

EXECUTIVE REGULATIONS UNDER THE CIVIL AVIATION LAW ISSUED BY VIRTUE OF LAW No. 14 of 2013

PART I

DEFINITIONS

Article 1

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

The State: The Kingdom of Bahrain.

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

The Law: Civil Aviation Law issued by virtue of Law No. 14 of 2013.

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

Civil aviation Affairs: Department having the powers, terms of reference and mandate related to civil aviation.

Undersecretary for Civil Aviation Affairs: A person designated by the State to undertake the functions assigned to him, by virtue of these Regulations.

Air Transport Department: Air Transport Department in Civil Aviation Affairs.

Aviation Safety Department: Aviation Safety Department in Civil Aviation Affairs.

Civil Aviation Inspectors: Civil Aviation Affairs staff authorized as judicial police by decision of the Minister of Justice.

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.

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 Operator: Any natural or legal person engaged in an aircraft operation for remuneration, either by itself or by leasing the aircraft while the command crew of the aircraft remains under that person.

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

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 with which flight information service and alerting service are provided.

National Civil Aviation Security (AVSEC) Programme: A combination of measures intended to safeguard civil aviation against all acts of unlawful interference.

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.

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

Cabin crew member: A person assigned certain duties by the operator to perform on board an aircraft during flight time.

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.

Scheduled air service: A set of air services operated within a scheduled air services.

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.

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:

1. within thirty days of the occurrence, a person is fatally or seriously injured, as a result of being in the aircraft; or direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or 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 stowaways hiding outside the areas normally available to the passengers and crew; or

2. the aircraft sustains damage or structural failure which causes harm to its structural strength, performance or flight characteristics; and will normally require major repair or replacement of the affected component;

except for engine failure or damage, 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;

3. or the aircraft is missing or is completely inaccessible; the aircraft shall be considered missing once the search is officially terminated without locating its wreckage.

Unlawful interference: Any act or attempted act such as to jeopardize 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 on 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 jeopardize 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, while this 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 services to cause death or a serious physical injury, or a 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.

Flight authorization: An authorization issued by the Civil Aviation Affairs that includes detailed provisions permitting an air operator 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 authorization.

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

Noise certificate: A certificate issued by the Civil Aviation Affairs to determine the technical aspects for the noise limits allowed for the aircraft.

Air Operator Certificate: A technical certificate issued by the State of the air operator, specifying the technical aspects of operating operation and specifications.

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

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 of the Chicago Convention.

Flight dispatcher: The person cooperating with the aircraft commander in the flight and who provides meteorological information for the flight plan, and regulates loading and unloading of aircraft, provides the aircraft with consumer goods, provides apron services, and ground services during the period from the time of landing of the aircraft until the time of its departure from the airport.

Passenger: Any natural or legal person who has a relationship with the air operator for the purpose of travel under the jurisdiction of Civil Aviation Affairs, when such a person is present in the airport facilities.

Travel: The presence of passenger in the range of service of the air operator, including during travel measures.

Travel measures : The measures undertaken before the flight comprising travel contract, purchase of tickets, receipt of boarding pass, receipt of baggage, and measures of travel on departure as well as guidance services required by the air operator.

Air travel contract: The document concluded between the air operator and the passenger, showing the rights and duties of both parties, whether issued in the traditional paper form or in electronic form, and is mostly called “travel ticket”.

Passengers with disabilities: The passenger in need of special assistance to terminate the travel measures and embarkation and disembarkation, such as wheel chairs or automatic lifts.

Volunteer: The passenger that responds to the request of the air operator voluntarily to concede his/her seat. He will accept the compensation offered by the air operator against conceding his/her seat that is subject to firm reservation.

Bodies operating in air transport: All government and civil sectors operating in, or having a relationship with, the air transport sector.

VIP Lounge: A lounge designated at airports to host first and business class passengers.

Final destination: The location specified in the air travel contract as the final destination of the flight. If there are several trips, it is meant to be the location determined on the sector of the last flight.

Departure time: The time determined for the departure of the flight, in accordance with the schedule of flights as declared by the air operator, or in accordance with the agreed time in the case of unscheduled air transport.

Time of arrival: The time determined for the arrival of a flight at the destination airport, in accordance with the schedule of flights as announced by the air operator, or in accordance with the agreed time in case of unscheduled air transport.

Suspension of flights: Disruption of a flight or flights to a specific destination or destinations, by reason of force majeure, including flights of natural disasters, without the ability to determine a new time for service resumption.

Compensation: The financial value or alternative service offered to the passenger as compensation for damages resulting from error or violation by the air operator or the actual air operator.

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.

Care: The necessary care that should be offered by the air operator or the actual air operator to passengers if they are exposed to something that requires offering them care, such as delay or cancellation of the flight, change of route, or if the passenger needs care, such as the handicapped passenger.

Ground services: All services provided at airports for the reception and departure of aircraft, passengers, baggage and goods, including their loading and disembarkation, as well as of the aircraft, except for fuel.

Ground services provider: A person authorized to offer ground services.

Aeronautical Licensing: The certificate of the air operator, aircraft airworthiness certificate, individual licenses, certificate of noise level, certificate of aircraft registry, or any other certificates or documents related to the aircraft.

The appropriate Court: The superior civil court.

PART II
AIR TRANSPORT

SECTION 1

Flight Authorizations and Permits

Chapter 1

General Provisions

Article 2

No scheduled international air services may operate from, to and across the territory of the State except by obtaining a permanent or temporary flight authorization. The authorization shall be permanent if it is issued on the basis of the convention or bilateral treaty and it shall be temporary if it is issued in accordance with the laws and regulations in force of the State.

The aircraft may not be allowed to fly in the territory of the State except after it has obtained a flight authorization allowing to undertake scheduled and unscheduled air services, without undermining any international treaty of which the State is a party.

Article 3

Civil Aviation Affairs shall prepare flight authorization forms, whether in paper or electronic shape. Each form shall be allocated to each type of operation according to its character.

Article 4

The flight authorization applications shall be presented on the forms prepared for this purpose by Civil Aviation Affairs. Each application shall be attached with the documents that establish acceptance by the aircraft operator of the required conditions, and its ability to conduct the activities under the relevant requested authorization. This shall be in accordance with the technical air navigation regulations and the laws and regulations applicable in the State, as well as the internationally applied rules, especially in relation to the aviation safety and security of civil aviation standards.

Article 5

The flight authorization application shall be presented by the aircraft operator or by its formal representative to the Undersecretary for Civil Aviation Affairs. It must show the type of activity requested. The following data and documents must be attached to the application :

1. A copy of the company's establishment contract and its rules of procedure.
2. A copy of the commercial record of the company.

3. A copy of the AOC.
4. A copy of the aircraft certificates and documents.
5. A copy of the insurance certificate, including third party insurance, in accordance with the requirements of the “Flight Information Manual of Bahrain”.
6. Plan of the aircraft operator in respect of the necessary aircraft to conduct the activity required under the authorization.
7. Any other certificates or documents that may be requested by the Civil Aviation Affairs.

Article 6

The following documents shall be attached to the application for flight authorization presented by the Bahraini air operator, together with the data and documents mentioned in Article 5 of these Regulations:

1. A statement that the Bahraini air operator works through a company whose establishment has been approved as a civil aviation company, in accordance with the provisions of Chapter 1, Part IV of these Regulations.
2. A certificate specifying that the company has an independent account in its name in one of the banks under the control of the Central Bank of Bahrain .The account should contain the capital included in the studies and documents that were attached to the approval application for the establishment of the company. For joint trust companies, such account should contain at least one quarter of the capital.
3. A plan by the air operator to hire and train Bahraini personnel.
4. A statement by the air operator that it has taken serious steps to start operation, in accordance with the studies, plans, data and conditions on the basis of which the company has been established.
5. A statement that the air operator has taken a suitable and special seat that is provided with all the necessary provisions and facilities to undertake its activity.
6. A plan explaining the use of technical and administrative personnel necessary to start conduct of activity. (Chapter 2 – Issuance of Flight Authorization to foreign air operators).

Article 7

In addition to the data and documents mentioned in Article 5 of these Regulations, the following shall be required for issuing a permanent flight authorization to a foreign air operator:

1. The State and the State of the foreign air operator are parties to an international treaty or bilateral air transport agreement in force, that determines the air routes on which the air operator may operate scheduled air services.
2. The foreign air operator holds a license from the State to which it belongs to carry out the activity it is requested to perform, and must have received an AOC from that State.
3. The government of the State the foreign air operator has appointed it in writing to operate the air services specified in the treaty or air transport agreement concluded by the State and the State to which the foreign air operator belongs. The latter should have fulfilled all conditions of the appointment.
4. The foreign air operator carries all the conditions required by the treaty or air transport agreement concluded between the State and the state to which the foreign air operator belongs. The latter should not be on the banned list or that its authorization involves any violations of air safety and aviation security requirements. The foreign air operator should respect all requirements and standards in force, especially the technical air navigation regulations and the national civil aviation security programme.
5. The aircraft to be used by the foreign air operator must have an appropriate model and must be of a State that is in agreement with the activity requested by the authorization. The aircraft must be registered in a State party to the Chicago Convention. The aircraft, its flight crew members and individuals assigned for their maintenance must carry the certificates, licenses and documents in force, as issued by the appropriate civil aviation authorities in the State of registry, in implementation of the provisions of the Chicago Convention and its Annexes. The State of registry should not be part of the States placed on the prohibition lists in relation to air safety.
6. The foreign air operator must abide by all other laws and regulations that are applicable in the State.

Article 8

In addition to the data and documents mentioned in Article 5 of these regulations, the following shall be required for issuing a temporary operating permission to a foreign air operator:

1. The foreign air operator must be authorized by the State to which it belongs to carry out the activity that it requests to perform. It must also obtain the foreign AOC from that State.
2. The foreign air operator must have the necessary administrative and technical experience to perform the activity that he requests the authorization to perform.
3. The State to which the foreign air operator belongs must be one of the States that allow Bahraini air operators to perform the same treatment that is requested by the foreign air operator.

4. The foreign air operator shall present details of the types of aircraft and the proposed destinations and timetables of the operations.
5. The foreign air operator and the State to which it belongs should not be on the prohibition lists and must fulfill the standards of air safety and civil aviation security.
6. In the case of using aircraft hired without crew from a third state, there must be a written agreement between the State of the foreign air operator and the State of registry for the transfer of the terms of reference of the State of registry to the State of the foreign air operator, in accordance with Article 83 *bis* of the Chicago Convention, or any other arrangements specifying the continuation of the State of registry to perform its mandate in controlling air safety.

Article 9

Civil Aviation Affairs shall study the applications of aviation authorization and the attached documents and papers.

The Undersecretary for Civil Aviation Affairs shall issue a decision on the application for authorization, and shall advise the applicant accordingly by a registered letter to the address in the application within 60 days of the date of the application . The passage of 60 days after the date of presenting the application without considering it shall mean that it has been rejected. The applicant may complain before the Minister against the decision of Civil Aviation Affairs to reject its application within 60 days after it has been advised, or after the application has been considered rejected. The Minister shall answer such complaint within 60 days after it has been presented, otherwise the complaint shall be considered as rejected.

The plaintiff may appeal the decision of the Minister before the competent court within 60 days of the receipt of advice that his complaint has been rejected or after the date the complaint has been considered as rejected.

Chapter 3

TERMINATION, SUSPENSION AND CANCELLATION OF FLIGHT AUTHORIZATIONS

Article 10

A flight authorization issued for the foreign air operator shall terminate if the State or States to which it belongs has withdrawn from the treaty of air transport agreement on the basis of which the authorization has been issued. The flight authorization issued for a Bahraini air operator shall be terminated at the end of its duration.

Article 11

The Undersecretary for Civil Aviation Affairs may decide to suspend the flight authorization for any period in the following cases:

1. Violation by the air operator of any of the conditions contained in the authorization.
2. Violation by the air operator of the provisions of laws, regulations, decisions or instructions applicable in the State on matters related to civil aviation.
3. Violation by the air operator of the Chicago Convention provisions or of any international treaty governing operations.
4. Violation by the air operator of standards of aviation safety and civil aviation security in such a way as endangering air safety or threatening civil aviation security.
5. If the operation involves risks that run counter to the higher interests of the State.

Article 12

Civil Aviation Affairs shall, upon incidence of one of the cases specified in Article 11 of these Regulations, warn the air operator to eliminate the causes of the violation within 30 days of the date of the warning. If the violation was related to aviation safety or civil aviation security, Civil Aviation Affairs shall, by virtue of the warning, determine a shorter period for eliminating the causes of the violation and for commitment to the applicable standards and regulations.

If the period of the warning is terminated and the air operator has not eliminated the causes of violation, the matter is brought before the Undersecretary for Civil Aviation Affairs to issue a decision cancelling the authorization.

Article 13

The Undersecretary for Civil Aviation shall issue a decision cancelling the flight authorization in any of the following cases:

1. The air operator has lost one of the conditions of granting the authorization specified in these Regulations.
2. The foreign air operator has suspended the activity specified in the authorization for a period of six months, unless the air operator presents, during this period, justifications acceptable to Civil Aviation Affairs.
3. The Bahraini air operator has not received an AOC from Civil Aviation Affairs for a period of six months since receiving the authorization, or cancellation or suspension of such certificate, while 3 months have passed without receiving a new certificate.
4. Declaration of a state of war or national safety case, or incidence of problems undermining public security or stability in the state.

The air operator shall be advised of the decision to cancel the authorization by a registered letter, within 15 days of its issue.

Article 14

The Undersecretary for Civil Aviation Affairs may issue a decision suspending or cancelling one or more of the activities specified in the flight authorization.

The suspension or cancellation decision includes any auxiliary activity that has been authorized in accordance with the activity or activities mentioned in the flight authorization which are included in the suspension or cancellation.

The air operator shall be advised of the authorization cancellation decision, which has been sent by registered mail, within 15 days of the date of its issue.

Article 15

The air operator may complain before the Minister against decisions of the Undersecretary for Civil Aviation Affairs to suspend or cancel the flight authorizations, or any of the activities specified therein – which are issued under Articles from 11 to 14 of these Regulations, within 60 days of the date on which he is advised of the decision. The Minister may answer the complaint within 60 days of its presentation, otherwise this is considered a rejection of the complaint.

The plaintiff may appeal the decision of the Ministry before the appropriate court, within 60 days from the date of advice that its complaint has been rejected or from the date of considering the complaint as rejected.

Chapter 4

FLIGHT PERMITS

Article 16

Civil Aviation Affairs shall issue flight permits to aircraft that their air operators have been issued flight authorizations in the territory of the State, in the following cases:

1. Aircraft of the foreign air operator, to perform scheduled flights, in accordance with the operation tables, as announced in the light of the air transport agreement, concluded between the State and the State of the foreign air operator.
2. Aircraft of the foreign air operator that run scheduled air services from and to the State, to conduct additional flights on its scheduled services.
3. Aircraft of the foreign air operator working on scheduled air services from and to the State to undertake unscheduled services.
4. Aircraft of the foreign air operator to operate unscheduled services across the territory of the State.
5. Aircraft of the Bahraini air operator to fly inside and outside the territory of the State, in accordance with the authorization issued to the air operator.
6. Any other cases that may be decided by Civil Aviation Affairs.

The flight permit application may be presented to the Undersecretary for Civil Aviation Affairs on the form prepared for this purpose by Civil Aviation Affairs, by the air operator, or his official representative, containing the data and documents specified by Civil Aviation Affairs.

Chapter 5

FLIGHT PERMITS TO STATE AIRCRAFT

Article 17

Flight permits to foreign military aircraft shall be presented to Civil Aviation Affairs, through the Foreign Ministry of the State, one week prior to commencement of the flight. The application shall include the following data and documents:

1. Aircraft type;
2. Aircraft registry letters;
3. Purpose of the flight;
4. Aircraft route;
5. Names of the flight crew and passengers and their citizenship;
6. Points of entry and exit;
7. Times of entry and exit;
8. List of shipments and their nature, if any;
9. List of weapons and ammunitions, if any;
10. Any documents or other certificates of the aircraft, that may be requested by Civil Aviation Affairs.

Article 18

Civil Aviation Affairs shall coordinate with the Bahraini Defence Force, with the purpose of obtaining its approval to issuing flight permits to foreign military aircraft.

Civil Aviation Affairs shall issue the necessary flight permits to foreign military aircraft, and shall inform the Foreign Ministry of their number.

In the case of any amendment to flight information of foreign military aircraft which have previously received such flight permit, the application for a new flight permit may be presented as specified in this Article.

Article 19

Requests for transit or landing of aircraft of kings, presidents and emirs and others having their status, as well as aircraft of senior State officials on formal missions, shall be presented to Civil Aviation Affairs through the State Foreign Ministry – one week prior to the commencement of the flight. The request shall contain the following information:

1. Aircraft type;
2. Aircraft registry letters;
3. Purpose of the flight;
4. Aircraft route and times of entry and exit;
5. Names and citizenship of VIPs on board the aircraft;
6. Civil Aviation Affairs shall issue the flight permit, and inform the Foreign Ministry accordingly;
7. Civil Aviation Affairs may request any other aircraft documents or certificates.

PART II

PASSENGERS AND AIR CARGO

Chapter 1

REGULATION AND LICENSING OF AIR CARGO OFFICES

Article 20

Air cargo offices are the companies that perform the activity of loading cargo and documents on aircraft. No company may undertake any activity in the field of air cargo except upon obtaining a license from Civil Aviation Affairs. To obtain such license the company must fulfill the following conditions:

1. That its capital may not be less than 15,000 Bahraini Dinars.
2. The manager of the company must be qualified and must have an appropriate experience in air cargo. He should not be subject of final judgments in an offence or misdemeanor that undermines honour or trust, or in an economic crime, provided that no reconsideration has taken place.
3. Employees of the company must be qualified to work in the field of air cargo, in accordance with the qualification requirements laid down by Civil Aviation Affairs, including systems related to acceptance, wrapping and insuring shipments and handling and loading dangerous goods.

4. The vehicles designated to transport cargo and documents should be of a secure type thus corresponding to the type of shipments.
5. The company in question shall conform to the application of standards and regulations of aviation security, by virtue of a security programme to be approved by Civil Aviation Affairs.

Article 21

Air cargo offices should adhere to the following conditions and specifications:

1. The total area of the company's office should not be less than 25 square meters. An appropriate space should be allocated to warehouses and stores.
2. A lighted board carrying the name of the company should be provided in both Arabic and English and it should also show the trade register number.
3. A staff certification system should be established to prevent entry of unauthorized persons to the warehouses and stores of the shipments.
4. There must be a security system for the offices, stores and warehouses.
5. A fire fighting system should be provided. It must be approved by the Ministry of the Interior.
6. Necessary equipment should be provided for the processes of wrapping, storage and balancing.
7. There must be a file cabinet.
8. Offices of the company should be prepared so that they are appropriate to receive clients. The stores and warehouses should have safe specifications that are suitable for the nature of shipments, and must be provided with the necessary equipment to perform this activity. International standards of air cargo should be observed, especially those issued by ICAO and IATA.
9. Offices of the company should have systems for the automatic exchange of cargo documents. Such systems should be in accordance with the internationally-approved standards.
10. A technical and administrative manual on activity performance should be available in the company. Such manual should contain all data related to the systems and equipment as well as the functional structure of the employees. Civil Aviation Affairs shall be advised of any change to such data.

Article 22

Authorization applications to open air cargo offices should be presented to the Air Transport Department on the forms prepared for this purpose by Civil Aviation Affairs, enclosing all documents and data specified by the Civil Aviation Affairs.

The Air Transport Department shall review the authorization application and shall examine the documents and data attached to it. It shall issue a recommendation regarding this application for presentation to the Undersecretary for Civil Aviation Affairs for decision.

Article 23

The Undersecretary for Civil Aviation Affairs shall issue a decision to open an air cargo office and notify the applicant in a registered letter to address shown on the application , within 60 days after the date of the letter without consideration should be regarded as a decision to reject it.

The applicant may complain to the Minister about decision of the Undersecretary for Civil Aviation Affairs that rejected its application, within 60 date after the date of receiving the notification or after the date that his application was considered rejected. The Minister must answer the complaint within 60 days of the date of its presentation. Otherwise this is considered a rejection of the complaint.

The plaintiff may appeal the decision of the Minister before the appropriate court within 60 days after the date that his application was rejected or the date on which the complaint is considered rejected.

Article 24

The duration of the authorization to open an air cargo office shall be two years, renewable to other similar periods.

The application for renewal of the authorization shall be presented two months prior to its termination. The controls and measures specified in Articles 20 to 23 of these Regulations must be followed in such renewal.

Article 25

The Undersecretary for Civil Aviation Affairs may cancel an authorization to open an air cargo office or suspend it for specific periods that do not exceed six months in the following cases:

1. Violation of the authorization conditions.
2. Suspension for six continuous months of conducting the authorized activity for unacceptable reasons.
3. Closure or change of the company's seat without approval of Civil Aviation Affairs.

The cancellation of the authorization in the cases mentioned in paragraph 1 of this Article does not preclude the stakeholder from obtaining a new authorization in case the necessary conditions are made available.

Article 26

Civil Aviation Affairs shall maintain special records to register the authorized air cargo offices. Such records should include the following data:

1. Name and address of the company.
2. Name of the responsible manager.
3. Number and date of the authorization and renewal.
4. Any other data that may be determined by Civil Aviation Affairs.

Article 27

The air cargo offices should observe all the orders and instructions issued by Civil Aviation Affairs, especially the following:

1. Notify the shippers of the rights, conditions and commitments of the cargo operation.
2. Include in the advertisement for promoting its air cargo activities all the data and detailed conditions on such activities, to preclude any vagueness or uncertainty among the general public.
3. Civil Aviation Affairs shall be provided with reports on any unexpected conditions that may take place to the company in the conduct of its operations, such as accidents, fires and theft, etc.
4. Adhere to the rules and systems established by Civil Aviation Affairs, as well as the international systems in effect concerning compensations in the case of damage or loss of the shipments, and measures to reimburse the value of the bill of lading if the air cargo process cannot be implemented.

Article 28

Civil Aviation Affairs shall coordinate with the concerned departments in the Ministry of the Interior on all measures related to the security, in accordance with the Nation Civil Aviation Security Programme.

Article 29

No air operator shall accept any shipments from any air cargo office that is unauthorized by Civil Aviation Affairs.

Chapter 2

Sale and Marketing of Air Transport Services By the Air Operator or its Agents and by Travel Offices

Article 30

The air operator or its agents and travel offices may not exercise any activity for the sale and marketing of air transport services without obtaining an authorization to this effect by Civil Aviation Affairs.

Article 31

The air operator desiring to obtain an authorization for the sale or marketing of air transport services in the State should be registered in a State party to the Chicago Convention and the Convention for the Unification of Certain Rules for International Carriage by Air, signed in Montreal on 28 May 1999.

Article 32

The agency contract between the air operator and its agent to exercise the activity of sale and marketing of air transport services shall be in accordance with the rules and regulations established by the International Air Transport Association (IATA). The contract must also be in accordance with the measures used in this connection by the Ministry of Industry and Trade.

Article 33

The air operator may be authorized to sell and market air transport services directly, without the presence of an agent. In such a case, the air operator shall open travel offices inside the State, in accordance with the rules and regulations that may be determined by Civil Aviation Affairs.

Article 34

The authorization application to sell and market air transport services shall be presented by the air operator concerned to the Air Transport Department on the form prepared for this purpose by Civil Aviation Affairs. It must also attach the documents and data that may be determined by Civil Aviation Affairs.

The Air Transport Department shall consider the authorization application, examine the attached documents, and issue a recommendation thereon for consideration by the Undersecretary for Civil Aviation Affairs.

Article 35

The Undersecretary for Civil Aviation Affairs shall issue a decision on the application to sell and market air transport services, and shall inform the applicant by registered mail at the address mentioned in the application within 60 days from the date of its submission to the Air Transport

Department. The passage of 60 days from the date of submitting the application without consideration shall be considered a decision to reject it.

Article 36

The applicant to sell and market air transport services may complain to the Minister about a decision by the Undersecretary for Civil Aviation Affairs that is issued to reject its application. This may take place, within 60 days from the date it has been advised of it, or from the date on which the application was considered rejected. The Minister must answer the complaint within 60 days of its presentation. Otherwise this will be considered a rejection of the complaint.

The plaintiff may appeal the decision by the Minister before the appropriate court within 60 days from the date of its notification that the complaint has been rejected or from the date the complaint is considered rejected.

Article 37

The period of the authorization to sell and market air transport services shall be two years, renewable to other similar periods.

The application to renew the authorization shall be presented at least two months prior to its termination. If a delay takes place in presenting the application on time, without an acceptable apology, the fees shall be doubled once. The application shall be considered in accordance with the conditions and measures determined for initial consideration of the authorization application.

Article 38

The air operator and his agents may not exercise or promote the sale and marketing of air transport services except through authorized travel offices.

Article 39

Civil Aviation Affairs shall maintain special records to register the air operators and their agents, as well as the authorized travel offices. Such records must include the following data:

1. Name and address of the company.
2. Name and address of the authorization holder.
3. Name of the responsible manager.
4. Number and date of the authorization and number and date of its renewal.
5. Any other data as may be determined by Civil Aviation Affairs

Article 40

The air operator and its agents as well as the travel offices must adhere to all the orders and instructions issued by Civil Aviation Affairs, especially with regard to the following:

1. The list of the rights of passengers as specified in these Regulations, including the compensations.
2. Instructions banning or regulating the transport of dangerous goods on board aircraft, in accordance with the applicable State laws and regulations.

Article 41

The air operator and its agents, as well as the authorized travel offices should adhere to the rules and regulations issued by the International Air Transport Association (IATA), related to reimbursement of the ticket value in case it has not been used. The passenger should also be apprised of the cases in which the ticket value is not reimbursed.

Article 42

The air operator and its agents, as well as the authorized travel offices shall include in the advertisement for the promotion of their activities all the detailed data and conditions of such activities, so that there may not be any vagueness or uncertainty among the public concerning the meaning of terms in such advertisement.

Article 43

The air operator and its agents, as well as the authorized travel offices – when the automatic reservation systems are in use- shall ensure that such systems are in accordance with the standards approved by the International Civil Aviation Organization (ICAO).

Chapter 3

Passenger Rights

Article 44

Provisions of this Chapter shall apply to:

1. Air transport of persons, baggage and goods on flights arriving in the State and departing from the State. This transport is undertaken by the air operator registered in the State, or has been appointed to operate flights from and to the State. Such transport shall be consistent with the provisions of international conventions of which the State is a party.
2. Air operators, airport operators and ground service providers.
3. Operations by the air operator, the airport operator and ground service providers.

Article 45

The air operators, airport operator and ground service providers must adhere to all statutes, rules and instructions related to the rights of passengers as issued by Civil Aviation Affairs. They shall provide the Air Transport Department, without delay, updated copies of all the information, records and documents that may be requested by the Department to apply this Chapter, as well as the statutes and decisions issued for its implementation.

Article 46

The Air Transport Department shall lay down the provisions of this Chapter and shall supervise its implementation. In so doing, the Department shall carry out the following functions, inter alia,

1. Supervise guidance to the passengers and air transport operating agencies, in respect of the rights of passengers and the mechanism of dealing with such rights.
2. Receive and review the passenger complaints against air operators, the airport operator and the ground service providers.
3. Support the passengers, the air operators, the airport operator and the ground service providers in resolving problems related to the protection of passengers.
4. Follow up the implementation by the air operators, the airport operator and the ground service providers of the provisions related to the protection of passengers, and investigate violations and complaints and impose appropriate penalties in accordance with these Regulations.
5. Circulate all regulations, rules and decisions related to the rights of passengers, as issued by Civil Aviation Affairs.
6. Lay down the minimum provisions and conditions for the overbooking policy that could be followed by the air operators.
7. Coordinate with the airport operator, the air operators and the concerned agencies inside or outside Civil Aviation Affairs to improve the infrastructure and to achieve the appropriate environment and raise the level of attention to passengers, in conformity with the provisions of these Regulations.
8. Approve the air transport contract conditions and terms, and the contractual measures between its parties, and the mechanism to deal with complaints of the passengers, the requirements of advertisement and guidance to the passengers.

Article 47

1. The Air Transport Department may, for the purpose of undertaking its functions, coordinate with other departments on civil aviation affairs.

2. Without undermining civil aviation security and safety, the concerned Departments in Civil Aviation Affairs, must give priority to the protection of passengers and cooperate with the Air Transport Department to undertake its functions at the best possible way.

Article 48

1. The national air operator shall provide the overbooking policy on its flights to the Air Transport Department for approval.

2. The designated air operator to operate flights from and to the State shall present to the Air Transport Department the approved overbooking policy adopted by the Civil Aviation Affairs in the State of registry.

3. The air operator shall implement policies of regulating overbooking on its flights, and shall, if possible, reduce the number of passengers who have been refused access to the flight.

4. The air operator shall announce, in a prominent way, its policy of overbooking regulation, and shall inform the passenger of such policy when they undertake the travel procedure, whether through phone calls, or on the website of the air operator, or at the sale and travel offices and counters at the airport.

5. In cases where the air operator refuses embarkation of any passenger on its flight by reason of the overbooking regulation policy, while there are alternative seats on the same flight at a higher class than the one agreed upon with the passenger, the air operator should upgrade to the higher class, without forcing the passenger to pay the difference in price.

6. In cases where the air operator has to refuse the travel of any passenger by reason of the overbooking regulation policy on the agreed flight, and in case no alternative seats are available on the higher class, the air operator may request volunteer passengers to rescind their seats against an offer from the air operator.

7. If the air operator refuses the travel of any passenger since there are no volunteer to rescind their seats, or since the volunteers are insufficient, the air operator should provide the necessary care, attention, support and compensation to the passenger, in accordance with the following mechanisms:

- a) Adequate information must be given to the passenger when travel is rejected by reason of the overbooking regulation policy. Such information should be presented in writing in a clear manner, and the passenger must be given the necessary guidance in this respect.
- b) If alternative seats are available on a lower class in the same flight, the air operator must inform the passenger that such alternative seats are available on the lower class, in accordance with item c) of this paragraph.
- c) Without undermining the provisions of paragraph 5 and item b) of paragraph 7 of this Article, the air operator must allow the passenger to choose travelling on another flight

by the same air operator or a flight by another air operator, with the air operator incurring the difference of the travel cost if any.

- d) If the passenger awaits the forthcoming flight of the air operator, or if this flight is the closest alternative flight requiring attendance of one to eight hours at the airport, the air operator must enable the passenger to use the hospitality lounges if available at the airport.
- e) Downgrading the passenger on the same flight by reason of overbooking is not considered refusal of the travel. The air operator must compensate the passenger for the total difference in fare between the original travel class and the part of the flight that has been downgraded.
- f) In the case of refusing the travel of a passenger continuing his flight from the arrival point to other destinations, the air operator must ensure that the passenger arrives at the final destination as soon as possible, with the least possible delay, whether on the flight of other air operators, or on a higher class of travel. The air operator must bear the difference in the travel cost if any, and the passenger must present a proof of continuing the flight from the arrival destination.

8. The passenger shall not be entitled to a compensation for rejection of flight for reason of the overbooking regulation policy in the following cases:

- a) If the passenger is not committed to the transport contract, or provisions of the ticket tariffs, confirmation of reservation and attendance at the airport at a time to terminate the travel procedure in accordance with the policy of the air operator.
- b) If the air operator provides a similar flight to the final destination of the passenger, eight hours from time of the original take-off.

9. The air operator shall repay the compensation to the passenger within 60 days after the date on which the passenger's right to the compensation has been established, or a decision has been issued by Civil aviation Affairs establishing the right of the passenger to compensation. The passenger's compensation shall be equivalent to 50 Special Drawing Rights for each day of delay in paying the compensation.

Article 49

1. The air operator should, if possible, limit the number of cancelled flights, together with ensuring the air safety and security aspects.

2. The air operator should, if possible, inform the passengers of flight cancellation at a sufficient time before the time of the flight. This should be in accordance with the following procedure:

- a) If the air operator informs the passenger of flight cancellation fourteen days prior to the date of travel, the air operator shall be exempt from requirements of care, support and

compensation. The air operator shall reimburse the ticket value to the concerned passenger.

- b) If the air operator informs the passenger of the flight cancellation fourteen days before the fixed date of flight, the air operator should offer the passenger an alternative flight or reimbursement of the full ticket value or the remaining part of the flight.
- c) If the passenger opts for an alternative flight against the cancelled flight in accordance with item b) of this paragraph and this resulted in extension of the passenger's residence for an additional period until the date of the alternative flight, the air operator shall bear the costs of residence and meals of the passenger for the additional period until the new date of travel.

3. If the flight is cancelled for unexpected reasons during the presence of the passenger at the airport, and if the passenger has chosen an alternative flight, the passenger may be treated in accordance with the following :

- a) If the flight is on a higher class for the same operator, or another operator, the air operator shall bear the cost difference, in case the cost of travel on the alternative flight is higher than the cost for the same air operator.
- b) If the travel was on the same air operator or on another air operator at a lower class, the air operator shall compensate the passenger to the equivalent of the full cost difference, or the equivalent of 500 Special Drawing Rights, whichever is higher.

4. Compensation in the two cases shown in paragraph 3 of this Article may be through issuing an open ticket to be used during one year from date of issue, provided the passenger is in agreement.

5. If the passenger agrees to cancel the contract with the air operator due to flight cancellation, the Air operator shall reimburse the full value of the ticket to the passenger.

6. The air operator shall prepare a declaration form on "cancellation by the passenger of the contract". The passenger must sign this form prior to receipt of the full value of the ticket.

7. In case the declaration referred to in paragraph 6 of this Article is not present, the statement by the passenger, if different from that of the air operator, should be accepted.

8. The provisions of paragraph 6, Article 50 of these Regulations shall apply in cases of delay in the take off time between the cancelled flight and the alternative flight.

Article 50

1. The air operator shall take all measures to limit the number of delayed flights and to reduce the duration of the delay, while observing the security and air safety aspects.

2. If the air operator advises the passenger of a delay of the flight or change of the scheduled time for the flight fourteen days before the date fixed for the travel, the air operator shall be exempt from requirements of care, support and compensation.
3. The air operator shall not be responsible for any damage resulting from the delay, if it is established that the air operator, his staff or agents have taken all necessary reasonable measures to avoid the damage, or that it was impossible for them to take such measures.
4. The air operator, while observing the security and safety consideration, should, as much as possible, inform the passenger of the flight delay, prior to the original take-off time. The notification should include the new take-off time.
5. If the air operator fails to determine the new take off time, it should - in addition to the forms of care it should present - compensate the passenger by 15 Special Drawing Rights for each hour of delay up to 100 Special Drawing Rights.
6. The air operator, while observing the provisions of paragraphs 5 and 12 of this Article, should - in cases of delay in the take-off time while the passenger is in the airport - provide the following forms of care to the passengers:
 - a) Soft drinks as of the start of the first hour of the original time fixed for departure.
 - b) A hot meal, if the delay period is expected to be three hours or more from the original time fixed for departure.
 - c) Hotel stay, if the probable delay period exceeds eight hours from the original time fixed for departure.
7. With the exception of the provisions in item a), paragraph 6 of this Article, the passenger has the right to choose between the care services mentioned in the remaining items of this paragraph or to be compensated for them as follows:
 - a) The equivalent of 15 Special Drawing Rights instead of the hot meal, if the possible delay period exceeds three hours after the original time fixed for departure.
 - b) The equivalent of 50 Special Drawing Rights instead of the hotel stay, if the possible delay period exceeds eight hours after the original time fixed for departure.
8. The airport operator should support the air operator by providing infrastructure and appropriate facilities to offer the care services specified in paragraph 6 of this Article.
9. If the air operator is unable to offer the care forms specified in paragraph 6 of this Article, due the lack of infrastructure at the airport where the delay has occurred, or for any other reason, the passenger shall be compensated by the air operator, in accordance with the provisions of paragraph 7 of this Article. In case the reason is related to the airport infrastructure, the air operator has the right to refer the amount of the compensation to the airport operator.

10. In case the flight is delayed before the passenger is at the airport, the air operator shall bear the cost of extending the hotel stay of the passenger until the time of the new take off. The responsibility of the air operator shall not exceed 50 Special Drawing Rights. The passenger should present a proof of carrying such costs.

11. The provisions of paragraphs 6 and 7 of this Article shall apply in cases where the air operator is obliged to change the route during the flight.

12. In the case of flight delay or possible delay for more than eight hours, the passenger can request the air operator to deal with the flight as a cancelled flight. In such cases the provisions of flight cancellation in Article 49 of these Regulations shall apply.

13. In case of flight delay for more than eight hours after the possible time of arrival that has been announced by the air operator, the latter shall compensate the passenger to the amount of 10 Special Drawing Rights for each hour of delay. The compensation shall not exceed 100 Special Drawing Rights. Such compensation shall not be considered an alternative for presenting other care forms imposed by virtue of these Regulations.

Article 51

If the reservation is cancelled by the air operator without knowledge of the passenger, the flight shall be considered as a cancelled flight subject to the provisions of flight cancellation in Article 49 of these Regulations.

Article 52

1. The air operator may not refuse travel of a passenger with disabilities, unless this was for reasons of security and safety on board the aircraft or to preserve the health of the passenger with disabilities.

2. The air operator, airport operator and ground service provider shall observe the needs of passengers with disabilities, including, *inter alia*, the following:

- a) Provision of wheel chairs and evident guidance signs at airports and during embarkation and disembarkation.
- b) Provision by the ground service providers of automatic lifts for embarkation and disembarkation free of charge.
- c) Provision of the necessary care needed by the passenger with disabilities in cases of cancellation or delay of flights or any change of flight course.
- d) Provision of measures to inform passengers with disabilities, especially those who have lost hearing or sight, of the dates of flights, flight cancellation or delay. The air operator shall bear responsibility if he does not carry out this function.
- e) The sale counters and utilities of the airport shall be rehabilitated by the air operator to receive and serve passengers with disabilities.

3. In case of refusal to transport a passenger with disabilities or refusal to render necessary services to such a person by the air operator, airport operator or ground service provider, these have to submit their justifications to the passenger within seven days of date of flight refusal, refusal to render service or date of request of such justifications by the Air Transport Department. Otherwise this would be considered as acceptance of the passenger's entitlement to the necessary compensations under these Regulations.

4. The passenger with disabilities whose flight has been refused or who has not obtained the services mentioned in paragraph 2 of this Article by the air operator, the airport operator or ground service provider, equivalent to 200 percent of the total value of the ticket price, in addition to any other compensations mentioned in these Regulations.

Article 53

1. The air operator should observe the necessary attention and care to ensure that no delay should take place in the arrival of baggage of the passenger and that no loss or damage should occur to such baggage.

2. The air operator shall compensate the passenger to an amount not exceeding 1,131 Special Drawing Rights for loss, damage or delay of the passenger's baggage.

3. The air operator shall present to the Air Transport Department a statement of its policy on compensation for lost, damaged or delayed baggage, within 90 days of date of entry into effect of the provisions of these Regulations. Otherwise the air operator shall be obliged to compensate the passenger by virtue of the maximum compensation for each request.

4. The Air Transport Department may reject the policy of the air operator concerning compensation for lost, damaged, or delayed baggage or modification of such policy in accordance with the provisions of these Regulations.

5. The air operator shall announce its policy to compensate the baggage of passengers that have been delayed, damaged or lost. Such announcement should be placed on the air operator's internet website and also at a prominent place in its sale office or at the airports used, once such policy is approved by the Air Transport Department.

6. The air operator shall compensate the passenger for delay of baggage, 21 days from date of notifying the passenger of the delay of baggage, in accordance with the measures in effect.

7. The air operator shall compensate the passenger for damage to the baggage within 14 days from the date the baggage were considered damaged, in accordance with the measures of the air operator.

8. If the passenger wishes to raise the value of the compensation specified in paragraph 2 of this Article, because the baggage contain precious articles, the passenger should inform the air operator of such precious articles when the baggage are examined, and should confirm this on the forms prepared by the air operator for this purpose.

Article 54

1. The air operator shall, if possible, offer appropriate care and support in cases of force majeure.
2. The air operator shall not be responsible *vis-à-vis* the passengers in cases of force majeure, in accordance with the provisions of paragraph 1 of this Article, if it proves that it has taken the measures that should have been taken, or if it is impossible for the air operator to take such measures.
3. The air operator shall, when cancelling or modifying the flights in cases of force majeure, apply the provisions of Articles 49 and 50 of these Regulations as much as possible.
4. The air operator shall, in the case of force majeure, suspend its flights if necessary.
5. When suspending its flights in the case of force majeure, the air operator shall, as much as possible, notify the passengers of the timing of the alternative flight.
6. The air operator shall, in the case of force majeure, provide a telephone number for free of charge contact and follow up by passengers concerning the developments and changes associated with the case of force majeure.
7. The force majeure includes the running of specific flight/flights to a certain destination or destinations, for reasons that the air operator cannot control or avoid. The definition of force majeure, for purposes of these Regulations does not include aircraft technical defects.
8. The air operator shall provide the necessary infrastructure and services to assist the air operator in running the affairs of the passengers in an optimal manner for the duration of the force majeure.
9. The air operator shall inform the Air Transport Department in writing of any deficiency of services that should be provided by the air operator in causes of force majeure and in cases of technical defects to the aircraft resulting in flight delay.

Article 55

1. Reference to compensations mentioned in these Regulations in Special Drawing Rights shall not preclude payment of such compensations in the currency of the State.
2. The airport operator shall inform the air operator of any defects in guidance equipment and boards that may result in suspending the arrival of such information and guidance to the passengers.
3. The air operator should indicate the provisions for the transport of pets to the passengers concerned prior to accepting them for transport on its flights.
4. In case of not accepting to transport pets, the air operator must carry the expenses resulting from such non-acceptance up to a maximum of 100 Special Drawing Rights.

5. The air operator, when using automatic reservation systems, should make available all rates to the passengers.

6. In cases of unscheduled flights or purchase of special flights from the travel and tourism offices, the passenger may claim all his rights in these Regulations from the actual air operator. The latter may claim such payments on the travel and tourism offices by virtue of the contractual agreement between them.

Article 56

1. The air operator shall adhere to the principle of transparency in its announcement of flights, notifications and services presented by it.

2. The air operator may not present misleading or insufficient information on the prices of services presented by it and on the mechanism of their presentation.

3. The air operator shall announce any other additional rate to be added to the announced rate in the same advertisement material used. Such information should be made clear in the same advertisement material.

4. The rates announced by the air operator are the total rates. No fees or other costs may be added to such rates unless this is shown expressly in the advertisement material.

5. In case the service is provided through the operating pattern, in accordance with the code sharing of more than one air operator, or through a leased aircraft with the crew, the air operator must inform the passenger clearly when offering to provide the travel service.

6. The air operator shall announce the rights of the passenger, in conformity with the air transport contract. This should be announced in clear places and in a way that is understood by the passenger. This should include, in particular, the following:

- a) Addresses of the selling offices.
- b) Travel counters.
- c) Area of receipt of passenger baggage and area of receiving compensation in the cases of loss, damage or delay of arrival of such baggage.
- d) The air operator website on the internet.

7. The airport operator shall make available the necessary spaces for the advertisements mentioned in this Article, without obtaining any remuneration in return from the air operator or ground service providers.

8. The air operator shall inform the Air Transport Department promptly if the airport operator fails to implement its commitment provided in paragraph 7 of this Article.

Article 57

1. The air operator shall guide the passenger to the methods of claiming its rights and shall provide the forms relating to submission of complaints and demands through its website on the internet, the selling offices and travel counters.
2. The airport operator shall ensure the clarity and effectiveness of loudspeakers and advertisement boards that guide the passengers.

PART III

Terms of Concluding Air Transport Agreements and Controls for the Operation of Air Services

Chapter 1

Air Transport Agreements

Article 58

The Bahrain Air Operator shall not conclude commercial or technical agreements or arrangements relating to a joint operation or investment or code-sharing with foreign air operators, except in accordance with the provisions of this part.

In all cases, the agreement or arrangement between the Bahrain Air Operator and the foreign air operator should include a provision that it will be in effect only upon its approval by the Undersecretary for Civil Aviation Affairs.

Article 59

No ground services shall be offered without authorization by the Minister, once all terms and requirements established by Civil Aviation Affairs have been fulfilled.

Article 60

Without undermining the provisions of air transport agreements concluded between the State and foreign States, authorization to the foreign air operator to offer ground services shall be subject to the following terms:

1. The application must be presented by a air operator which runs scheduled flights to the State, to service its aircraft that it uses on such flights. The authorization may include provision of services to another airline or airlines.
2. The air operator shall provide the necessary equipment and systems to offer ground services.

3. The air operator should be qualified to offer ground services at the required level. It should also be able to apply the standards of air safety and aviation security in accordance with the applicable regulations.
4. The civil aviation authority in the State to which the foreign air operator belongs should allow the Bahrain air operator to exercise the same activity in that State if requested, in accordance with the principle of reciprocity.

Chapter 2 Air Routes and Services

Article 61

For Civil Aviation Affairs to approve an application by an air operator to establish an air service, modify its route or the number of flights, such air operator must have received an aviation authorization from the Minister, in accordance with the provisions of these Regulations.

Article 62

Civil Aviation Affairs shall prepare forms of applications to establish air services, amend its route or the number of its flights. Such applications should be presented using such forms. Civil Aviation Affairs may request the air operator to present the documents and data that it considers necessary.

Article 63

An application to establish an air service or to modify its route or the number of its flights must be presented by the air operator or its official agent at least 30 days prior to commencement of operation.

Article 64

Subject to the provisions of Article 61 of these Regulations, for Civil Aviation Affairs to approve the application by the air operator to establish an air service, modify its route or the number of its flights, the following must be observed:

- a) For the Bahrain air operator:
 1. The application should not be inconsistent with public interest.
 2. The application should be within the range determined in the aviation authorization.
 3. The application should be in accordance with the bilateral or multilateral agreements concluded between the State and the State or States covering the air service requested to be established, or it is identical to a temporary operating permission or authorizations received by the Bahrain air operator from that State or States as the case may be.

4. The air operator should have the necessary potential to operate the air service required to be established or modify its route or the number of its flights. It must have, in particular, suitable aircraft for this purpose, in terms of its number, specifications and status under air safety standards.
 5. The air operator should prove - by virtue of an economic feasibility study that should be attached to the application - that operation of the air service to be established or that its route or number of flights should be modified will achieve an economic interest for it.
 6. The subject of the application should not be the operation of a scheduled air service on which a national air operator is working,
- b) For the foreign air operator:
1. The application should be in conformity with the provisions of an air transport agreement between the State and the State of the foreign air operator submitting the application , or with the provisions of a multilateral agreement to which the State and the State of the foreign air operator are parties, or that it is identical to a temporary operating permission issued under the provisions of these Regulations.
 2. The application should include all data and information requested by Civil Aviation Affairs, and in particular:
 - i) The route of the air service to be established or modify its course and the number of its flights.
 - ii) The number of flights.
 - iii) The type of aircraft, and whether it is owned or hired and type of hire.
 - iv) The date specified for commencement of operations.
 - v) Any other information as may be requested by Civil Aviation Affairs.

Article 65

The air operator may not cancel any of its air services except after fixing a date for such cancellation that would ensure the implementation of its commitments *vis-à-vis* the contractual and expected passengers. The air operator must announce the cancellation of the air service in two wide-spread local daily newspapers and shall present the cancellation application to Civil Aviation Affairs including the following:

1. Date fixed for cancellation of the air service.
2. Specific reason for cancellation, endorsed by documents.

3. Documents indicating settlement of all obligations of the air operator.

Cancellation of the air service shall take place after approval by Civil Aviation Affairs.

Part IV

Establishment of Civil Aviation Airlines and Companies connected with Civil Aviation

Chapter 1

Establishment of Civil Aviation Airlines

Article 66

Subject to the provisions of the Law on Commercial Companies, issued by Decree of Law No.21 of the year 2001, the following shall be provided for the establishment of a civil aviation airline:

1. The establishment of the airline shall achieve an economic interest for the State within the framework of the general State plan.
2. The establishment of the airline will not be inconsistent with the operation of any other operator authorized to operate in the State, or shall be inconsistent with the operation of the national air operator, with the exception of cases of agreement with the national air operator.
3. A technical, economic and financial feasibility study shall be presented. It shall establish the provision of conditions and requirements necessary for the airline's economic success and ensuring the safety and efficiency of its technical operation.
4. The capital of the airline shall be adequate for the size and nature of its purposes and the character of its activity and its operational plans as well as the ownership plan for aircraft and equipment.
5. The airline's financing plan shall ensure, in conformity with the economic and financial feasibility study – the realization of balance between capital and the loans and other commitments borne by the airline.
6. The capital of an airline operating in scheduled air transport of passengers should not be less than 50 million Bahraini dinars. Civil Aviation Affairs shall determine the necessary capital for other civil aviation activities, in keeping with the nature of each activity, in coordination with the Ministry of Industry and Trade.

Article 67

The Minister shall form a committee of specialists in technical, administrative and legal matters. The Committee shall be headed by the Undersecretary for Civil Aviation Affairs and shall be called "Committee for examination of applications to establish civil aviation airlines". This

committee shall examine applications from stakeholders to establish civil aviation airlines or companies associated to civil aviation in conformity with the provisions of these Regulations.

Article 68

An application for the establishment of a civil aviation airline shall be presented by the owner or its official representative to the Undersecretary for Civil Aviation Affairs, on the form prepared for this purpose by Civil Aviation Affairs.

The application shall indicate the legal structure of the airline, as well as names, nationalities and place of residence of the partners. The technical, economic and financial studies of the project and all supporting documents and date as specified in these Regulations.

Article 69

The Committee mentioned in Article 67 of these Regulations shall examine the application for establishing an airline. The Committee may request the applicant to provide whatever it deems necessary, including any complementary studies or data, clarifications, pledges, documents or any other papers supporting or completing the application . The Committee shall issue a decision accepting the application or reject it if it finds that the airline in question lacks the technical or economic feasibility. The chairman of the Committee shall submit the matter together with the Committee's recommendation to the Minister. All this shall take place within 60 days from the date of submitting the application to the Undersecretary for Civil Aviation Affairs.

Article 70

The Minister shall issue a decision on the application of establishing an airline, in the light of the recommendation by the Committee mentioned in Article 67 of the Regulations. The applicant shall be informed – by registered mail to the address in the application , within 60 days specified in Article 69 of these Regulations. Passage of the period specified for the Minister to consider the application shall be considered the rejection of the application , in case the Minister fails to consider the application .

The applicant may complain to the Minister about the latter's decision to reject the application , within 60 days after the date it has been informed that its complaint has been rejected or from the date on which the complain was considered as rejected. The Minister shall answer the complaint within 60 days from the date of its presentation. Otherwise this will be considered as rejection of the complaint.

The plaintiff may appeal the Minister's decision before the appropriate court within 60 days after being advised of the rejection of the complaint, or from the date the complaint was considered rejected.

Chapter 2

Establishment of Companies Linked to Civil Aviation

Article 71

Subject to the provisions of the Law on Commercial Companies, issued by Decree of Law No.21 of the year 2001, the following shall be satisfied when approving a specialized company for maintenance of aircraft, catering of aircraft or ground services:

1. The establishment of the company shall achieve an economic interest for the State, or assist in completing the civil aviation services system in the State.
2. The application for establishing the company shall contain a technical study and an economic and financial feasibility study, proving the availability of necessary conditions and requirements for the economic success of the project and ensuring the safety of its technical operation.
3. The capital of the company shall be appropriate for the nature and size of the activity requested for authorization

Article 72

The application for establishment of a specialized company for maintenance of aircraft, catering of aircraft or provision of ground services shall be presented to the Undersecretary for Civil Aviation Affairs by the applicant or his official representative, on the form prepared for this purpose by Civil Aviation Affairs. The application shall include all data and documents specified by Civil Aviation Affairs.

The Undersecretary for Civil Aviation Affairs shall issue a decision on the application and shall advise the applicant, by registered mail, at the address mentioned in the application . All this shall take place within 60 days from the date of presenting the application , and after it has been studied by the Committee mentioned in Article 67 of these Regulations. The passage of 60 days from the date of presenting the application without consideration shall be considered as rejection of the application .

The applicant may complain to the Minister about the decision of the Undersecretary for Civil Aviation Affairs rejecting the application , within 60 days after it has been advised of the decision or from the date the application was considered rejected. The Minister shall answer the complaint within 60 days from the date of its presentation. Otherwise this will be considered as rejection of the complaint.

The plaintiff may appeal the Minister's decision before the appropriate court within 60 days after being advised of the rejection of the complaint, or from the date the complaint was considered rejected.

PART V

Airline Liquidation and Dissolution

Article 73

Subject to the provisions of the Law on Commercial Companies, issued by Decree of Law No.21 of the year 2001, and other related laws, each airline that may be subject to a case of liquidation or dissolution must advise Civil Aviation Affairs of its desire to liquidation or dissolution, 60 days after its general assembly has approved the principle of liquidation or dissolution. The advice must determine the following:

1. Paid up capital.
2. List of the airline assets.
3. Reasons of liquidation or dissolution.
4. Total airline losses.
5. List of debt on the airline, and list of the creditors.
6. List of names of the airline staff and their nationalities.
7. List of the tickets issued by the airline and their value, together with list of the persons receiving such tickets.
8. Rights of the airline staff.
9. Name of the legal liquidator.

Article 74

The Undersecretary for Civil Aviation Affairs shall coordinate with the concerned agency of the State regarding the liquidation or dissolution of the airline that has presented the notification contained in Article 73 of these Regulations, in order to secure the rights of persons dealing with the airline.

Section III

Air Navigation and Meteorology

Article 75

Provisions of volume (3) of the technical regulations of air navigation and any amendments introduced in navigation and meteorology services shall apply. Such provisions are an integral part of these Regulations.

Section IV

Aeronautical Licensing

Article 76

The provisions of the volume (1) of the Technical Regulations of Air Navigation” and any amendments thereto shall apply to aeronautical licensing. Such provisions are an integral part of these Regulations.

Section V

Airports and Aviation Safety

PART I

Establishment and Operation of Airports Designation of their Types and Grades

Article 77

1. Authorization applications to establish airports shall be presented to the Undersecretary for Civil Aviation Affairs on the form prepared for this purpose by the Civil Aviation Affairs. The following data and documents should be attached to the authorization application :
 - a) An area map approved by the specialized agencies in the State, in accordance with the applicable laws and regulations. Such area map shall be prepared with the scale that may be determined by Civil Aviation Affairs and must show the location of the airport and landing area.
 - b) The necessary drawings and designs for the establishment of the airport, including taxi ways, tarmacs and utilities , according to Annex 14 of the Chicago Convention and other complementary documents.
 - c) Type and model of the aircraft using the airport.
2. For operation of the airport to be established, the authorization application shall include the following documents, in addition to the documents mentioned in paragraph 1of this Article:
 - a) Safety plan for operations of the airport.
 - b) Airport security plan.
 - c) All documents requested by Civil Aviation Affairs to ensure coverage by the airport operator of all the requirements and standards of aviation safety and security.
 - d) Any other documents or data as may be specified by Civil Aviation Affairs.

Article 78

The Undersecretary for Civil Aviation Affairs shall issue a decision to form a committee under his chairmanship to study and examine the authorization application presented for the establishment of an airport, in conformity with Article 77 of these Regulations, and shall transmit the application to the committee within one week of its presentation.

The Committee shall examine the authorization application to establish an airport, and shall examine the location of the airport or landing space. It may request the applicant to present any complementary studies, data, clarifications, pledges, documents or any other papers supporting the application or completing it.

The Committee shall issue a decision either accepting or rejecting the application , and shall clarify the reasons of rejection. The recommendation shall be presented to the Undersecretary for Civil Aviation Affairs who will submit the authorization application to establish the airport, accompanied by the recommendation of the Committee before the passage of 60 days from the date of the application .

Article 79

The Minister shall issue a decision on the authorization to establish the airport, in the light of the recommendation of the Committee mentioned in Article 78 of these Regulations, some 60 days from date of submission of the application by the Undersecretary for Civil Aviation Affairs. Such a decision shall be taken once all requirements mentioned in the national regulations and in ICAO Document No 9774 have been ascertained and the efficiency of operation has been established, especially with regard to aviation safety and security.

The applicant shall be advised of the decision, in a registered letter to the address specified in the application . The passage of 60 days from date of presenting the application to the Minister without considering it shall be considered a rejection of the application .

The applicant shall complain to the Minister about his decision to reject his application, within 60 days of the date on which it was advised, or from the date the application was considered rejected. The Minister shall answer the complaint within 60 days from the date of presenting it, otherwise this shall be considered a rejection of the complaint.

The plaintiff may appeal the Minister's decision before the appropriate court within 60 days after being advised of the rejection of the complaint, or from the date the complaint was considered rejected.

Article 80

The Minister, based on the recommendation of the Undersecretary for Civil Aviation Affairs, may withdraw, suspend or annul the authorization of the airport operator, in case of violation of any terms on the basis of which the authorization was granted, or for reasons connected with the security of civil aviation or safety of the operation.

Article 81

The airport operator shall be considered totally responsible before Civil Aviation Affairs for all operational processes of the airport utilities and their administration, in conformity with the national and international standards. All operations of the airport operator shall be subject to audit and control by Civil Aviation Affairs. Civil Aviation inspectors may enter all utilities of the airport operator to inspect them at any time, and to review the supportive records and documents, in accordance with the provisions of the law for the regulation of civil aviation and the systems in force. The airport operator shall cooperate with Civil Aviation Affairs in this connection.

Part 2

Aeronautical Easement Rights

Article 82

Civil Aviation Affairs shall determine the areas covered by aeronautical easement rights, in accordance with the provisions of the Law and Annex 14 of the Chicago Convention.

Article 83

No building shall be constructed or heightened and no light houses shall be established or any of the matters affecting the safety of aviation shall be maintained in the areas of aeronautical easement rights specified by Article 82 of these Regulations, without obtaining an authorization to this effect from Civil Aviation Affairs.

Article 84

To obtain the authorization referred to it Article 83 of these Regulations, Civil Aviation Affairs should receive an application attaching the following documents:

1. An approved area map from the appropriate agency indicating the building that should be built or heightened, or the light-house or equipment subject of the application. The map should be of the scale determined by Civil Aviation Affairs.
2. An approved certificate from the appropriate agency determining the level of the ground where the building is supposed to be constructed, or the place where the light-house or other equipment shall be established.

Article 85

The authorization to build in the areas covered by aeronautical easement rights shall be presented to the Aviation Safety Department by the applicant or his official representative. It should be submitted on the form prepared for this purpose by the Civil Aviation Affairs. The application should include the data and documents specified by Civil Aviation Affairs.

The Department of Aviation safety shall prepare a report on the application and shall submit the application , accompanied by its report, to the Undersecretary of Civil Aviation Affairs for

consideration. This should be done within 30 days from date of submission of the application to the said Department.

The Undersecretary for Civil Aviation Affairs shall issue a decision on the authorization application and shall advise the applicant of such decision, by registered letter at the address specified in the application , within 60 days from date of submitting the application . The passage of 60 days from date of presenting the application without due consideration shall be considered a decision to refuse the application .

The plaintiff may submit a complaint to the Minister against the decision of the Undersecretary for Civil Aviation Affairs refusing his application some 60 days from date of its presentation. Otherwise this will be considered a rejection of the complaint. The Minister shall answer the complaint within 60 days from the date of presenting it, otherwise this shall be considered a rejection of the complaint.

The plaintiff may appeal the Minister's decision before the appropriate court within 60 days after being advised of the rejection of the complaint, or from the date the complaint was considered rejected.

Part 3

Allowable Noise Level for Aircraft

Article 86

Noise levels for all types of aircraft shall be determined by Civil Aviation Affairs in accordance with Annex 16 of the Chicago Convention and the provisions of the law.

Article 87

Landing and take-off of any aircraft at aerodromes of the State shall be banned unless the aircraft carries a noise certificate in effect issued by the appropriate agency in the State of registry.

Article 88

Civil Aviation Affairs shall issue noise certificates for Bahrain aircraft, for an application presented to it showing the following data:

1. Letters of registration of the aircraft.
2. Serial number of the aircraft manufacturer.
3. Type and model of the aircraft.
4. Date of issue of the aircraft type.
5. Noise certificate issued by the manufacturer or by an approved agency including the maximum weight of the aircraft that is determined on the basis of the noise level.

6. Certificate of modifications introduced in the aircraft to reduce the noise certificate, if any.
7. Date of aircraft manufacture and date of introducing modifications thereon.
8. Noise level of the aircraft at the time of manufacture or after introducing modifications on it.

Article 89

No aircraft may be registered in the national aircraft registry unless it carried a noise certificate indicating the level of noise allowed by Civil Aviation Affairs inside the territory of the State.

Section VI

Aviation Security

Article 90

Provisions of volume (2) of the air navigation technical regulations and any modification to civil aviation security in the State shall apply. Such provisions are considered an integral part of these Regulations.

Article 91

1. The State shall present and develop aviation security services to a level ensuring the protection of civil aviation from any unlawful interference. In so doing, the State shall develop and update all measures, systems and plans related to aviation security, including the civil aviation security programme.
2. The State shall maintain its right to restore costs of presenting aviation security services, in accordance with the fundamental principles specified in ICAO Document No. 9082 and other related documents, including the principles of non-discrimination, consultation with service providers and cost coverage.
3. Civil Aviation Affairs shall consult with the agencies concerned with aviation security prior to imposing any civil aviation security fees.

Section VII

Civil Aviation Fees

Article 92

The Minister shall issue decisions to fix the civil aviation fees mentioned in paragraph 1 of Article 133 of the Law, and shall amend the value of such fees to the extent of their maximum limits as specified in the Law.

Article 93

A committee shall be established under the title of “Committee for Reducing or Exemption of Civil Aviation Fees”(referred to in the articles of this section as “the committee”, under the chairmanship of the Undersecretary for Civil Aviation Affairs and membership of the following:

1. Two representatives from Civil Aviation Affairs, nominated by the Undersecretary of Civil Aviation Affairs.
2. Three representatives from the Bahrain Airport Company, nominated by the Executive Manager of the Company.

The Minister shall issue a decision on the composition of the Committee.

Membership shall be for three years renewable to other similar periods. If a seat is vacated for any reason, it shall be filled by a representative from the same agency. The new member shall complete the term of the predecessor.

At the first of its meetings, the Committee shall formulate internal rules of procedure to govern the regulation of its meetings and the conduct of its work.

Article 94

Applications for reduction or exemption of the fees mentioned in paragraph 2 of Article 95 of these Regulations shall be presented by the stakeholder or its official representative. The Executive President of the Bahrain Airport Company shall submit such application to the Committee within seven days of receiving it.

Article 95

The Committee shall:

1. Establish criteria for reduction or exemption of civil aviation fees and their approval by the Minister.
2. Examine applications for reduction or exemption of fees related to aircraft holding, storage or landing of aircraft, and fees of navigation services to aircraft referred to it by the Executive President of the Bahrain Airport Company and issue recommendations in accordance with the requirements of the air transport industry and national interest.

Article 96

The Committee shall meet at the invitation of its head at least three times a year. The quorum of its meetings shall be the majority of its members, including the chairman or the person appointed by the chairman to head the meeting.

Each member shall disclose in writing to the committee chairman, before convening of the meeting, the presence of any personal interest, either directly or indirectly, that might be inconsistent with membership, concerning a subject submitted to the committee. The disclosure

could be done verbally at the meeting and should be registered in the minutes before the matter is considered.

Disclosure of inconsistent interests shall result in banning the member from attending the discussions or deliberations of the committee or participation in the work of any technical committee which may be formed on the subject.

The committee shall issue its recommendations by majority of members present. In case of equal votes, the part of the chairman of the meeting shall be given more weight.

The committee shall issue a recommendation on the application to reduce any of the fees mentioned in paragraph 2 of Article 95 of these Regulations within 60 days from the date of presenting the application to the Executive President of the Bahrain Airport Company. The chairman of the committee shall submit the request- together with recommendation of the committee- to the Minister for consideration.

Article 97

The Minister shall issue a decision on the application submitted to him, in accordance with Article 96 of these Regulations upon ensuring that all requirements in the national systems have been completed, especially in relation to aviation safety and security. The applicant shall be advised of the decision, by a registered letter, at the address specified in the application. All this should be completed within the 60 days following the passage of the 60 days mentioned in paragraph 4 of Article 96 of these Regulations. The passage of the period specified for the Minister to consider the application without considering it shall be considered as rejection of the application .

The plaintiff may submit a complaint to the Minister against the decision of the Minister refusing the application some 60 days from being advised of it or the date the application was considered rejected. The Minister shall answer the complaint within 30 days of the date of its presentation. Otherwise this will be considered a rejection of the complaint.

The plaintiff may appeal the Minister's decision before the appropriate court within 60 days after being advised of the rejection of the complaint, or from the date the complaint was considered rejected.

Section VIII

Civil Aviation Inspectors

Article 98

The civil aviation inspectors shall undertake the following, in the performance of their functions:

1. Enter at any time any place specified for performance of the activities of airlines and maintenance, catering and ground service companies. They shall also enter the cargo warehouses of all types, including warehouses of dangerous goods, and all utilities and constructions of the airport and any other places within the framework of civil aviation activities or related activities. They may also enter national and foreign aircraft and conduct the necessary inspection processes in accordance with the laws and regulations in effect.
2. Review any records or documents in the places mentioned in paragraph 1 of this Article, and ensure their validity in case of any reasons that so require.
3. Meet any employee or officer in the places mentioned in paragraph 1 of this Article, listen to them, address questions to them and request documents and records that enable them to carry out their work, in accordance with the provisions of the law and regulations in effect,.
4. Take the necessary measures to prevent violations of civil aviation safety and security and violations civil aviation laws and regulations, as well as the regulations and decisions issued for their implementation.
5. Identify violations to civil aviation laws and regulations as well as the regulations and decisions issued for their implementation. In so doing, they may collect all evidence, including photos, videos, documents and records.
6. Submit reports to the Undersecretary for Civil Aviation Affairs on the records or documents they maintain and the violations they identify, especially those related to civil aviation safety and security.
7. Staff of civil aviation companies and installations and any person shall not interfere with civil aviation inspectors, or prevent them from performing their functions or impede their performance. Violators of such measures shall be punishable by the sanctions specified by Law.

The civil aviation inspectors are not allowed to enter the places designated for housing, except by permission of the public prosecutor.

Section IX

Closing Provisions

Article 99

Authorizations and permits mentioned in these Regulations shall be issued upon payment of the established fees. Such authorizations and permits should be considered as belonging to their stakeholders and may not be given to others.

Article 100

Subject to the sanctions and penalties specified in the Law and in these Regulations, the Minister, in the implementation of the provisions of the Law and these Regulations, shall impose an administrative fine whose value does not exceed 10,000 dinar for each violation of any of its provisions.

Article 101

The Undersecretary for Civil Aviation Affairs shall issue and amend all volumes of the technical systems of air navigation and these shall be in effect on the date of publication.

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