. Identification of the operator is made in accordance with 3-letter ICAO call sign and /or registration mark indicated in a flight plan.

5. OTHER CONDITIONS AND REVIEW ARGUMENTS

The conditions of the air navigation services are deemed to be accepted by the user of the airspace of the Republic of Kazakhstan when there are actions presented in this AIP of the Republic of Kazakhstan.

In the case of making contracts with the users of the airspace of the Republic of Kazakhstan for the air navigation services, the parties should be guided by the conditions of the previously signed contracts.

All disputes and controversies between RSE "Kazaeronavigatsia" and the users of the airspace of the Republic of Kazakhstan on the air navigation services air to be considered at in the specified inter-district economical court of Astana, at location of RSE "Kazaeronavigatsia" in the Russian language in compliance with the legislation of the Republic of Kazakhstan.

The applicable legislation is the legislation of the Republic of Kazakhstan.

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