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Ministry of Transportation
and Telecommunications

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His Majesty
King Hamad bin Isa Al Khalifa
King of the Kingdom of Bahrain



His Royal Highness
Prince Salman bin Hamad Al Khalifa
Crown Prince and Prime Minister of Bahrain

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This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.

Part I

GENERAL PROVISIONS



PART I GENERAL PROVISIONS

Chapter I General provisions

Article I Definitions

In the application of this Law, and unless otherwise required by the context, the following words and phrases shall have the following meanings:

The State:

The Kingdom of Bahrain

The Minister:

The Minister of Transportation, or any other Minister designated by a decree.

Territory:

The territory of the State, comprising the land areas and territorial waters adjacent thereto and the air space above this territory.

Civil Aviation Affairs:

Sector entrusted with the authorities, competencies and powers related to civil aviation, represented by the Undersecretary for Civil Aviation Affairs.

State of Registry:

The State on whose register the aircraft is entered.

Chicago Convention:

The Convention on International Civil Aviation signed at Chicago on December 7, 1944 and its annexes.

Rome Convention:

Convention related to damages caused by foreign aircraft to third parties on the ground, signed in Rome on 7 October 1952, and its amendments.

Aeroplane:

A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight. It includes airships, balloons, gliders and fixed-wing and rotary wing aircraft and other aircraft.

Aircraft Owner:

A natural or legal person in whose name the aircraft is registered.

Operator:

Any natural or legal person engaged in an aircraft operation for the transport of passengers, cargo, animals, mail or any of such s against remuneration.

State of the Operator:

The State where the operator has its principal place of business or permanent residence.

Air Carrier:

A natural or legal person engaged in the operation of one or more airlines for the transport of passengers, mail and cargo carriage or any of them.

Commercial Air Transport:

Aircraft operations involving the transport of passengers, cargo or mail for remuneration.

State Aircraft:

Aircraft used in military service, customs and police service or in any law enforcement service.

Flight Information Region (FIR):

An airspace of defined dimensions within which flight information service and alerting service are provided.

Aerodrome Tower:

A unit established for purpose of providing traffic control services at an aerodrome, including staff of such unit.

Approach Control Unit:

A unit established to provide air traffic control services at an aerodrome.

Area Control Centre:

A unit established for the provision of air traffic control services to controlled flights in control areas under its jurisdiction.

Flight Information Centre:

A unit established for the provision of aeronautical information services and alerting services.

Flight Information Service:

A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

Alerting Service:

A service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required.

Air Traffic Control Service:

A service provided for the purpose of preventing collisions between aircraft and collisions on the manoeuvring area between aircraft and obstructions and expediting and maintaining an orderly flow of air traffic.

ATS Route:

A specified route designed for channeling the flow of traffic as necessary for the provision of air traffic services.

National Civil Aviation Security (AVSEC) Programme:

A combination of measures intended to safeguard civil aviation against all acts of unlawful interference, and to ensure the safety and efficiency of civil aviation operations.

State Safety Programme:

A combination of measures intended to ensure the safety, regularity and efficiency of civil aviation operations.

Air Navigation Services (ANS):

This term covers services related to airspace control, including air traffic services (ATS), aeronautical communications services, aeronautical information services (AIS), meteorological services for international air navigation (MET), search and rescue (SAR) and operational air navigation procedures.

Air Traffic:

All aircraft in flight or operating on the manoeuvring area of an aerodrome.

Air Traffic Control Unit:

A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Aerodrome:

A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

International Airport:

Any airport designated by the State in its territory as an airport for entry and departure of international air traffic; where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

Airport Operator:

The entity authorised to engage in the management of the airport, its facilities and installations with the exception of air navigation services.

Aerodrome Traffic:

All aircraft and other ground traffic in the manoeuvring area of the aerodrome and all aircraft in flight within the aerodrome traffic zone.

Aerodrome Traffic Zone:

Airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic.

Aircraft Movement Area:

That part of an aerodrome to be used for take-off, landing and taxiing of aircraft consisting of the manoeuvring area and the apron.

Aerodrome Manoeuvring Area:

That part of an aerodrome to be used for take-off, landing and taxiing of aircraft, excluding the apron.

Pilot-in-Command:

The pilot in charge of the operation and safety of an aircraft during flight time and holder of a licence in effect.

Cabin Crew Member:

A person assigned certain duties by the operator to perform on board an aircraft during flight time and holder of a licence in effect.

Flight Time:

The total time from the moment when the aircraft first moves under its own power for the purpose of taking off until the moment it comes to rest at the end of the flight.

In Flight:

The status of an aircraft once all its external doors are locked after embarkation of passengers or members of the crew, or loading cargo onboard, until the moment any such door is opened for the disembarkation of passengers, members of the flight crew, or unloading of cargo.

Prohibited Area:

An airspace of defined dimensions, above the land areas or territorial waters of the State, announced by the competent authorities, within which the flight of aircraft is prohibited.

Restricted Area:

An airspace of defined dimensions located within the territory of the State within which the flight of aircraft is restricted in accordance with certain specified conditions.

Scheduled Air Service:

Flights engaged in the carriage of passengers, baggage, animals, cargo or mail for remuneration or hire. They are open to the general public and operated according to a published timetable or with such a regular frequency that it constitutes an easily recognisable.

International Scheduled Air Service:

An air service having its point of start or end within the territory of a State other than the State of Registry.

Scheduled Domestic Service:

An air service operated between two points within the territory of the same State.

General Aviation:

Operation of aircraft for a purpose other than commercial air transport or aerial works.

Acrobatic Flying:

Manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed.

Aircraft Accident:

An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which:

- a) within thirty days of the occurrence, a person is fatally or seriously injured, as a result of:
 - i. being in the aircraft; or
 - ii. in direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
 - iii. being in direct exposure to jet blast; except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to crew; or
- b) the aircraft sustains damage or structural failure which:
 - i. causes harm to its structural strength, performance or flight characteristics; and
 - ii. will normally require major repair or replacement of the affected component; except for engine failure or damage,

- iii. when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or
- c) the aircraft is missing or is completely inaccessible; the aircraft shall be considered missing once the search is officially terminated without locating its wreckage.

Aircraft Incident:

An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Unlawful Interference:

Any act or attempted act such as to jeopardise the safety of civil aviation, including:

1. unlawful seizure of aircraft in flight;
2. unlawful seizure of an aircraft on the surface;
3. hostage-taking on board aircraft or in aerodromes;
4. forcible intrusion on board an aircraft, at an airport or on the premises of a civil aviation facility;
5. introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
6. communication of false information such as to jeopardise the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility;
7. performance of a sabotage or violence against a person onboard an aircraft in flight, if such action may threaten the safety of the aircraft or destruction of an aircraft in flight, or cause damage to such an aircraft making it unable to fly, or may threaten its safety in flight;
8. place or cause to place an instrument or material in an aircraft in flight, by any means whatsoever, which may cause the destruction of the aircraft, or cause a danger that may threaten the safety of the aircraft in flight;
9. destroy or cause danger to air navigation facilities or interfere in their operation, if such an action is likely to threaten the safety of the aircraft in flight;
10. use an aircraft in service to cause death or a serious physical injury, or serious damage to property or the environment;
11. use or evacuate from an aircraft in service a BCN weapon or an irradiative explosive or any other similar material, in a manner that causes or may cause death, or serious physical injury or serious damage to property or the environment;
12. use any BCN weapon against an aircraft in service or on board an aircraft in service, or an irradiative explosive or any similar material in a manner that causes or is likely to cause death or serious injury to property or the environment.

Search and Rescue:

Any assistance given, even as information, to an aircraft that is subjected or may be subjected to destruction, or is threatened by danger or difficulties, or there is doubt or fear for its safety, including assistance to its passengers.

Flight Authorisation:

An authorisation issued by the Civil Aviation Affairs that includes detailed provisions permitting an operator or an air carrier to conduct flight operations in the territory of the State during a specific period of time, and indicating conditions of suspension or cancellation of such authorisation.

Flight Permit:

An act of approval by the Civil Aviation Affairs for the conduct of a specific flight operation or operations.

Certificate of Airworthiness:

A document issued by the Civil Aviation Affairs certifying airworthiness of an aircraft for a specific period of time and requiring the operator to comply with its conditions.

Flight Dispatcher:

A person designated to engage in the supervision of ground handling services to aircraft, including engineering equipment, catering, personal effects and engineering and electronic services, from the time of landing until the time of departure.

Service Provider:

Any person engaged in the provision of airport, air navigation or air transport services or training in the field of aviation.

Special Drawing Rights:

The value of a currency that is counted by the International Monetary Fund to use as required to refer to a currency within the framework of international dealings. This value is counted in US Dollars on the basis of the current market value of a basket of selected currencies (including the US Dollar, the Euro, the Japanese Yen and the Pound Sterling). The value of the Special Drawing Right is revised and readjusted once every five years.

National Aircraft Registry:

A registry maintained by the Civil Aviation Affairs for the purpose of registration of national aircraft.

National Aircraft:

An aircraft that is registered in the National Aircraft Registry.

Unit or Investigation Unit:

Investigation unit established by Article (90) of the Law for investigating aircraft Accidents and Serious Incidents.

Passenger List:

A document containing the names of passengers and places of their embarkation as well as places of their arrival and details of their journeys.

Cargo List:

A document containing a statement and detailed list of the cargo shipment.

Dangerous Goods:

Articles or material that could constitute a danger to health or to safety, property, or the environment, as those indicated in the list of dangerous goods in the Technical Instructions for the Safe Transport of Dangerous Goods by Air, or those articles classified by virtue of such instructions, in accordance with Annex 18 to the Chicago Convention.

Serious Incident:

An incident whose circumstances indicate that there is a high risk of an accident related to the operation of the aircraft.

Aerial Works:

All aerial works other than the transport of passengers and goods, such as extinguishing fires, agricultural spraying, aerial photography, and advertising from the air.

Aerial easement rights:

The rights attached to real estate and properties adjacent to the airport with the aim of ensuring the safety of air navigation.

National Air Transport Facilitation Programme:

Programme that identifies the measures and procedures that guide the competent authorities of the country to achieve compliance with the standard rules and work methods recommended in Annex 9 of the 1944 Chicago Convention and aims to avoid unnecessary obstacles and unjustified delays to facilitate the movement of aircraft, their crews, passengers, goods and mail.

Unmanned Aerial Vehicles:

An aircraft designed to operate without a pilot on board and which is controlled by a remote pilot using any means of control.

Chapter 2

Sovereignty, Powers of the State and Scope of Application of the Law.

Article 2

Sovereignty

The State has complete and exclusive sovereignty over the airspace above its territory.

Article 3

Scope of Application of the Law

1. The provisions of this Law shall apply to:
 - a) Civil Aviation in the territory of the State, including airports, civil aircraft and state aircraft, other than military aircraft; and
 - b) National civil aircraft operating outside the territory of the State in compliance with the laws of the States where such aircraft are operating.
 - c) Any aircraft registered in a foreign country and operated or maintained by a Bahraini service provider pursuant to a lease agreement, exchange or any similar agreement stipulated between the state and the country of registration of the aircraft.
2. The Minister may, as necessary, and under the requirement of public interest, exempt certain state aircraft, Airport operator and Service Provider from the application of some provisions of this Law. The Minister may, by a ministerial decision, delegate the exercise of such Affairs to the Undersecretary for Civil Aviation Affairs, provided that such exemption shall not include matters related to air safety and civil aviation security. Civil Aviation Affairs shall prepare requirements of the exemption, and shall be published in the official website of the Civil Aviation Affairs.
3. The provisions of this Law shall not apply to military aircraft or aerodromes used exclusively for State aircraft; the law shall apply to State aircraft only by a special provision.

Article 4

International Civil Aviation Conventions

The provisions of international civil aviation conventions to which the State has acceded or will accede in the future shall apply. The provisions of this Law shall also apply to all civil aviation activities, in a manner that is consistent with the provisions of such conventions.

Article 5

Civil Aviation Supervision and Control

The Minister shall assume oversight of all Civil Aviation Affairs in the State and shall issue the regulations and decisions as may be required for the implementation of this Law. The Minister may delegate some of such powers to the Undersecretary for Civil Aviation Affairs. The Undersecretary for Civil Aviation Affairs shall issue the required orders, directives and guidelines within the limits of the decisions and regulations issued by the Minister or the person delegated by him.

Article 6

Aircraft Inspection, Denial of Flight Authorisation and Seizure of Documents

In overseeing the implementation of this Law and related regulations and decisions, the Civil Aviation Affairs is entitled, when necessary, to inspect any aircraft, deny the flight of any aircraft or seize any documents related thereto.

Article 7

Aeronautical Communications Works and Services

The Civil Aviation Affairs shall be the sole entity in charge of all works and services related to telecommunications for ensuring aviation safety and regularity of air traffic. It may authorise a third party to carry out some of such works and may suspend or withdraw such authorisation in accordance with established conditions.

Article 8

Authorities in Charge of Customs, Public Security and Health Quarantine, etc.

Authorities in charge of customs, public security, immigration and passports and health quarantine, etc., shall carry out their functions in accordance with the relevant respective laws, in coordination with the Civil Aviation Affairs, as appropriate, and in conformity with the provisions of this Law and the regulations and decisions issued for its implementation.

Chapter 3

General Rules of Aviation

Article 9

Aviation Licences and Permits

No aircraft other than aircraft registered in the State may operate in the territory of the State unless it carries one of the following documents:

1. A licence prepared and issued by the Civil Aviation Affairs allowing operators to conduct scheduled air services. Such licence may either be:
 - a. permanent, if it is based on an international convention to which both the State and the State of the Operator are parties, or a bilateral air transport agreement in effect between the two States; or
 - b. provisional, for a maximum period of one year, in cases other those mentioned in a) above; such licence may be renewed for a further period at the request of the beneficiary.
2. A permit issued by the Civil Aviation Affairs allowing an aircraft to operate in the territory of the State, in cases other than those specified in paragraph 1, above;
3. The licences and permits referred to this article shall be deemed personal property of the licence holder and may not be assigned to others.
- 4.

Article 10

Requirements for Aircraft Operating in the Territory of the State

To operate in the territory of the State an aircraft shall comply with the following requirements:

1. It must be registered in the State to which it belongs;
2. It must have a valid certificate of airworthiness issued or rendered valid by the State of Registry;
3. It must display visibly its nationality and registration marks;
4. It must be fitted with devices and equipment as may be established by the State of Registry, as well as those devices and equipment that may be determined by the Civil Aviation Affairs of the State;
5. The flight crew members must hold valid licences issued or rendered valid by the State of Registry, and must be of the same number and qualifications as determined in its certificate of airworthiness and flight manual;
6. Its crew members, passengers, animals and cargo on board and third parties on the ground must be ensured in conformity with the provisions of this Law and the implementing regulations and decisions;

7. It must be in compliance with the standards of civil aviation safety and security in accordance with the Chicago Convention and any other relevant international regulations;
8. In the case of leased aircraft, there must be a written agreement between the State of the operator and the State of Registry to transfer functions of the latter as specified in Article 83 {bis} of the Chicago Convention to the State of the operator, as well as any other relevant arrangements that may be acceptable to the Civil Aviation Affairs; and
9. Any such conditions that the Civil Aviation Affairs may deem necessary for enhancing the security and safety of aviation.

The Civil Aviation Affairs may exempt aircraft used for purposes of technical tests, instruction, training, air shows, acrobatic flight, air ambulance, relief search and rescue flights or private planes from one or more of the foregoing conditions.

Article 11
Use of Wireless and Electronic Devices on Board

1. No aircraft operating in the territory of the State may be fitted with wireless or electronic devices without the approval of the competent authorities in the State of Registry. Such devices may only be used for air navigation purposes with the knowledge of the flight crew pursuant to conditions specified in the regulations.
2. The Civil Aviation Affairs may suspend or abrogate any authorisation issued for aircraft on the State register in case of any violation of paragraph 1 above.
3. All aircraft operators by this Article shall issue safety instructions to the passengers and shall ensure compliance to such instructions to guarantee protection of safety and obviate interference in the flight.

Article 12
Aerial Photography Equipment

Aircraft fitted with aerial photography equipment may not be flown in the territory of the State, and such equipment may not be used, without authorisation from the Civil Aviation Affairs, and in accordance with conditions established by the Civil Aviation Affairs.

Article 13
Carriage of Dangerous Goods

1. No dangerous goods or articles may be carried on board an aircraft without authorisation from the Civil Aviation Affairs, and in accordance with conditions in such authorisation, in keeping with the security and safety of aviation.
2. No airline may deal with any air cargo agent, unless the latter is accredited and certified by the Civil Aviation Affairs.

3. Any agent working or intending to work in the field of dangerous goods meant to be transported by air must be a regulated agent by decision of the Civil Aviation Affairs.

Article 14
Responsibility of the Pilot-in-Command

The pilot-in-command is responsible for the operation and safety and security of the aircraft and the persons on board during flight time and has the power to take the necessary measures to ensure order on board and shall abide by the applicable rules in this connection, including delegation of his Affairs to a leading member of the crew.

Article 15
Non-Interference in the Work of the Flight Crew and Tampering with the Aircraft

Subject to the provisions of Article 85, no person shall interfere with, or obstruct the work of, any member of flight crew during flight time, tamper with any part of the aircraft or its equipment or commit any act that might jeopardise the safety and security of the flight, the flight crew, passengers or any articles on board.

Article 16
Entry and Exist of Persons and Cargo

Passengers, crew members and shippers shall, either personally or through agents acting on their behalf or account, comply with the laws, rules and regulations and decisions governing entry into, stay in or departure from the territory of the State, especially those relating to immigration, passports, customs and health and agricultural quarantine.

Article 17
Licence Requirements

A member of the flight crew of an aircraft operating in the territory of the State must hold a valid licence issued in accordance with the laws and regulations established by the State of Registry. If the aircraft is registered in the State, the flight crew member must hold a valid licence issued or rendered valid by the Civil Aviation Affairs.

Article 18
Issuing, Rendering Valid and Suspension of Licences

- I. The Civil Aviation Affairs is in charge of issuing, rendering valid and renewing flight licences and other technical licences relating to all civil aviation operations and services. They shall determine the requirements for issuing, rendering valid or renewing such licences, ensuring that such requirements shall in no case be

less than the internationally established specifications and standards. In this connection, the Civil Aviation Affairs may conduct theoretical and practical examinations as they may deem appropriate.

2. The Civil Aviation Affairs has the right to withhold the issuance, renewal or extending the validity of any licence. It also has the right to withdraw or suspend any issued licence if it is determined that the applicant or the holder of such licence does not satisfy the required specifications and standards or does not comply with any of the provisions of this Law or the regulations and decisions issued for its implementation.
3. A flight licence is considered suspended if the holder:
 - a. sustains an injury that prevents him/her from performing the duties for which the licence is granted; or
 - b. becomes incapable due to sickness of performing the duties for which the licence is granted for twenty days or more.

The suspension is terminated once the reason no longer exists. In such cases, the licence holder shall duly notify the Civil Aviation Affairs in writing so that necessary action is taken to arrange for a new medical examination for the licence in question.



Part 2

AERODROMES AND SERVICE PROVIDERS



PART 2 AERODROMES AND SERVICE PROVIDERS

Chapter I Construction, Management and Operation of Aerodromes

Article 19 Construction and Operation of Aerodromes and Airfields

No civil aerodromes or airfields may be constructed, made available or operated in the State without prior authorisation by the Minister and in compliance with international aerodrome regulations.

Article 20 Airport Management and Control

The Civil Aviation Affairs shall be in charge of management of the airports affiliated to it and shall regulate, control and supervise the operation of airports licenced by it.

Article 21 Types of Airports

Civil Aviation Affairs shall determine the types and categories of airports according to the technical regulations for air navigation.

Article 22 Operations to Airports

1. Aircraft shall use the designated airports and must comply with the relevant laws, rules and regulations and decisions. Landing is permitted only in such airports except in emergencies or by authorisation from the Civil Aviation Affairs.
2. Each aircraft arriving to or departing from the territory of the State shall land or take off from the designated international airport, unless it is authorised to cross without landing.
3. Subject to the procedures applicable in international airports, certain aircraft may, due to the nature of their operations or for other considerations, be exempted by authorisation from the Civil Aviation Affairs from complying with the restrictions specified in the previous paragraph. Such authorisation shall designate the airport of landing, the airport of departure, the route, and the instructions to be followed.
4. If an aircraft arriving in, departing from or flying over the territory of the State, is forced to land at other than an international airport of the State, the pilot-in-command shall immediately notify the nearest local Affairs and shall provide the flight plan, the general declaration or any other document upon request. In such a case, the departure of the

aircraft, removal of its cargo or the disembarkation of its passengers may not be conducted in the landing area before obtaining an authorisation from the Civil Aviation Affairs and upon following the established procedures.

Article 23

Supervision by the Civil Aviation Affairs of airport staff

The Civil Aviation Affairs shall supervise all staff at airports affiliated to it as well as the performance of staff at airports certified by the Civil Aviation Affairs, regardless of the agency to which they are affiliated, in respect of all matters, ensuring compliance with all regulations or instructions and conduct of operations at such airports.

Chapter 2

Airport and Service Providers Certification

Article 24

Terms and Rules of Airport Certification and Operation

1. The Civil Aviation Affairs shall determine the rules and regulations for the certification of airports.
2. No airport may be operated without an operating licence issued by the Civil Aviation Affairs, whether the operation is full, partial, permanent or provisional or of any other kind.
3. The Civil Aviation Affairs shall be in charge of issuing, suspending, transferring and revoking airport certification licences stipulated in paragraph 1 above. It shall also issue guidelines and orders relating to airport operation in accordance with the provisions of this Law and the rules and regulations and decisions issued for its implementation.
4. The Civil Aviation Affairs may, at any time, inspect the facilities and equipment at any airport and examine all the documents and records of the airport operator. It may also take any other measures to ascertain compliance by the operator of the licence conditions as well as the relevant provisions of this Law and the regulations and decisions issued for its implementation.

Article 25

Establishment and Operation of Service Provider Enterprises

Subject to national and international regulations, no civil aviation service provider enterprise or company may be established or operated to provide civil aviation services without authorisation of the Minister.

Article 26

Terms and Rules of Service Provider Certification and Operation

1. No enterprise or company engaged in providing services related to civil aviation safety and security may be allowed to operate without a licence issued by the Civil Aviation Affairs, whether the operation is full, partial, provisional or of any other form.
2. The Civil Aviation Affairs shall issue the rules and regulations relating to the certification of the relevant enterprises and companies.
3. The Civil Aviation Affairs shall be in charge of issuing, suspending, transferring, withholding and revoking certification licences, and issuing the orders and guidelines relating to the operation of such companies and enterprises in accordance with this Law.
4. The Civil Aviation Affairs may, at any time, conduct inspections and audits of the facilities of the companies and enterprises, and may examine all documents and records of the operators and ensure compliance with the certification standards and the other relevant provisions of this Law.

Chapter 3

Aeronautical Easement Rights

Article 27

Establishment of Aerial Easement Rights

Special easement rights called “aerial easement rights” shall be established to ensure air navigation safety and proper functioning of aeronautical systems. Such rights shall include the following in particular:

1. Ensuring that the areas adjacent to airports and aeronautical installations, falling within the limits of aerial easement rights, shall remain clear of any obstacles resulting from constructions, installations, maintenance facilities, plantations, cables, etc., or establish limits for the height of such obstacles. Any changes in such obstacles affecting the type or use of areas covered by aviation easements shall only take place with prior authorisation by the Civil Aviation Affairs and in accordance with requirements established by it;
2. Requiring the placement of markings on any obstacles that represent threat to air navigation safety by the person responsible for the presence of such obstacles;
3. Subject to provisions of Article 33, persons authorised to effect judicial arrest of persons affiliated to civil aviation, may, upon obtaining permission from the competent judicial Affairs, at any time enter the lands and properties situated within the limits of aerial easement for the purpose of implementing the provisions of this Chapter. Cases of absolute necessity may be exempt from obtaining the permit.

Article 28

Limits of Aerial Easement Rights

The Civil Aviation Affairs shall determine the scope and extent of aerial easement rights and the areas where such rights are applied in a manner that ensures the safety of air navigation and the protection of persons and properties in accordance with provisions of this Law and its regulations and decisions and the relevant international standards and regulations.

Article 29

Installations in Areas Under Easement Rights

No installations or obstacles may be established in the areas covered by aerial easement rights, and no modification in the installations or buildings located in such areas may be made, or any changes in the nature or use of such areas may be effected, without prior authorisation by the Civil Aviation Affairs and in accordance with the established requirements.

Article 30

Installations and Facilities that May Jeopardise Air Navigation Safety

1. No light or radio beacons or electronic installations that may affect air navigation safety shall be established without the prior approval of the Civil Aviation Affairs.
2. The Civil Aviation Affairs may require the removal or modification of any lighting apparatus that may be confused with the visual aeronautical aids. The Civil Aviation Affairs may also impose the necessary restrictions on facilities that generate smoke or other particles that may affect visibility around airports or may jeopardise air navigation safety.
3. Any person who possess or uses electric or electronic devices or metallic installations, whether fixed or mobile, that may interfere with the functioning of radio or electronic systems or to air navigation aids shall obtain a permit to do so from the Civil Aviation Affairs and shall abide by the measures specified by the Civil Aviation Affairs for eliminating such interference. The Civil Aviation Affairs shall suspend or annul such permit for reasons of public interest. The executive regulations shall indicate the reasons for granting such licence.

Article 31

Compensation for Aerial Easement Rights

An equitable compensation shall be paid, under the relevant applicable laws, in return for the imposition of aerial easement rights.

Chapter 4

Protection of Airports, Aircraft and Navigation Aids

Article 32

Provisions and Procedures Relating to Aviation Security and Safety

1. The Civil Aviation Affairs shall take all measures necessary for the prevention of acts of unlawful interference and other acts and offences that may be committed against civil aviation security and safety and shall take all measures necessary to ensure prompt handling of any act that may jeopardise security and safety of civil aviation in the State.
2. All provisions relating to civil aviation security and safety that may be issued by virtue of this Law, as well as regulations, procedures or guidelines issued by the Civil Aviation Affairs under this law shall apply to all civil aviation stakeholders. Such stakeholders must be strictly bound by such provisions and undertake, inter alia, to provide information and reports, and allow access to inspectors designated by the Civil Aviation Affairs to inspect the premises, installations, equipment and security systems as well as other resources related to civil aviation security and safety.
3. Without prejudice to the provisions in paragraph 2 above, the locations and parties in question include in particular civil airports, providers of security and other aviation services, air carriers, operators, passengers, shippers and all persons using any civil airport and civil aircraft on the register of the State, any civil aircraft registered in a foreign State while operating in the territory of the State, and any other party covered by any provision relating to civil aviation security and safety in this Law.
4. Without prejudice to the provisions in paragraph 1 above, the Civil Aviation Affairs shall, in coordination with the other competent State authorities, airport operators and aircraft operators whose principal place of business is in the territory of the State, issue the National Civil Aviation Security Programme (NCASP), and shall approve any amendments thereof. The NCASP shall be reviewed and updated by the Civil Aviation Affairs which shall also determine the responsibilities of all the parties in charge of its implementation.
5. The NCASP shall contain the necessary regulations and directives for safeguarding security at State airports and ensure the safety of aircraft, personnel, navigation aids and all other civil aviation installations.
6. The provisions stipulated in the previous paragraph shall not apply to military aircraft or any military airport under the control of the armed forces of the State, unless the context otherwise requires.
7. All civil aviation safety and security systems and programmes shall include requirements for the obligatory qualification terms in this section including those of supervisors, managers, trainees, controllers and officials of aviation security.

Article 32 - bis
Facilities Provisions

1. The Civil Aviation Affairs, in coordination with the competent authorities in the country, airport operators and airline operators, shall issue the National Programme for Air Transport Facilitation, approve its amendments, work on reviewing, updating and developing it, and determining the responsibility of all concerned parties for its implementation.
2. The establishment of National Air Transport Facilitation Committee, Its formation, powers, membership, and convening rules shall be determined by a decision of the Prime Minister.
3. A facilitation committee shall be established at each international airport, and its responsibilities and work procedures shall be determined in coordination with the National Air Transport Facilitation Committee.

Article 33
Application of Aviation Security Regulations

The Civil Aviation Affairs, in collaboration with the other competent State authorities and airport operators, shall apply the security regulations referred to in Article 32 above, and shall ensure the effectiveness of such regulations. It may, without prejudice to the provisions in the above-mentioned Article, undertake the following:

1. Restrict or prohibit entry of persons and vehicles in certain areas of the airport;
2. Verify the identity of persons and vehicles entering the airport, control access and question any person in this connection;
3. Ensure that no passengers or any other persons are in possession, contrary to the provisions of this Law, of any weapons, explosives, inflammable substances or any other objects that could be used in any way as to endanger the safety of the airport and its occupants, aircraft, passengers, flight crew members or goods and, if necessary, search any person suspected of carrying or possessing such objects.

Article 34
Carriage of Weapons and Dangerous Objects on Board Aircraft

1. Unless otherwise authorised by the Civil Aviation Affairs, no person shall carry weapons, explosives, sharp objects or inflammable material or other items on board aircraft that could be used in an act of sabotage, violence or threat during flight.
2. Law enforcement officers and other persons whose duties require the carriage of unloaded weapons on board aircraft shall obtain a special permit from the Civil Aviation Affairs in conformity with the applicable rules and regulations.
3. Decision regarding the transport of security officers on board aircraft shall be taken at the discretion of the Civil Aviation Affairs based on its assessment of the existing threat. Such officers must be state officials who have received special training on security rules and techniques on board aircraft. Civil Aviation Affairs shall approve training programs for the security officers on board of National Aircraft and prepare the necessary regulations for transporting security officers in a manner that conforms to national and international requirements.

4. The Civil Aviation Affairs shall issue the necessary procedures for the carriage of weapons on board aircraft and ensure the application of such procedures. These include procedures for control over such weapons before and during flight, transport of security officers on board aircraft and procedures for acceptance of requests by any foreign State to allow the carriage of armed officers aboard aircraft of such State.
5. Ensure that passengers or other persons do not carry any weapons, explosives, inflammable material or any other items that may be used to threaten airport security.

Article 35
Carriage of mail by air

The carriage of mail or packages sent by air shall only be allowed in accordance with the established procedures for mail, taking into consideration the provisions of the international conventions to which the State is party at present or in the future, and in keeping with the security and safety of aircraft and passengers.



Part 3

AIRWORTHINESS



PART 3 AIRWORTHINESS

Article 36

Certificate of Airworthiness and its Requirements

1. No aircraft shall operate in the territory of the State without a valid certificate of airworthiness issued or rendered valid by the appropriate Affairs of the State of Registry or any other State to which the powers and functions of the State of Registry have been transferred, in conformity with the established laws, rules and regulations and provided such aircraft fulfills the requirements and restrictions of the certificate of airworthiness and the Aeronautical Information Publication (AIP). Domestic flights for which a special authorisation is issued by the Civil Aviation Affairs shall be exempted.
2. The Civil Aviation Affairs may render valid the certificate of airworthiness issued by another State and may in the process of approval include additional requirements or restrictions.
3. If the Civil Aviation Affairs finds out that an aircraft on the State register is unsafe, does not have a valid airworthiness certificate or does not fulfill the requirements of its airworthiness certificate, the Affairs may suspend or revoke the certificate and may subject the aircraft to a technical inspection, and ground it until action is taken to ensure the safety of flight.

Article 37

Equipment Requirements

1. No aircraft may be allowed to operate without the systems and equipment required for its flight and navigation and for ensuring the safety of persons and property on board, under normal and emergency conditions, in accordance with the requirements of its certificate of airworthiness and provisions of the applicable Annexes to the Chicago Convention. The Civil Aviation Affairs may exempt any aircraft from the above requirements if it considers that such an aircraft is equipped with alternative systems or equipment displaying the necessary data or fulfilling the required purposes.
2. The Civil Aviation Affairs may issue regulations and directives concerning the type and method of use of systems and equipment referred to in paragraph 1 above so as to ensure the safety of the flight and comfort of passengers.

Article 38

Aircraft Maintenance and Technical Log Book

1. The operator of an aircraft registered in the State shall not operate such aircraft in commercial air transport or aerial work without conducting the maintenance of the aircraft, including engines and other equipment and systems, in accordance with a maintenance manual approved by the Civil Aviation Affairs.
2. The Civil Aviation Affairs shall approve national or foreign organisations engaged in overhaul and maintenance of aircraft registered in the State and shall approve the maintenance and overhaul works carried out by such organisations.
3. The pilot-in-command of an aircraft registered in the State and engaged in commercial air transport or aerial work shall record the following information in the technical records of the aircraft
 - a. times of commencement and completion of the flight;
 - b. information on any technical fault or malfunction occurring during flight in any part of the aircraft or its equipment; and
 - c. other relevant information that may affect the safety of flight.
4. The pilot-in-command shall sign and date such statements. The aircraft operator shall be responsible for maintaining the aircraft technical record and keep a copy thereof in a different place than the aircraft.
5. The operator of an aircraft registered in the State shall maintain the maintenance documents for at least two years after the expiry date or for a longer period if requested by the Civil Aviation Affairs.

Article 39

Emergency Equipment

1. Locations of emergency equipment shall be visibly marked in all aircraft registered in the State and engaged in commercial air transport. In particular, locations of life jackets, and instructions regarding their use must be visibly indicated in the passengers cabin.
2. Upon installation or carriage of devices or equipment on board an aircraft, it must be ensured that such devices or equipment will not jeopardise the airworthiness of the aircraft or affect the performance of any safety related devices or equipment.

Article 40

Aircraft Weight and Balance

1. Each aircraft, for which an airworthiness certificate is issued or rendered valid by the Civil Aviation Affairs, shall be weighed and its centre of gravity shall be determined from time to time and in situations and by methods as may be determined by the Civil Aviation Affairs.

2. The aircraft operator shall prepare a record of the aircraft weight in accordance with the determination of the Civil Aviation Affairs.
3. The aircraft operator shall maintain a record of the aircraft weight for the period that may be determined by the Civil Aviation Affairs.

Article 41
Carriage of Documents and Records

The owner or operator of an aircraft shall, upon ceasing to use or operate such aircraft, continue to maintain its documents and records as well as the records of the flight crew subject to the following:

1. If the operation of the aircraft is transferred to another person and the aircraft remains registered in the State, the first operator shall provide the second operator with the aircraft maintenance and other records as well as its loading schedules and any recordings of its flight recorders;
2. If any engine or propeller of an aircraft is removed and installed in another aircraft registered in the State and operated by another person, the primary operator shall provide to the operator of the second aircraft with the record of such engine or propeller;
3. If a member of the flight crew of an aircraft registered in the State is hired by another operator, the primary operator shall provide the latter with the records of the crew member;
4. In all cases, the second operator must treat the contents of such documents and records as if it is the primary operator.

Article 42
Airworthiness Inspection

The Civil Aviation Affairs may, if necessary, inspect aircraft or conduct tests and test flights to ascertain that the aircraft or any of its systems, equipment or components is flight worthy. Representatives of the Civil Aviation Affairs shall, at all times, have access to any location in order to carry out such tasks.

Article 43
Carriage of Documents and Records on Board

No aircraft registered in the State shall commence any flight unless it carries the following documents and records on board:

- I. In respect of international flights:
 - a. certificate of registration;
 - b. certificate of airworthiness;
 - c. licences of flight crew members;

- d. aircraft technical log-book or general declaration of the flight;
 - e. aircraft radio unit licence;
 - f. aircraft operating manuals, maintenance documents and any other documents as may be specified by the Civil Aviation Affairs in respect of commercial air transport or aerial works;
 - g. passengers' list and cargo and mail declaration, including a detailed statement of the contents if the aircraft carries cargo and mail;
 - h. load sheet if the aircraft is engaged in a commercial air transport operation.
2. In respect of domestic flights:
 - a. The Civil Aviation Affairs shall specify the documents and records which must be carried on board the flight from among those listed in paragraph 1 above.
 - b. The Civil Aviation Affairs may exempt aircraft flown for technical tests or instruction from carrying such documents or records.
 3. In all cases, the above-mentioned certificates, licences and documents must be valid.

Article 44

Submission of Documents and Records

The operator and pilot-in-command shall submit to the competent authorities, upon request, any documents or records required under this Law or its implementing regulations and decisions.

Article 45

Surrender of Documents and Register

If a decision to revoke or suspend any certificate, licence, permit or any other document issued by the Civil Aviation Affairs, the person to whom it was issued or the one safeguarding it, must surrender such document to the Civil Aviation Affairs upon request.

Article 46

Unlawful Use of Documents and Records

Without undermining any of the legal penalties, the following acts shall be prohibited:

1. use of any certificate, licence, permit or any other document issued by the Civil Aviation Affairs if it has been revoked, suspended, or modified, or used after the expiry of its validity;
2. Use of any certificate, licence, permit, or any other document issued by the Civil Aviation Affairs, in purposes other than those indicated therein, or use by other person than the holder;
3. Lending any certificate, licence, permit, or any other document issued by the Civil Aviation Affairs or allowing its use by other than its owner or beneficiary;
4. Impersonating another identity for the purpose of obtaining the validation or modification of any certificate, licence, permit or any other document, whether for personal use or use by another person;

5. Destroying or assisting in destroying or tampering with any record specified for use under this Law and regulations and decisions implementing it, or modifying, inserting or deleting any data contained or incorporating false statements therein during the period of maintaining such a record or a document;
6. Deleting any data from the load sheet or including inaccurate information whether deliberately or by negligence.

Article 47
Aviation Safety Programme

The Civil Aviation Affairs shall:

1. Develop an aviation safety programme ensuring an acceptable level of safety in aircraft operations;
2. Determine the acceptable level of safety to be achieved; and
3. Require aircraft operators to establish an aviation safety management system that is approved by the State of the operator. Such programme shall at least define the risks and remedial actions, continuous monitoring and regular assessment of the aviation safety level.

Part 4

REGISTRATION AND NATIONALITY OF AIRCRAFT



PART 4

RULES OF THE AIR AND AIR TRAFFIC CONTROL

Article 48

Aircraft Registration and Issuance of Certificates

1. The Minister shall issue a decision for the development of a National Aircraft Registry including registration requirements and procedures.
2. The Civil Aviation Affairs shall issue aircraft registration certificates in accordance with the procedures and regulations established by the Civil Aviation Affairs for this purpose.

Article 49

Nationality of Aircraft

Each aircraft entered in the register referred to in Article 48 of this Law shall acquire nationality of the State and must display its nationality marks.

Article 50

Legal Status and Disposition of Aircraft Listed in the National Aircraft Registry

1. The following persons shall have exclusive rights of ownership and disposition of aircraft registered in their name in the State:
 - a) Citizens, corporations and organisations of the State; and
 - b) Foreign nationals and corporations conducting business in the State.
2. In the case of entities in subparagraph b) above, registration of aircrafts can only be made with prior approval of the Minister.
3. Legal disposition of an aircraft on the national register, whether by sale, lease, mortgage or any other legal action, shall take effect only once it is approved by the Affairs and entered in the national register.

Article 50 - bis

Aircrafts that are not Subject to Precautionary Seizure

1. Precautionary seizure means every act by which an aircraft is prevented from taking off, based on a judicial order issued by a competent authority within the State, considering the special interest of the creditor, the owner, or the holder of a real right over the aircraft.
2. The precautionary seizure shall not be implemented on the following:
 - a. Aircraft designated to serve the state.
 - b. Aircraft are actually permanently used on a Scheduled Air Service, as well as reserved aircrafts to operate this line.
 - c. Every other aircraft prepared for the transportation of persons or money in return of a fee when it is about to take off for such transportation, except in the case where it is related to a debt arising from the flight that the aircraft will undertake or arising through the flight.

Article 51
De-Registration

An aircraft shall be removed from the register referred to in Article 48 of this Law in the following cases:

1. The owner or lessee of the aircraft has lost Bahraini citizenship and no longer conducts business in the State;
2. Ownership of the aircraft has been transferred to a foreign person other than the persons referred to in Article 50, 1b) of this Law; or
3. The aircraft is destroyed, is missing or has been permanently withdrawn from service. The aircraft shall be considered missing when the Civil Aviation Affairs issues a decision to this effect.
4. The owner or lessee of aircraft shall promptly notify the Civil Aviation Affairs of any of the changes specified in this Article as soon as it takes place and shall return the aircraft's certificate of registration.



Part 5

ENVIRONMENTAL PROTECTION



PART 5
RULES OF THE AIR AND AIR TRAFFIC CONTROL

Article 52
Environmental Protection Regulations

The Civil Aviation Affairs shall issue the rules and regulations required for the aviation environmental protection in accordance with Annex 16 of the Chicago Convention and any amendment thereto as well as any other applicable rules or regulations in effect by virtue of this Law and the regulations and directives issued for its implementation.

Article 53
Aircraft Noise

The Civil Aviation Affairs shall determine the allowable aircraft noise levels within the territory of the State.

Article 54
Noise Certificate

1. No aircraft shall land at civil airports of the State unless it carries a valid noise certificate.
2. To be entered in the State register, an aircraft must carry a valid noise certificate and its noise levels must be within the limits allowed under Article 53 of this Law.

Part 6

RULES OF THE AIR AND AIR TRAFFIC CONTROL



PART 6

RULES OF THE AIR AND AIR TRAFFIC CONTROL

Article (55)

Rules of the air

The Civil Aviation Affairs shall issue rules of the air and regulations governing flight of aircrafts, air navigation, and protection of persons and property on the surface and use of the airspace above the territory of the State.

Article (56)

Establishment of air traffic control units

1. The State shall be responsible for the provision of air navigation services and the Civil Aviation Affairs shall establish air traffic control units to provide air navigation services at the airports of the State and within the Bahrain Flight Information Region (FIR). Such units shall include the following:
 - a. an aerodrome tower;
 - b. an approach control unit;
 - c. an area control center; and
 - d. flight information center.
2. The units listed in paragraph 1 above shall have the following functions:
 - a. apply the procedures necessary for the prevention of collision between aircraft in the air or on the aerodrome surface;
 - b. facilitate and maintain smooth flow of air traffic;
 - c. provide advice and information necessary for flight safety and efficiency; and
 - d. inform the competent agencies of any aircraft requiring search and rescue assistance and help such agencies upon request.
3. Without prejudice to the provisions of Paragraph (1) of this Article, the Civil Aviation Affairs may authorize third parties to perform part or all of the air navigation services in accordance with the conditions and procedures it determines.

Article 57

Meteorological services

The State shall be responsible for providing of meteorological services and the Civil Aviation Affairs shall establish a meteorological facility to serve international air navigation at the airports of the State and in the Bahrain Flight Information Region (FIR) in accordance with this Law and the provisions of annexes and instruments issued by the World Meteorological Organization (WMO) and the International Civil Aviation Organization (ICAO). Civil Aviation Affairs may grant license for any institution or authority to provide part or all of the meteorological services in accordance with the conditions and procedures specified by the Minister.

Article 58
Air traffic services

The air traffic control units referred to in Article 56 of this Law shall provide the following services in accordance with the Annexes of the Chicago Convention and any amendment thereto as approved by the State:

1. Air traffic control services;
2. Aeronautical information services; and
3. Alerting services.

Article 59
Observance of rules of the air

The pilot-in-command shall be directly responsible for flying his/her aircraft in accordance with the applicable rules of the air. The pilot-in-command may deviate from applying such rules in cases where this may become imperative for safeguarding flight safety. In all such cases, the pilot-in-command shall notify the competent authorities of such deviation as soon as conditions permit.

Article 60
Airways and air routes

The Civil Aviation Affairs shall designate the Air Traffic Services routes that must be used by the aircraft when entering, departing from or flying in the territory of the State.

Article 61
Compliance with air traffic control authorizations and instructions

The pilot-in-command shall adhere to the flight plan in effect and comply with all air traffic control authorizations and instructions. The pilot-in-command shall not deviate from such instructions except in emergencies requiring immediate action. In such cases, the pilot-in-command must notify the competent air traffic control unit as soon as possible and obtain modified authorizations and instructions, as required.

Article 62
Prohibited activities and restrictions regarding dropping, spraying and parachute landing

- I. The pilot-in-command shall not perform any of the following acts:
 - a. fly the aircraft at altitudes lower than those designated by the Civil Aviation Affairs;
 - b. fly the aircraft in proximity of another aircraft in a manner that poses a risk of collision or jeopardizes its safety;

- c. fly the aircraft in a negligent or reckless manner thus endangering the lives or property of passengers or other persons;
 - d. use the aircraft in acrobatic flying or in an air formation, except with authorization by the Civil Aviation Affairs;
 - e. drop any items or spray any material during flight except in emergencies or by authorization from the Civil Aviation Affairs; or
 - f. tow another aircraft or any other item, without authorization by the Civil Aviation Affairs.
2. Supersonic aircraft and aircraft with high noise levels shall not fly over the territory of the State or land at its airports. The Civil Aviation Affairs may however authorise such aircraft to fly over the territory of the State or land at its airports in accordance with the conditions specified by the civilAviation Affairs in respect of allowable flight levels and speed. The aircraft operator shall be liable for any damage caused by the use of such aircraft and any resulting compensation.
 3. Unmanned aircraft may operate in the territory of the State only upon authorization by the Civil Aviation Affairs.
 4. No person may fly an aircraft or serve as a crew member while being drunk or under the influence of a drug or any other substance that may reduce their ability to perform duties to the fullest extent. In all cases, no such substances may be consumed during duty time.
 5. Except in emergencies, landing by parachute from an aircraft may only be performed with prior authorization by the Civil Aviation Affairs.

Article 63

Prohibited, restricted and danger areas

1. Without discrimination on the basis of nationality, the Civil Aviation Affairs may prohibit or restrict the flight of aircraft over the following areas:
 - a. designated areas in the territory of the State, for military reasons or reasons of public security;
 - b. the entire territory of the State or part thereof, in exceptional circumstances and for reasons of public security.
2. Danger areas may be designated by the Civil Aviation Affairs.
3. If a pilot-in-command finds out that the flight is over a prohibited area, an immediate notification must be made to the air control unit concerned. The pilot-in-command must promptly land at the nearest aerodrome outside the prohibited area and provide the competent authorities with a detailed report on the incident and its causes.
4. If the competent authorities warn an aircraft because of its presence over a prohibited area, the pilot- in-command must immediately follow the instructions of such authorities. The latter have the right to take the necessary action to force the landing of an aircraft that has failed to follow such instructions.

Article 64
Instruction flying

No person may engage in training another person to fly, for the purpose of obtaining a flying license, unless the instructor holds a valid license issued or rendered valid by the Civil Aviation Affairs authorising the instructor to act as pilot-in-command of the aircraft engaged for such purposes and in conditions where the training is provided.

Article 65
Flying institutes and clubs

1. The Civil Aviation Affairs shall establish rules and regulations regarding the conduct of business by flying institutes and clubs.
2. No institute, club or any other agency may undertake flying instruction or training, or conduct any other aviation related activity without authorization by the Civil Aviation Affairs and in accordance with the terms of such authorization. The Civil Aviation Affairs may suspend or revoke such authorization in cases of breaches to its terms or of the applicable rules and regulations.



Part 7

AIR TRANSPORT AND AERONAUTICAL SERVICES



PART 7

AIR TRANSPORT AND AERONAUTICAL SERVICES

Chapter I

General Provisions of Air Transport and Aeronautical Services

Article 66

Agreements between air transport enterprises

National air transport companies and enterprises may enter into agreements or arrangements with foreign air transport companies and enterprises relating to joint operations or any other commercial or technical ventures only in accordance with the rules and conditions established by the Civil Aviation Affairs. Implementation of any such agreements and arrangements shall be subject to the approval of the Civil Aviation Affairs.

Article 67

License to undertake aviation activities

No Entity, company or institution may engage in any air transport activities or air services or activities associated with them without prior license obtained from the Civil Aviation Affairs and in accordance with the rules and terms of such license.

Article 68

Establishment, amendment or cancellation of air services

National and foreign airlines and companies must obtain prior approval by the Civil Aviation Affairs for the establishment, amendment or cancellation of any of their services and number of flights.

Article 69

Compliance with the Civil Aviation Affairs' directives and instructions

National and foreign airlines, air transport companies, Aircraft owners or operators, including Unmanned aerial vehicles operators, and licensees to practice aviation activities and activities relate to, shall comply with all directives and instructions issued by the Civil Aviation Affairs, especially in respect of the following:

1. air transport fares and rates and other related conditions, including type and duration of operation;
2. airline operations; and
3. inspection of the offices of civil aviation companies and institutions, Aircraft owners or operators, including Unmanned aerial vehicles operators, port operators, service provider, licensees to practice aviation activities and activities relate to, and review of the

necessary documentation to ensure compliance with the directive and instructions issued by the Civil Aviation Affairs.

Article 70

Operation of aviation agencies and ground services

Subject to other requirements of applicable laws and regulations, the following activities shall be prohibited:

1. Providing aviation-related ground services without authorization by the Civil Aviation Affairs; and
2. Opening offices of national or foreign airlines without the approval of the Civil Aviation Affairs, whether or not such airlines are engaged in operations to and from the territory of the State.

Article 71

Duties of airlines and air transport companies

National and foreign airlines and air transport companies must provide the Civil Aviation Affairs with all requested data, information, schedules and statistics relating to operation of their air services.

Article 72

Applicable laws and regulations

Subject to the provisions of the Chicago Convention and its Annexes, the aircraft operator of an aircraft registered in the State and engaged in air transport or aerial works – regardless of location – must observe the provisions of this Law and the regulations and decisions issued for its implementation, if these are not inconsistent with the laws of the States where such operations are conducted.

Article 73

Inspection of air transport operations and aerial works

Authorized representatives of the Civil Aviation Affairs may enter premises of an aircraft operator for the purpose of inspection and to monitor the implementation of the operational requirements and the controls provided in the applicable laws, rules, regulations and directives of the State. The Civil Aviation Affairs may suspend the flight of any airline if it considers that the standard of its operation violates the above-mentioned requirements and controls.

Chapter 2

Establishment and Operation of Airlines and Aviation Companies

Article 74

Procedures related to the establishment of airlines and aviation companies

Without prejudice to the provisions of the Article 3 of this Law and the laws governing the establishment of enterprises or corporations, no airline or company may be established to engage in commercial air transport, general aviation, aerial works or any related activities in the territory of the State without approval by the Undersecretary for Civil Aviation Affairs and submission of the technical, economic and financial studies of the proposed enterprise.

Article 75

Licensing airlines and aviation companies

An aircraft operator fulfilling the necessary procedures for the establishment of an airline or aviation company in accordance with the preceding Article may start its business only upon obtaining the following documents:

1. A license from the Minister after submission of the document establishing the airline or the enterprise; and
2. An air aircraft operator certificate issued by the Civil Aviation Affairs in accordance with rules established by the Affairs.

Article 76

Preliminary flights

1. No aircraft operator may operate a new air service or extend an existing air service without conducting a preliminary flight or flights to demonstrate to the Civil Aviation Affairs that the air service conforms to the operational and safety requirements indicated in this Law and in the regulations and decisions issued for its implementation. The Civil Aviation Affairs shall issue the necessary license if it is satisfied that the requirements have been met.
2. The Civil Aviation Affairs may exempt the aircraft operator from undertaking a preliminary flight if it is in possession of information and has reasons confirming that such flight is not necessary. In such case, the first flight or flights shall be conducted in accordance with the relevant conditions established by the Civil Aviation Affairs.
3. The aircraft operator is not permitted to carry passengers on preliminary flights apart from the person's necessary for the operation for the operation of the aircraft and competent representatives of the civil Aviation Affairs. Mail and cargo may be carried on such flights.

Chapter 3

Operational Specifications and Certification and Manual of Operation

Article 77

Operational specifications and certification

1. No aircraft operator may commence operation of any aircraft until it has obtained operational specifications that have been approved by the Civil Aviation Affairs. Such specifications shall form part of the license granted to the aircraft operator and shall be enforceable. The aircraft operator must provide sufficient copies of the approved operational specifications related to its main operations and must make them available for review by its competent staff. The aircraft operator must also incorporate such specifications in its manuals.
2. The operational specifications may be amended at the request of the aircraft operator or if such amendment is considered necessary by the Civil Aviation Affairs.

Article 78

Operations and aircraft manuals

1. An operations manual shall be issued by the aircraft operator for guidance and use of pilots and operations staff in which their duties and responsibilities shall be indicated. The manual shall not incorporate any instructions or information contrary to the provisions of this Law or the regulations and decisions issued for its implementation or the relevant national or international regulations that are in force or regulations issued by the Civil Aviation Affairs.
2. A manual shall be issued by the aircraft operator for each type of aircraft engaged in its operations including the information that require pilots and flight engineers to carry out their duties on such type of aircraft, in order to maintain the required level of safety in normal or emergency situations.
3. Copies of the operations and aircraft manuals for all types of aircrafts operated, and any amendments thereto shall be submitted by the aircraft operator to the Civil Aviation Affairs for approval prior to the use of such documents.

Chapter 4 Flight Crew

Article 79

Composition of flight crew

1. If deemed necessary to ensure flight safety, the Civil Aviation Affairs may decide to add one or more flight crew members for all or some flights in addition to the crew complement established in the aircraft's certificate of airworthiness.
2. No members of the flight crew shall perform duties of two or more flight crew members at the same time.
3. The Civil Aviation Affairs may decide to place cabin attendants on board aircrafts in numbers to be determined by the Civil Aviation Affairs, to perform duties related to passenger safety and service.

Article 80

Development of training programs

Training programs shall be developed by the aircraft operator for crew members and dispatchers of its aircraft to ensure the proper performance of their duties. Such programs must be approved by the Civil Aviation Affairs.

Article 81

Pilot proficiency test

The aircraft operator must ensure that the proficiency and ability of the pilots to handle emergencies during flight has been tested in practice.

Article 82

Flight time and duty period limitations

1. The Civil Aviation Affairs shall issue the regulations and instructions determining flight times, duty periods and rest times of members of the flight crew.
2. The aircraft operator must maintain a full and accurate record for each member of the flight crew, indicating the flight time and duty periods and rest time in accordance with the regulations and instructions issued by the Civil Aviation Affairs.

Chapter 5 Aircraft Systems and Equipment

Article 83 Aircraft operational requirements

No aircraft shall operate unless it is fitted with the equipment and instruments necessary for its flight and navigation in normal conditions and emergencies, in accordance with the provisions of its certificate of airworthiness and flight manual, as well as the applicable regulations issued by the State and any other regulations and directives issued by the Civil Aviation Affairs for the safety and comfort of passengers.

The Civil Aviation Affairs may exempt an aircraft from being fitted with the above-mentioned equipment and instruments if it deems that the aircraft is equipped with alternative equipment or instruments that provide the required data or achieved the desired objectives.

Chapter 6 Aircraft Loading

Article 84 **Aircraft loading conditions**

1. The aircraft operator shall allow its aircraft to be loaded only under the supervision of a trained person who has been approved by the Civil Aviation Affairs. The aircraft operator must provide such individual with adequate information and written instructions concerning the distribution and secure placement of the cargo to ensure:
 - a. that the cargo's safety is assured throughout the flight; and
 - b. that the relevant regulations and instructions are duly observed, including any requirements provided in the certificate of airworthiness or flight manual.
2. A copy of the cargo list must be kept in the aircraft until the completion of the flight and another copy must be kept by the entity responsible for the aircraft for a period of no less than six months after the completion of the flight.

Chapter 7 Air Operations

Article 85 **Control of aircraft operations**

The aircraft operator, or its representative, shall be responsible for controlling the operations of its aircraft ensuring that such operations are conducted in accordance with established safety standards and the provisions of relevant laws, decisions, rules and regulations.

Article 86 **Appointment of the pilot-in-command**

The aircraft operator may not conduct any flight prior to the appointment of a pilot as the pilot-in-command to be responsible for the safety of the aircraft and its occupants. All persons on board must comply with any orders or instructions from the pilot-in-command to ensure the safety of the aircraft and the persons and property on board and to ensure safety and regularity of air navigation.

Article 87 **Use of the flight deck and aircraft flying instruments**

1. Subject to provisions of Article 15 of this Law:
 - a. no person, other than a qualified pilot assigned by the aircraft operator, shall use the flight control instruments while the aircraft is in flight;
 - b. no person shall enter the cockpit, other than a crew member, an inspector or controller appointed by the Civil Aviation Affairs or a person assigned by the aircraft operator or the Civil Aviation Affairs to perform a specific duty during flight.
2. The pilot-in-command shall be required to ensure that the aircraft cockpit door is locked during the flight period.

Article 88 **Reporting flight risks and instrument malfunctions**

1. Upon encountering unusual weather conditions during flight or observing any abnormal functioning of navigation aids, that may constitute a danger to the flight, the pilot-in-command shall notify the appropriate air traffic services unit of such conditions as well as any other condition that might jeopardize flight safety.
2. The pilot-in-command shall record in the aircraft technical log any malfunction or abnormal functioning of any of its equipment. Prior to commencing the flight, the pilot-in-command shall ensure that any malfunctions or observations recorded in the technical log of the aircraft in relation to its previous flight have been resolved.

Article 89
Briefing of Passengers

1. The aircraft operator shall take the necessary measures to advise passengers of the locations and methods of using seat belts, emergency exits, life jackets, oxygen devices and other emergency equipment available for personal or collective use.
2. The pilot-in-command shall ensure that the passengers are briefed regarding emergency procedures by a member of the flight crew arequired by any occurrence during flight.

Part 8

AIRCRAFT ACCIDENTS AND INCIDENTS



PART 8

AIRCRAFT ACCIDENTS AND INCIDENTS

Article 90

Appropriate Affairs for aircraft Accidents and Serious Incidents

1. An independent unit called (Investigation Unit) shall be established by a decision of the Minister to investigate aircraft Accidents and Serious incidents.
2. The Investigation Unit shall be formed of at least three members who shall be appointed by a decision of the Minister. Neither of its members may be dismissed except by a justified decision of the Minister. The Unit may seek the assistance of those with special expertise from inside or outside the State to participate in the investigation, and the Unit shall submit its reports directly to the Minister.
3. The Investigation Unit is specialized in the following:
 - a. Investigate aircraft Accidents and Serious Incidents of aircraft that occur to National Aircrafts in international waters or aircrafts operated by an air operator headquartered in the country.
 - b. Collect, record, and analyze safety information related to aircraft Accidents and Serious incidents.
 - c. Determine the reasons and elements causing aircraft Accidents or Serious Incidents.
 - d. Prepare a report on the cases and circumstances related to each Accident or Serious Incident of the aircraft subject to the investigation, indicating its causes and consequences, and any recommended procedures or rules to limit future recurrence.

Article 90 - bis

With the exception of Accidents and Serious Incidents of aircrafts, the concerned departments in Civil Aviation Affairs - each within its jurisdiction - undertake the investigation of any aircraft incident and submit their reports on the results of the investigation to the Undersecretary for Civil Aviation Affairs.

Article 91

Notification of an aircraft accident or incident

1. Local authorities shall notify the Civil Aviation Affairs of any aircraft accident occurring in the territory of the State under their jurisdiction.
2. Every flight crew member of an aircraft involved in an accident must notify the Civil Aviation Affairs if their condition permits. Any pilot-in-command must also notify such authorities of any accident observed during flight.
3. Owners of national aircraft or aircraft operated by Bahraini companies or individuals, or their representatives, shall notify the Civil Aviation Affairs of any accidents or incidents involving their aircraft outside the territory of the State, as soon as they learn of their occurrence.

4. Pilots-in-command and owners of national aircraft must notify the Civil Aviation Affairs of any incidents as may be defined by the Civil Aviation Affairs, whether occurring to their aircraft or other aircraft that they have witnessed.
5. Anyone who witnesses an aircraft accident in the territory of the State shall inform the Civil Aviation Affairs immediately upon the occurrence of the accident by any means possible.

Article 92

Notification of accidents involving foreign aircraft in the territory of the State

Upon learning of an accident occurring in the territory of the State to a foreign aircraft, the Civil Aviation Affairs shall forward a notification of the accident by the quickest means available to:

1. the State of Registry;
2. the State of Manufacture;
3. the State of the aircraft operator, if different from the State of Registry;
4. the State which has been aggrieved by the accident; and
5. the International Civil Aviation Organization

Article 93

Duties of the local authorities in cases of aircraft accidents or incidents

The local authorities shall preserve the aircraft, its parts and all its assets and wreckage. No action should be taken to remove any of such items from their location except to save life, recover bodies, valuables or mail or for the purpose of firefighting, or if the aircraft or its wreckage posed danger to air navigation or other means of transport, pending arrival of the investigating unit and the issuance of its relevant instructions. In all cases, and whenever possible, the wreckage should be photographed before being wholly or partially removed or dislocated.

Article 94

investigation committee

When necessary, by a decision of the Minister and upon a request from the head of the investigation unit, a committee or committees affiliated to the investigation unit shall be established, provided that the number of committee members is not less than three, including its head, in order to investigate any Accidents and Serious Incidents of an aircraft.

The investigation committee may seek the help of those with special expertise from inside or outside to participate in its work, and the Minister may appoint consultants to assist the committee in conducting investigations.

The head of the investigation unit shall supervise the work of the investigation committee without interfering or influencing its decisions.

Article 95

Participation in the investigation by representatives of other States

1. A representative from each of the following States may participate in investigations of accidents involving national aircraft in the territory of the State:
 - a. the State of the aircraft operator, if the aircraft operator does not hold Bahraini citizenship; and
 - b. the State of Manufacture, if the accident investigation covers subjects relating to the airworthiness. The representative of the State of Manufacture may be accompanied by one or more advisors.
2. In the case of an accident involving a foreign aircraft in the territory of the State, the following States shall have the right to appoint a representative each to participate in the investigation and may enlist the services of one or more experts:
 - a. the State of Registry;
 - b. the State of the aircraft operator;
 - c. the State providing information of interest to the investigation, if requested; and
 - d. the State of Manufacture, if its contribution to the investigation is necessary.
3. A representative from a State participating in the investigation has the right to:
 - a. visit the site of the accident;
 - b. examine the aircraft wreckage;
 - c. interview and hold discussions with the witnesses;
 - d. review all evidence relating to the accident;
 - e. obtain copies of all documents relating to the accident; and
 - f. make comments in writing concerning various elements of the investigation.

Article 96

Representation by the State in investigation of accidents involving national aircraft abroad

If an accident involving a national aircraft, or in the event of victims or injured citizens of the State occurs, over the territory of another State, the Minister shall appoint an authorized representative of the State to participate in the investigation conducted by the authorities of that State.

The Minister may, by mutual agreement, grant all or some of the powers of the Aircraft Accidents and Serious Incidents Investigation Unit to another Contracting State or to an authority to represent the State in the investigation conducted by the authorities of the foreign State.

Article 97

**The powers of the investigation unit and the investigation committees in
Accidents and Serious Incidents of aircraft**

Members of the Investigation Unit or the Investigation Committee - each according to its competence - in aircraft Accidents and Serious Incidents of aircraft have the right to enter the scene of the accident and other places related to it, inspect them, conduct inspections, review documents, conversations, records, references, drawings, papers, and keep what is of interest to the investigation, interrogate persons, hear witnesses, and assign them to present What information, papers or things they have that the investigation unit or the investigation committee deems necessary to reveal the truth and take the necessary measures to preserve the aircraft or its wreckage, cargo and parts, and transfer all or some of it to conduct the necessary tests on it.

Article 98

Report of the investigating unit

1. The investigating unit shall submit to the Minister a report on the accident and its causes and circumstances as well as the findings of the investigation. Such report shall be forwarded to the States and entities mentioned in paragraph 2 of this Article after its approval by the Minister. Individuals and other stakeholders may obtain copies of the report upon payment of the required fees, unless the Minister decides against publication of the report.
2. The report mentioned in paragraph 1 of this Article may be forwarded to the States and other concerned parties as follows:
 - a. in respect of accidents involving national aircraft, the report shall be forwarded to:
 - i. any State or States having suffered fatalities or injuries to their citizens or any of their citizens are missing or held as hostage as a result of the incident; and
 - ii. the International Civil Aviation Organization.
 - b. in respect of accidents involving foreign aircraft in the territory of the State, the report shall be forwarded to:
 - i. the State of Registry;
 - ii. the State of the Operator;
 - iii. the State of Manufacture;
 - iv. any State that has contributed information of interest to the investigation;
 - v. any State or States having suffered fatalities or injuries to their citizens, or any of their citizens are missing or held hostage as a result of the incident; and
 - vi. the International Civil Aviation Organization.

- c. The investigating unit of accidents involving foreign aircraft in the territory of the State may, prior to releasing its final accident report, send a copy thereof to:
 - i. the State of Registry;
 - ii. the State of the aircraft operator, if different from the State of Registry; and
 - iii. the State of Manufacture.

The unit may invite the above-mentioned States to submit their comments on the report. Unless the unit receives a response within sixty (60) days, it may consider that such States have approved the draft report. It will then approve and release the report as soon as possible and shall forward it to the States and agencies mentioned in paragraph 2 b) of this Article. If any comments are received within sixty (60) days of forwarding the draft report, the unit may amend its report in the light of all or some of such comments or otherwise record its disapproval of the comments in an appendix to the report.

Article 99

Accidents resulting from a criminal act

If the investigating unit concludes that the accident is the result of an actual or suspected criminal act, it shall notify the general prosecutor to institute the necessary legal proceedings.

Article 100

Re-opening investigation into an aircraft accident

The Minister may decide on probable cause to re-open the investigation into an aircraft accident, if new material evidence emerges that was not already reviewed by the unit conducting the investigation the first time.

Article 101

Authenticity of the final report of the investigating unit

The facts contained in the final report of an investigating unit into an aircraft accident shall be considered authentic unless proven otherwise.

Article 102

Banning circulation of investigation records

- I. Records of investigations into civil aircraft accidents shall not be released by the investigation or record-keeping agencies for purposes unrelated to accident or incident investigation, unless instructed by the Undersecretary for Civil Aviation Affairs. The ban shall cover the following:
 - a. statements by persons interviewed by the investigation authorities;

- b. record of communications between individuals concerned with aircraft operation;
 - c. medical or personal information obtained during the accident or incident investigation;
 - d. cockpit voice recordings and copies thereof;
 - e. analyses of information, including information from the flight data recorder; and
 - f. Any other records determined by the Civil Aviation Affairs, containing information on the aircraft or its passengers or other individuals connected with the accident or incident.
2. Records referred to in paragraph 1 of this Article shall not be attached to the final report of the investigation and its appendices unless they are required for any analysis of the accident or incident.



The background of the page is a high-angle, close-up photograph of an airplane's wing and tail section. The sun is low on the horizon, creating a bright, golden glow and lens flare effects across the scene. The sky is filled with soft, white clouds. A semi-transparent yellow circle is positioned in the upper left quadrant, containing the text. A thin white horizontal line is located near the top of the page. A faint, light-colored hexagonal grid pattern is overlaid on the entire image.

Part 9

SEARCH AND RESCUE

PART 9 SEARCH AND RESCUE

Article 103

Search and rescue organization

1. The Minister shall define the search and rescue regions under the responsibility of the State and these shall be published by the Civil Aviation Affairs.
2. The Civil Aviation Affairs shall supervise the search and rescue operations connected with civil aviation in coordination and collaboration with the Search and Rescue Centre in the Ministry of Interior. It shall also take the necessary measures to coordinate and cooperate with other States, especially neighboring States in search and rescue operations.
3. The Minister may enlist the services of other official agencies to assist in search and rescue operations.

Article 104

Access to prohibited areas for search and rescue purposes

The appropriate State authorities shall permit access to any prohibited area by persons, aircraft and other agencies engaged in search and rescue operations, if it is believed that the aircraft involved in the accident may be present in such areas, provided that such operations are conducted under the supervision of the authorities concerned.

Article 105

Admission to the State for search and rescue purposes

The appropriate State authorities shall immediately and temporarily allow entry of foreign experts, equipment and aircrafts that the Civil Aviation Affairs deems necessary to participate in conducting search and rescue operations.

Article 106

Preservation of wreckage

1. No person is allowed to remove any part or item from the aircraft involved in an accident, obliterate any part of the wreckage or interfere in any way in the investigation, unless this is required for rescue operations or authorized by the investigating unit. The appropriate State authorities shall ensure compliance with this provision pending the acquisition of all the information necessary for the investigation.
2. The aircraft operator of the aircraft involved in an accident shall bear the cost of the search and rescue operations and shall be liable for any damage sustained during such operations.

Article 107
Aircraft in distress

The State undertakes, within the limits of its resources, to assist an aircraft in distress over its territory and permit the aircraft owners or authorities of the State of Registry to provide the necessary assistance under the oversight of the Civil Aviation Affairs. In conducting search of any missing aircraft, the State shall cooperate in the implementation of coordinated measures that may be recommended from time to time by virtue of this Law.



Part 10

RESPONSIBILITIES AND INTERESTS RELATING TO OPERATION OF AIRCRAFT



PART 10
RESPONSIBILITIES AND INTERESTS RELATING TO
OPERATION OF AIRCRAFT

Chapter I
Contractual Liability of the Aircraft Operator

Article 108
Applicability of the Montreal Convention

The provisions of the Convention for the Unification of Certain Rules for International Carriage by Air, done in Montreal on 28 May 1999 and any other relevant conventions or treaties signed or ratified by the State shall be applicable to international air transport.

Article 109
Liability of the aircraft operator in respect of dropping off cargo

The air carrier shall be liable to shippers and receivers for any cargo taken off an aircraft in flight, even if such action is necessary for saving the aircraft.

Article 110
Liability of the air carrier in respect of removing passengers

The aircraft operator shall not be liable should the pilot-in-command remove a disruptive passenger or a passenger that jeopardizes the security and safety of the aircraft or its passengers.

Article 111
Transport documents

1. Each air carrier operating in the territory of the State shall ensure that passengers and cargo have the documents and papers necessary for entry to and departure from the State to the intended destination.
2. The provisions of paragraph 1 above shall apply to domestic air transport, as required.

Chapter 2

Liability for Damage caused by Aircraft

Article 112

Compensation for damage caused by aircraft

1. Any person that suffers damage, including damage to the environment, shall be entitled to compensation once it is established that the damage was caused by an aircraft in flight or by a person or an object falling from the aircraft, or by an act of unlawful interference.
2. The aircraft is considered to be in flight from the moment all its external doors are closed upon embarkation of the passengers or loading cargo on board until the moment they are opened for the disembarkation of passengers or unloading of the cargo.

Article 113

Liability for compensation

1. The aircraft operator shall be liable for damage referred to in Article 112 of this Law. The owner or lessee in whose name the aircraft is registered shall be deemed its operator and shall be liable in this capacity, unless it is demonstrated during the procedures for establishing liability that the aircraft operator is a different person. In such case, it shall proceed, within the limits allowed by the judicial process, to take the necessary measures to include the latter as party to the claim.
2. If the damage is caused by one or more persons, the liability for damage shall be joint and individual. No person shall be liable for any amount exceeding the limit of its liability, if any. When a claim is made against one or more persons considered liable under this Law, the claimant shall not be entitled to a compensation exceeding the liability limit, in accordance with the Rome Convention and its amendments.
3. If one or more persons are liable, the right and extent of recourse shall be determined by the contribution of each to the damage.
4. A right to recourse shall not arise if the damage has not been a direct result of the incident, or if it was caused by the mere passage of the aircraft in the air space in accordance with the applicable air traffic regulations.

Article 114

Exoneration or reduction of compensation

1. A person liable for damage under the provisions of this Chapter shall not be liable if the damage results directly from armed conflict or internal unrest or if the prevention is by order of the public authorities from the use of the aircraft, or if is established that the damage is caused by wrongful act, negligence or omission by the claimant, its servants or agents.

2. If the person liable for damage proves that the damage was contributed to by the claimant, its servant's or agents, the compensation shall be reduced by the amount of their contribution to the damage.
3. No exoneration or reduction of compensation shall be allowed if the damage is caused by wrongful act by the servants or agents of the claimant, if it is established that they acted beyond their powers.

Article 115

Damage caused by aircraft

If damage is caused to a third party as a result of collision between two or more aircraft in flight, or as a result of an aircraft obstructing the passage of another aircraft or if the damage is caused by two or more aircraft, each aircraft shall be considered as causing the damage. In such case, the respective aircraft operator shall be liable in accordance with the provisions of this Chapter.

Article 116

Liability limits

The liability limits for damage caused by aircraft to third parties in the territory of the State shall be in accordance with international conventions to which the State is party.

Article 117

Court competent to consider claims of compensation for damage caused by aircraft

In the case of damage caused by aircraft to third parties in the territory of the State, action for damages must be brought before the court under whose jurisdiction the location of the accident is situated. One or more plaintiffs may however agree with one or more of the defendants to bring the action before the court of any other State having jurisdiction to consider such claims in accordance with relative international treaties and conventions.

Article 118

Lapsing of claims

Claims for compensation for damage caused by aircraft to third parties on the surface shall expire after two years from the date of the occurrence.

Chapter 3

Insurance and Guarantees required to cover liabilities relating to Aircraft Operation

Article 119

Responsibility of the aircraft operator for operations of its aircraft and insurance

1. The aircraft operator or its representative shall be responsible for control of the operation of its aircraft in such a way as to ensure the conduct of these operations in accordance with the established safety standards and the provisions of the relevant laws, rules and regulations.
2. Subject to the provisions in this Part, any aircraft operator of an aircraft operating in the territory of the State shall provide insurance cover for its liability to damage to passengers and their effects, animals, goods and mail carried on board as well as other damages caused by the aircraft to third parties.
3. The aircraft operator shall take out insurance for its employees who may be exposed to aviation risks, to cover any damages to the extent of its liability for such damages and in accordance with the provisions of this Law and its implementing regulations and decisions as well as relevant international conventions.

Article 120

Authorized insurers

The insurance cover referred to in Article 119 of this Law by the aircraft shall be taken out at an authorized insurer in accordance with the laws of the State of Registry.

Article 121

Advance payments

1. In the case of aircraft accidents resulting in death or injury of passengers, the aircraft operator shall, make advance payments without delay in amounts proportionate to the damage sustained to the passengers who are entitled to claim compensation in order to meet the immediate economic needs of such persons. Without prejudice to the aforementioned, the advance payments shall be no less than 16,000 units of Special Drawing Rights or the equivalent in Bahraini Dinars to a natural person or persons, who are entitled to claim compensation rights, in the case of death.
2. Such advance payments shall not constitute recognition of liability and may be offset against any amounts subsequently paid as damages by the air carrier.
3. The funds paid in advance under paragraphs 1 and 2 of this Article shall be refunded:
 - a. if the aircraft operator demonstrates that the damage arising from the incident was caused or contributed to, by the person claiming the compensation,

- whether dead or injured, thus relieving the aircraft operator either wholly or partly from the liability in accordance with the applicable laws; or
- b. if it is discovered later that the person receiving the advance payment was not entitled to receive such payment.



Part 11

OFFENCES COMMITTED AGAINST THE SAFETY AND SECURITY OF CIVIL AVIATION

PART II

OFFENCES COMMITTED AGAINST THE SAFETY AND SECURITY OF CIVIL AVIATION

Chapter I

Offences Committed against the Safety of Civil Aviation

Article 122

Definition of offences committed against the safety of civil aviation

- I. Any person commits an offence if he intentionally:
 - a. performs an act of violence against a person on board an aircraft or a member of the flight crew, or terrorizes or threatens such a person verbally or by action;
 - b. holds any person or persons as hostage on board aircraft or at airports;
 - c. destroys an aircraft in service or causes damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight;
 - d. places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to its which renders it incapable of flight, or to cause damage to its which is likely to endanger its safety in flight;
 - e. destroys or damages air navigation facilities or interferes with their operation, if any such act is likely to endanger the safety of aircraft in flight;
 - f. steals any equipment relating to air navigation facilities or any instruments, machines or cables that may be required to ensure flight safety or related to aviation, or performs any action likely to keep such items away from persons authorized to use them for security and safety purposes;
 - g. communicates information which he knows to be false, thereby endangering the safety of an aircraft in flight;
 - h. damages or destroys any property on board an aircraft;
 - i. uses an aircraft as a weapon or means to commit any unlawful act;
 - j. uses an aircraft in service in a way that causes or likely to cause death or serious bodily injury to any person or causes damage to property or the environment;
 - k. drops or fires any chemical or biological weapons or any poisonous substances from an aircraft or attempts to do so with the object of causing death or grievous injury;
 - l. carries or facilitates carriage of any chemical, biological, atomic or fissionable material, or any equipment or software that may be used, intentionally or unintentionally, to cause or threaten to cause death or serious injury;
 - m. transports or facilitates carriage of a person on board an aircraft knowing that such person has committed a crime, with the intention of facilitating that person's escape from legal proceedings.

- n. Attempts or takes part in committing any crime stipulated in paragraph 1 of this Article whether by financing, planning or direction.
2. Any person commits an offence if he:
 - a) is found in a state of drunkenness on board an aircraft under the impact of alcoholic beverages or is under the influence of narcotic drugs, thus endangering the safety of the flight;
 - b) smokes in any place on board the aircraft, including in the toilets;
 - c) operates any electronic devices carried by this person on board the aircraft if such use is prohibited; or
 - d) Disregards instructions by the pilot-in-command or a crew member, regarding the safety or security of the flight or of the persons or property, or regarding maintenance of order and discipline on board.
 - e) Disclosure of confidential information related to aviation safety and security.
 - f) Photography of civil aviation installations and facilities related to aviation safety and security, which indicate that photographing is prohibited without a permit from the Civil Aviation Affairs.
 - g) Operate Unmanned Aerial Vehicles without a permit or license from the Civil Aviation Affairs.

The offender shall be punishable by the maximum penalty for such offences if the act is likely to endanger the safety of the aircraft or obstruct the performance by the crew members of their duties.

3. Any person who uses laser beams or any electronic devices or programs against aircraft during the landing or take-off phases, endangering their safety, is considered to have committed a crime.

Article 123

Definition of an aircraft in flight and an aircraft in service

For the purposes of this Chapter:

1. An aircraft is considered to be in flight at any time from the moment when all its external doors are closed following embarkation of passengers or loading of cargo until the moment when any such door is opened for disembarkation or unloading of cargo. In the case of a forced landing, the flight shall be deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board.
2. An aircraft is considered to be in service from the beginning of the pre-flight preparation of the aircraft by ground personnel or by the crew for a specific flight until twenty-four hours after any landing; the period of service shall, in any event, extend for the entire period during which the aircraft is in flight as defined in paragraph 1 of this Article.

Chapter 2

Offences of Unlawful Seizure of Aircraft

Article 124

Definition of offences of unlawful seizure of aircraft

Any person commits an offence if he, on board an aircraft in flight, commits any of the following acts:

1. Unlawfully, by the use of force or the threat thereof or by another means, seizes or exercises control of the aircraft or attempts to commit any of such acts.
2. Is an accomplice of a person who commits or attempts to commit any of the offences referred to in paragraph 1 of this Article
3. For the purposes of this Chapter, an aircraft is considered to be in flight in accordance to the definition in Article 123, paragraph 1 of this Law.

Chapter 3

Powers of the Pilot-In-Command and Flight Crew

Article 125 **Preventive measures**

The pilot-in-command shall, if he believed on reasonable grounds that a person has committed or attempts to commit any of the offences mentioned in this Part or any act likely to endanger the security and safety of the aircraft, take the necessary and preventive measures vis-à-vis such person. The pilot-in-command may order or permit other crew members to render assistance and request or permit, but not force, other passengers to render such assistance.

Article 126 **Notification regarding the presence of an offender on board an aircraft**

1. The pilot-in-command may ask the appropriate authorities of the State in whose territory the aircraft has landed to disembark the person referred to in Article 125 of this Law, stating justifications for such request.
2. If the pilot-in-command decides to hand over the person in question, owing to the seriousness of the offence, he must notify the authorities of the State in whose territory the aircraft has landed, as quickly as possible, stating the reasons for such decision and shall present upon landing all the evidence and information in his possession.

Article 127 **Limit of liability for preventive measures**

In relation to the measures taken under Article 125, in any action arising from treatment of any person against whom preventive measures have been taken, the liability of the pilot-in-command or any other member of the cabin crew, or of any passenger, the aircraft owner, aircraft operator or the person on whose account the flight is operated, for the compensation for any damage that might occur to the person against whom the measures have been taken, shall be eliminated so long as they have complied with the provisions of this Law.

Article 128 **Appeals against decisions issued for the implementation of this Law**

1. Any stakeholder may submit a complaint to the Minister against the decisions issued for the execution of its provisions. Such complaint may be made within sixty (60) days from the date of its publication in the official gazette, or after the plaintiff has been informed by registered mail.

2. The Minister shall issue his decision in the complaint within sixty (60) days of its presentation. The passage of such period without response shall be considered as a refusal of the complaint. Appeals against the decision to refuse the complaint may be made before the senior civil court within the next sixty (60) days after refusal of the complaint, or after it has been considered as rejected.

Chapter 4

State Powers and Responsibilities

Article 129

Jurisdiction

Courts of the State shall exercise jurisdiction in conformity with the applicable in respect of the offences referred to in Articles 122 and 124 if:

1. The offence is committed in the territory of the State;
2. The offence is committed against or on board an aircraft on the State's registry;
3. The aircraft in which the offence is committed lands in the territory of the State while the suspected offender is still on board;
4. The offence is committed against or on board a leased aircraft with or without cabin crewmembers to a lessee whose principal place of business or permanent residence is situated in the State;
5. The suspected offender is present in the territory of the State; or
6. When the offence is committed on board a civil aircraft while in flight outside the territory of the State, if the next place of landing is in the territory of the State.
7. If the pilot-in-command hands over the suspected offender to the appropriate authorities of the State and requests that the offender be brought to justice, provided that the pilot-in-command and the aircraftoperator testify that they have not and will not make a similar request in another State.

Article 130

Disembarkation of the suspected offender

The appropriate authorities of the State shall allow the pilot-in-command to remove any person off the aircraft in accordance with Article 126, paragraph 1 of this Law.

Article 131

Extradition of the suspected offender

The appropriate Authorities shall receive any person at the request of the pilot-in-command in accordance with Article 126, paragraph 2 of this Law. They shall initiate an immediate investigation into the incident and take the necessary action to bring the suspected offender to justice. In all cases, the appropriate authorities have the right – in accordance with the applicable laws – to extradite the suspected offender to the State of which he is a citizen, the State in which the suspected offender maintains permanent residence or the State from which the flight started.

Article 132

Procedures regarding security and safety of civil aviation

The Civil Aviation Affairs may take all the preventive measures for the prevention of offences against the security and safety of civil aviation in the State and offences committed on board national aircraft in accordance with the relevant international regulations.

Part 12

AVIATION CHARGES



PART 12

AVIATION CHARGES

Article 133

Fee and Service Charging

1. The following civil aviation charges may be imposed:
 - a) airport and air navigation services charges (landing fees, parking, hangar and aeronautical services) not exceeding BD 1,000 per flight;
 - a. charges imposed on aircraft concerning registration and certification, not exceeding BD 40,000 per one registry of one certificate;
 - b. aerodrome certification charges and charges for licenses to conduct aviation activities and aviation services, not exceeding BD400,000 per one certificate or license to conduct an activity or aeronautical service;
 - c. charges for security services, not exceeding BD 5,000;
 - d. departure service charge, not exceeding BD10 per person.
2. The Minister shall determine the charges mentioned in paragraph 1 of this Article for each service and amend its value provided that the said charges do not exceed its limits.
3. All aeronautical service providers at licensed airports must obtain the approval of the Civil Aviation Affairs for fees of its services.

Article 134

Exemptions

1. The following aircraft shall be exempted from the charges mentioned in Article 133 of this Law:
 - a. State aircrafts and aircrafts of Kings, Heads of State and Emirs and persons of similar status;
 - b. aircrafts of the United Nations and its specialized agencies;
 - c. aircrafts of the League of Arab States and its specialized agencies, and aircrafts of regional organizations of which the State is a member;
 - d. aircrafts used free of charge in ambulance operations, search and rescue operations, as well as aircraft of the Red Crescent and Red Cross; and
 - e. any other aircraft or any government or diplomatic agency that the Minister may exempt from fees either totally or partially, if this is in the public interest, following consultation with the Minister of Finance and approval of the Prime Minister.
2. The following categories shall be exempt from departure service charge by air, as mentioned in Article 133, paragraph 1, subparagraph e) of this Law:
 - a. Bahraini and foreign official and diplomatic delegations;
 - b. chiefs and members of the diplomatic missions approved by the State;
 - c. members of the aircraft crew, provided they are dressed formally;

- d. transit passengers;
 - e. children who are less than two years of age.
3. The Minister may exempt any other categories, after obtaining the opinion of the Minister of Finance and approval of the Prime Minister.



Part 13

SANCTIONS AND PENALTIES



PART 13

SANCTIONS AND PENALTIES

Article 135

Judicial enforcement officers

1. The Minister concerned with justice affairs, in agreement with the Minister, shall issue a decision granting the authorized employees the capacity of judicial enforcement officers to take the necessary measures to control violations related to civil aviation laws and regulations, verify the implementation of the provisions of this law and its implementing regulations and decisions, and violations related to the safety and security of civil aviation. In order to achieve this purpose, Judicial officers have the right to enter the places and areas designated for the conduct of aviation activities and activities related to it, and all airport facilities and installations. They are also entitled to enter aircraft and carry out the necessary inspections in accordance with the laws and regulations in force.
2. Employees authorized as judicial officers must write violations and submit reports of the necessary of all violations related to the safety and security of civil aviation or any violations of civil aviation laws and regulations to the Undersecretary for Civil Aviation Affairs.
3. It is prohibited for any person or entity authorized by the Civil Aviation Affairs to prevent any of the employees authorized as judicial officers from carrying out the tasks and powers assigned to them in accordance with the provisions of this law. Thus, whoever violates such provisions shall be punished with the penalties stipulated in Article (136) of this law.

Article 136

Administrative Penalties imposed by the Civil Aviation Affairs

Without prejudice to the penalties established by the provisions of this law, the Civil Aviation Affairs may take the following actions, in case of violation of the provisions of this Law and its implementing regulations and decisions:

1. Suspends temporarily the authorization or permit issued to the aircraft operator or the aircraft or revoke of such authorization or permit;
2. Suspends temporarily the certificate of airworthiness or revoke such certificate;
3. Suspends temporarily the flying license or any other license, or revoke such license;
4. Grounds the aircraft temporarily or force it to land after issuing a warning;
5. Prohibits flight of the aircraft in the territory of the State either temporarily or permanently.
6. Withdrawal of licenses and permissions, suspension of licenses for individuals or institutions, closure of offices of airlines, air cargo companies and agencies, ground

services, or any activities related to aviation or the operation of airports upon breach of the terms and conditions on which they were granted.

7. Subject to crimes stipulated in Articles (122), (123) and (124) of this law, an administrative fine not exceeding ten thousand dinars may be imposed, provided that when estimating the fine, the seriousness of the violation and the intransigence shown by the violator, the benefits that he gained, and the damage that occurred to others as a result of that are taken into consideration. The collection of the fine shall be by the prescribed methods for collecting the sums due to the state.

Article 137

Prevention, elimination or removal of violations

Without prejudice to Article 136 of this Law, the Civil Aviation Affairs may take the necessary measures in coordination with the competent administrative authorities to prevent, eliminate or remove violations of Articles 27 to 30 of this Law and shall charge the offender for all expenses incurred by the State in relation to such.

Article 138

Penalties for actions endangering the safety of aviation

An imprisonment of no less than two years and not exceeding three years and a fine not less than BD 3,000 and not exceeding BD 10,000 or both penalties shall be imposed on any person who:

1. Flies an aircraft without its nationality or registration marks or displaying incorrect or unclear marks without authorization by the Civil Aviation Affairs, with the intention of concealing the identity of the aircraft;
2. Flies an aircraft, intentionally or unintentionally, over a restricted area and fails to comply with the orders issued to him;
3. Fails to comply with an order to land while in flight over the territory of the State;
4. Lands or takes off in sites other than the designated aerodromes or fields or flies outside the assigned areas and routes in cases other than force majeure and without special authorization by the Civil Aviation Affairs;
5. Flies an aircraft in the territory of the State without authorization with the following items on board:
 - a. weapons or ammunitions or any other items whose carriage is prohibited under national laws;
 - b. persons, with the object of trafficking or committing an offence, even if no such offence has actually been committed.
6. Operates an aircraft without obtaining a certificate of registration or a certificate of airworthiness, without a special authorization by the Civil Aviation Affairs.
7. Flies an aircraft without obtaining the necessary certificates or licenses or without obtaining a special authorization from the Civil Aviation Affairs to do so.
8. Flies an aircraft while under the influence of alcohol or drugs.

9. Fails intentionally to record information that must be recorded by the aircraft operator or his agents in the aircraft documents or records, or changes such information with malicious intent or records wrong information, if this act would endanger or is likely to endanger the safety of the aircraft; or
10. Enters without authorization into the restricted aircraft movement area or leaves behind animals or articles that may endanger the safety of aviation.

Article 139

Punishment for offences against civil aviation premises and unlawful seizure of aircraft

Without prejudice to any more severe punishment stipulated in the Penal Code or any other laws:

1. Any person who commits any of the acts specified in Article 122, paragraph 1 or any of the offences specified in Article 124 of this Law shall be punishable by a minimum of five years and a maximum of ten years imprisonment. If the act results in the destruction of the aircraft or air navigation facilities or installations the imprisonment shall be for life. The punishment of death or life imprisonment shall be imposed on persons guilty of an act resulting in the death of a person or persons.
2. Any person who commits any of the offences specified in Article 122, paragraph 2 of this Law shall be punishable by a maximum of three months of imprisonment or a maximum fine of BD 3,000 or both.
3. Any person who commits any of the acts stipulated in paragraph (3) of Article (122) of this law shall be punished by imprisonment and a fine of not less than three thousand dinars and not exceeding one hundred thousand dinars, and if the act resulted in the destruction of the aircraft or the destruction of facilities or Aviation facilities, the penalty is increased to life imprisonment, and the penalty is death or life imprisonment if the act results in the death of one or more persons.

Article 140

Confiscation of aircraft

An aircraft may be confiscated by a court ruling if the aircraft:

1. Carries incorrect national or registration marks or does not carry such marks;
2. Carries, by order of its owner or aircraft operator weapons or ammunitions with the intention of smuggling or committing an offence affecting State security; or
3. The aircraft is an enemy aircraft.

In the above-mentioned cases, the court may issue an order, upon request of the Minister, to seize the violating aircraft until a court ruling is issued.

Part 14

FOREIGN MILITARY AIRCRAFTS



PART 14
FOREIGN MILITARY AIRCRAFTS

Article 141

Flight of foreign military aircraft within the territory of the State and landing therein

Foreign military aircrafts shall be prohibited from flying within the territory of the State or landing therein except in accordance with an international convention to which the State is a party or by special authorization from the Civil Aviation Affairs. In such case, the aircraft must clearly prominently display their designators.

Article 142

Provisions applicable to foreign military aircraft

Provisions of Articles 6, 8, 13, 14, 22, 23, 59, 60, 61, 62, 63 and 112 of this Law shall apply to foreign military aircrafts when flying in the territory of the State.