



**EGYPTIAN CIVIL AVIATION LAW**  
**LAW 28 OF 1981**

# **CIVIL AVIATION LAW OF ARAB REPUBLIC OF EGYPT**

EDITED BY EGYPTIAN CIVIL AVIATION AUTHORITY  
NOVEMBER 2012

# Civil Aviation Law of Arab Republic of Egypt

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# **Law No.28 of year 1981 on the Enactment of Civil Aviation Law (\*)**

**In the name of the people**

**President of the Republic**

The People's Assembly passed the following law and it's hereby enacting:

### **(Article 1)**

Anything related to civil aviation shall be governed by the provisions of the attached law.

### **(Article 2)**

The following shall be repealed:

- 1- Law no.19 of 1920 on the government's monopoly on airports.
- 2- Law no.57 of 1935 on air navigation.
- 3- Law no.639 of 1953 on establishing airports' approach, commute and safety areas.
- 4- Law no.269 of 1959 on the organization of work at the airports.

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\* Official Gazette (issue no.17) on 23 April, 1981, and amended by virtue of laws no:

- 92/2003, (official gazette, issue no.25 on 19 June 2003)

- 136/2010, (official gazette, issue no.25 bis. on 27 June 2010)

- 5- The decree issued on May 23<sup>rd</sup>, 1935 on the organization of air navigation.
- 6- The decree issued on May 5<sup>th</sup>, 1941 on the control rules of air navigation.
- 7- The President of the Republic decree no.1506 of 1958 on the organization of aviation education.

Any other provision contradicting with the provisions of this law shall also be repealed; the current executive regulations and decrees shall remain valid if not conflicting with the provisions of this law until they are amended or repealed.

### **(Article 3)**

This law shall be published in the Official gazette, and shall come into force from the following day of publication date.

This law shall be sealed by the State Seal and shall be implemented as a State law.

Issued at the Presidency of the Republic on Jumada Al-Akhar 4th, 1401 (Hijri),  
(April 9th, 1981 A.D.).

**Anwar El Sadat**

# Chapter One

## General Provisions

### Section One Definitions

#### **Article 1<sup>(\*)</sup> Definitions:**

In applying the provisions of this law, the following words and phrases shall have the meanings ascribed thereto:

1. The State: Arab Republic of Egypt.
2. The Competent Minister: the Minister responsible for the Civil Aviation's affairs.
3. The State Territory: the adjacent regional territories and waters subject to the sovereignty of the State and the airspace above.
4. Egyptian Aviation Information Region: airspace with specific dimensions; in the scope of which the Aeronautical Information Services and Alerting shall be performed and which shall be announced in the Egyptian Aeronautical Information Publications.
5. State of Registry: the State where the aircraft is registered.

(\*) Amended by law no. 136 of 2010.

6. Chicago Convention: the Convention on International Civil Aviation signed in Chicago on December 7<sup>th</sup>, 1944 and the applicable annexes and amendments thereof which the State is a party thereto.
7. Aircraft: any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.
8. 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.
9. The Investor: any natural or juristic person investing in one of the civil aviation activities.
10. The Operator: any natural or juristic person operating in one of the civil aviation activities.
11. State of the Operator: the State where the operator's management headquarter, or his permanent place of residence if the operator does not have a headquarter, is located.
12. Authorization for Civil Aviation Activity: an authorization issued by the competent Minister for the practice of one or more Civil Aviation Activities during a specified period of time,



including detailed practice's provisions and determining the cases of ceasing or terminating thereof.

13. Air Operator Certificate: a document issued by the Egyptian Civil Aviation Authority (ECAA) for the Operator on the availability of the necessary requirements for carrying out specific operations in Civil Aviation following the verification of the fulfillment of such requirements in accordance with certain operating specifications. .
14. Flight Permit: a specific approval issued by ECAA for carrying out certain air operation / operations.
15. Certificate of Airworthiness: a document issued by the Civil Aviation Authority in the State of registry on which the Authority verifies that the Aircraft / Aeroplane is valid for flying during a specified period of time, provided that the Operator follows the terms contained therein.
16. Type Certificate: a document defining the design of the Aircraft model, engine or engine propeller that is issued by the Civil Aviation Authority in the State of design, on which it certifies the design's compliance with the proper airworthiness requirements in such State.
17. Production Certificate: a document issued by Civil Aviation Authority in the State of Manufacturer

verifying the manufacturer's capability of manufacturing the parts/ products listed in that document and in accordance with the limitations contained therein.

18. Air Carrier: every natural or juristic person operating airline/airlines for the carriage by air of passengers, mail and goods, or any of them, in the field of Aircrafts operation, or those offering such operation.
19. State Aircrafts: military Aircrafts/ State-owned Aircrafts and Aircrafts used for service of the State such as police, security and customs.
20. Air Traffic: all Aircrafts existing in the air or at the Airport Maneuvering Area.
21. Air Traffic Control Unit: the area's control center, approach control unit or the aerodrome control tower.
22. Air Traffic Service Route: a specified air route designated for maintaining an orderly flow of Air Traffic as necessary for the provision of the services of such traffic
23. 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.

24. International Aerodrome : any Aerodrome assigned by the State in its territory for the International Air Traffic's entrance and exit, where the procedures related to customs, passports, public health, quarantine including animals and plants and other similar procedures are taken.
25. Aerodrome Traffic: all traffic on the maneuvering area of an aerodrome and all aircraft flying in the vicinity of an aerodrome. An Aircraft is considered to be in the vicinity of an aerodrome when it is within the scope of its traffic, entering or exiting from it.
26. Scope of Aerodrome Traffic: an airspace of defined dimensions that is allocated around the Aerodrome to protect the Traffic thereof.
27. Aerodrome Maneuvering Area: the part of an Aerodrome used for Aircraft's taking-off, landing, taxing and the relevant movements, not including the Aircraft Parking Area.
28. Landing Areas: every place that is specified by the Civil Aviation Authority for aircraft's landing and taking-off, without having the facilities necessary for Aircrafts' accommodation, supply or passengers services and loading cargos.
29. Pilot-in-Command: the pilot holding a valid license that is appointed by the Operator, or by the owner

in case of general aviation, as being in-command and charged with the safe conduct of a flight.

30. Flight Crew Member: a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.
31. Aircraft Crew Member: a crew member holding a valid license, who is assigned by the operator to perform certain duties of operation during the flight duration.
32. Flight time: the total time from the moment an aircraft first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.
33. Authorized Agent: the person acting on behalf of the Investor or the Operator in completing the official procedures of his/her Aircraft's entrance, clearance, and completing the procedures of the Cabin Crew Members, passengers, cargos, mail, luggage or stocks, including a third Party that is legally authorized for carriage of goods onboard.
34. Prohibited Area: an airspace of defined dimensions, above the ground areas or territorial waters of a State, within which the flight of aircraft is prohibited.
35. Restricted Area: an airspace of defined dimensions, above the ground areas or territorial

waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.

36. **Dangerous Area:** an airspace of defined dimensions above the ground areas or territorial waters of a State, within which operations dangerous to the flight of Aircraft may exist at specified times.
37. **Scheduled Airline:** a set of flights (domestic and international) carried out by public carrier Aircrafts for passengers, mail and goods or any of them against a fee or reward affordable to the public, in accordance with a regular announced time schedule.
38. **Flight recorder:** any type of recorder placed in an Aircraft for the purpose of facilitating the investigation of an aircraft accident or incident.
39. **Baggage:** the personal properties of the passengers', the Cabin or flight Crew carried on board of aircraft in agreement with the Air Carrier.
40. **Cargo:** any property carried on the aircraft other than mail, the aircraft supplies and accompanied or mishandled baggage.
41. **Ground Support/ Handling Equipment:** specific equipment used to support maintenance, repair and service of the Aircraft including testing

equipment, passenger and cargo handling equipment.

42. Regulations of the Egyptian Civil Aviation: a set of regulations of the Egyptian Civil Aviation issued by the Egyptian Civil Aviation Authority in compliance with the provisions of the annexes of Chicago Convention and the documents issued by the International Civil Aviation Organization containing provisions and requirements with regards to regulating civil aviation services and activities.
43. The Earth's Surface: ground areas and territorial waters subject to the sovereignty of the State.
44. Acrobatic Flying: maneuvers intentionally performed by an aircraft involving an abrupt change in its position, an abnormal position, or an abnormal variation in speed.



(\*) Amended by law no. 136 of 2010.

**Article 2 bis<sup>(1)</sup>** Civil Aviation Authority:

A body called Civil Aviation Authority shall be established at the Ministry competent of Civil Aviation affairs to exercise the competencies set forth in the international and regional treaties and conventions which Egypt is a party thereto, as well as the competencies established herein. That body shall have a president who shall be assigned via a decree by the competent Minister.

**Article 3<sup>(2)</sup>** Provisions of the International Conventions:

The provisions of the international and regional Civil Aviation treaties and conventions which State is a party thereto, as well as the provisions of this law, shall be applied, without prejudice to the provisions of such treaties and conventions.

**Article 4<sup>(3)</sup>** Sovereignty of the State:

The State shall have full and absolute sovereignty over its territories, territorial waters and the airspace above.

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<sup>(1)</sup> Added by law no. 136 of 2010.



<sup>(2,3)</sup> Amended by law no. 136 of 2010.

**Article 5** Supervision on the Civil Aviation Affairs:

The competent Minister<sup>(1)</sup> shall supervise all the Civil Aviation affairs in the State, and shall issue the decrees necessary for the implementation of this law.

**Article 6**<sup>(2)</sup> Inspection and Monitoring:

The Civil Aviation authority shall have the right to inspect the aircrafts operating in the State territory and prevent them from flying or withhold any of the documents related thereto. They shall also have the right to inspect the civil aviation companies and facilities in order to monitor the implementation of the provisions of this law and the decrees issued in implementation thereof

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<sup>(1)</sup> Article 5.01 of law no. 136 of 2010 States that: the word “Operator” means the word “Investor”, and the word “State” shall be replaced with “Republic”, and the phrase “Cabin Crew Member” shall be replaced with “Cabin Crew Member” and “the competent Minister” means “the Minister of Civil Aviation” wherever such words or phrases appear in any of the Articles of the Egyptian Civil Aviation Law referred to.

(2) Amended by law no. 136 of 2010.

**Article 7** Telecommunications Works and Services of aviation:

The National Air Navigation Services Company shall, exclusively, carry out all the works and services of telecommunications with regard to ensure the safety of Civil Aviation and the regularity of Air Traffic, in coordination with the concerned bodies.

It may also authorize third party to carry out some of such works in accordance with the terms it develops and air carrier companies may not exchange their telegram with the companies or bodies representatives thereof except through the Air Service's Communication Centers of the National Air Navigation Services Company accredited by the Civil Aviation Authority unless otherwise authorized.

**Article 8<sup>(\*)</sup>** Authorities of Customs, Security, Quarantine and Plant Quarantine and Others:

Customs, police, quarantine and plant quarantine and others authorities shall have the right to exercise the competencies they are authorized by virtue of the relevant laws, without prejudice to the provisions of this law.

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(\*) Amended by law no. 136 of 2010

The head of an airport or aerodrome shall have the administrative supervision authority on all the personnel of the branches of ministries, bodies, service bodies and units operating at the airport or aerodrome except for those affiliated to the Ministry of Defense and the National Security bodies and to that end, he/she shall be entitled to request investigation with or transfer of any of them, and the bodies to which such personnel are affiliated shall take the necessary procedures concerning that request in accordance with the provisions of laws, regulations and decrees applicable therein.

### **Section Three Aviation General Provisions**

#### **Article 9<sup>(\*)</sup> Authorizations and Permits for flight:**

No Aircraft shall operate in the State territory unless upon obtaining the following:

**First** – An Authorization issued and preconditioned by the Competent Minister, which allows the aircraft operator to operate in Egypt, and such authorization shall be permanent if based upon a treaty or convention which Arab Republic of Egypt and the State of Operator are parties thereto, or if based upon a bilateral Air Transport Agreement in effect between the two

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<sup>(\*)</sup>Amended by law no. 136 of 2010.

States, otherwise the license is temporary for a period not exceeding one year that may be renewed for any period.

The provision of such item shall not apply to the private aircrafts and foreign aircrafts operating in charter flights.

**Second:** a Permit issued by the Civil Aviation Authority allowing the aircraft to fly in the State territory.

**Article 10<sup>(\*)</sup>** Requirements necessary for the aircrafts operating in the State territory:

The following requirements shall be fulfilled for the aircrafts operating in the State territory:

- 1- The aircraft shall be registered in the State which it is affiliated to.
- 2- The aircraft's Airworthiness Certificate shall be valid and issued by the State of Registry or validity and the aircraft shall conform to it as well as to its Flight Manual.
- 3- Shall clearly have marks indicating the nationality and registration marks.

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<sup>(\*)</sup>Amended by law no. 136 of 2010.

- 4- Shall be equipped with the instruments and equipment approved by the State of Registry in addition to the requirements of the Civil Aviation Authority.
- 5- The Flight Crew Members shall have valid licenses issued or validated by the State of Registry, and their numbers and qualifications shall specified in the Aircraft flight Manual.
- 6- Insurance according to the provisions of this law for the interest of the Aircraft's crew, passengers and cargo on board and others on the earth's surface.  
The Civil Aviation Authority may exempt the aircrafts flying for the purposes of flight tests, education, training or repositioning, from one or more of such requirements, except for the insurance requirement.

**Article 11**            Radio instruments and their usage on aircrafts:

An aircraft operating in the State territory shall not be equipped with any wireless devices unless upon having an authorization for such from the competent authorities in the State of registry. Such instruments shall be used only for the purposes of Air Navigation, in accordance with the provisions of this law and the terms or Authorization, and via the Aircraft Flight Crew.

**Article 12** – ..... (\*)

**Article 13** Aerial Cameras:

Flying over the State territory with aircrafts equipped with Aerial Cameras or using such devices shall not occur unless upon a prior permission from the Civil Aviation Authority and in accordance with the conditions set by such Authority in this regard.

**Article 14** Pilot-in-Command Responsibility:

Pilot-in-Command is responsible for the operation and the safety of the Aircraft, including occupants thereon during the flight and he/she shall also have the authority to take the necessary actions to maintain order on board and he/she shall consider the application of the rules applicable in this regard.

**Article 15** – Interference in Flight Crew Works and messing with the Aircraft:

No person shall be, during the flight, allowed to intervene in the works of any of the flight crew or hinder him/her from doing his/her work and shall not, as well, be allowed to mess with any part of the aircraft or the equipment thereof, or to commit any action that

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(\*) Superseded by law no.136 of 2010.

would endanger the safety of the aircraft, the crew or the passengers thereof.

## **Chapter Two**

### **Aerodromes and Air Navigation Services' Facilities**

#### **Section One Establishment, Management and Usage of Aerodromes**

**Article 16**<sup>(\*)</sup> Establishment of aerodromes, landing areas, airstrips, navigation services and their necessary facilities:

Subject to provisions of Article (75) of this law, aerodromes, landing areas, airstrips and facilities of air navigation services shall not be established without an authorization from the competent Minister and in coordination with the Ministry of Defense and the concerned authorities.

The establishment of the buildings and facilities within the boundaries of the aerodrome as well as their operation and investment shall be under authorization from the competent Minister in accordance with the conditions and specifications set by the Civil Aviation

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(\*) Amended by law no.136 of 2010.

Authority, and the provisions of laws regulating the construction works shall not apply to such buildings and facilities.

A decree on the rules and conditions of the authorization referred to in the two previous paragraphs shall be issued by the competent Minister. In all cases, the State's competent authorities shall be obliged to provide the buildings and facilities necessary for the aerodrome, as well as the authorized air navigation services' facilities with the basic utilities.

**Article 17**<sup>(1)</sup> Aerodromes and the Civil Aviation facilities shall be Public Funds: Aerodromes and their buildings and facilities as well as the air navigation's equipment and facilities shall be considered State-owned public funds. They shall also consider being public utilities allocated for public interest and shall not be disposed, seized or owned and no in-kind right thereupon shall be gained by prescription.

**Article 18** – .....<sup>(2)</sup>

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<sup>(1)</sup> Amended by law no. 136 of 2010.

<sup>(2)</sup> Superseded by law no. 136 of 2010.



**Article 19** Types of Aerodromes:

The competent Minister shall define the different types of aerodromes and the grade of each aerodrome.

**Article 20<sup>(1)</sup>** Usage of Aerodromes and Landing Areas:

- (1) The aircrafts shall use the announced aerodromes, landing areas and civil airstrips, and landing elsewhere shall be allowed only in emergencies or by a permit from the Civil Aviation Authority.
- (2) Each aircraft heading to the State territory is to land at an announced international aerodrome unless it is only permitted to fly over. Also, each aircraft departing the State territory shall take off from an international aerodrome as well.
- (3) Subject to taking the procedures followed at the international aerodromes, some aircrafts may be, due to the nature of its operations or other considerations, exempted from adherence to such procedures under a permit from the Civil Aviation Authority, provided that the landing aerodrome, taking off aerodrome, the route and instructions to be followed shall be defined in such permit.

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<sup>(1)</sup> Item (1) amended by Law no.136 of 2010

(4) If any aircraft heading to, departing from or flying over the State territory has to land outside the international aerodromes of the State, the Pilot-in-command has to inform the nearest local authority immediately and provide the aircraft's journey logbook, general declaration and any other document upon being requested, and in such case, it shall be prohibited for the aircraft taking off, transport of its cargo or the departure of its passengers from the place of landing, before obtaining a permit from the Civil Aviation Authority and taking the required procedures.

**Article 20 bis**<sup>(1)</sup> Responsibility for the Operation of the Aerodromes and Air Navigation Services:

A person authorized to operate any of the aerodromes, landing areas, airstrips or the facilities of air navigation services shall be responsible for their operation and the implementation of the requirements of the flight's security and safety under the supervision of the Civil Aviation Authority.

**Article 21** – .....<sup>(2)</sup>

<sup>(1)</sup> Superseded by law no. 136 of 2010.

<sup>(2)</sup> Added by law no. 136 of 2010.

## **Section Two Air Easements Rights**

### **Article 22<sup>(1)</sup> Air Easements Rights:**

Special Easements Rights called Air Easements Rights shall be established to ensure the safety of air navigation and appropriateness of its bodies, such rights shall specifically include the following:

- 1- Removal or prevention of the establishment of any buildings, constructions, plantings, wires or whatsoever block, or specification of its height in areas adjacent to the aerodromes and the facilities of navigation bodies.
- 2- Placing guide signs for the blocks posing a threat on the safety of air navigation but must exist.

### **Article 23 Limits of Easements Rights:**

The competent Minister shall determine the scope and range of aerial easements rights and the areas where they are planned, ensuring the safety of air navigation and protection of persons and properties, all in accordance with the international rules and regulations established in this regard.

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<sup>(3)</sup> Item (2) amended by law no. 136 of 2010.

**Article 24<sup>(\*)</sup> Facilities in Areas Subject to Easement:**

Construction of any building or facility, the establishment of any blocks within the area included in the aerial easements, or changes to the nature or the point of use of the territories subject to the easement, shall not be allowed unless upon a prior authorization from the Civil Aviation Authority and in accordance with the conditions set forth therein, taking into consideration at the issuance of such Authorization, the location, nature of utilization, impact on the air traffic and the maximum height of the facility, all without prejudice to the authorities of the State's competent bodies in this regard.

The administrative body competent with regulation affairs shall not issue a permit of building, elevation, or amendment within the areas of aerial easement before the issuance of the permit referred to in the preceding paragraph, indicating the maximum permitted height above sea level and documenting it in the permit of building, elevation, or amendment.

The facilities shall be introduced to the construction only after obtaining a certificate from the Civil Aviation Authority of the building or facility's compliance with the permit issued by it.

(\*) Amended by law no. 136 of 2010.

**Article 25** Facilities and Installations Affecting the Safety of Air Navigation:

- (1) A lighthouse or radio beacon not included in the plans of the civil aviation services may be established only after the Civil Aviation Authority's approval.
- (2) The Civil Aviation Authority shall be entitled request the removal or amendment of any light device that shall cause confusion with the auxiliary air control light devices; it may also impose the necessary limitations on the facilities releasing smoke or anything that would affect the vision in the vicinity of the aerodromes or the safety of air control.
- (3) Everyone possessing or using electric equipment or fixed or movable metal facilities that would cause an interference hindering the function of radio sets or the auxiliary air navigation devices shall adhere to the measures established by the Civil Aviation Authority to remove such interference.

**Article 26 - .....**<sup>(1)</sup>

<sup>(1)</sup> Superseded by law no. 136 of 2010.

### **Section Three      Protection of Aerodromes, Aircrafts and Navigational Aids**

**Article 27<sup>(1)</sup>** – The National Program of Civil Aviation Security:

The Civil Aviation Authority, in association with other Egyptian competent authorities, shall set a national program of civil aviation security in accordance with the applicable international rules and such program shall include a clear definition of the authorities and bodies concerned with its implementation along with the responsibilities and competencies of each.

The security authorities and bodies defined in the program shall be entitled to prevent or restrict entrance to certain areas in the aerodromes and facilities of navigation services, to inspect persons, baggage, and vehicles entering the aerodromes, and to question any suspicious person and they shall verify that persons don't possess and vehicles are empty of any weapons, machines or any other materials that could be used in threatening the aircraft, aerodrome or the facilities of navigation services.

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<sup>(1)</sup> Amended by law no. 136 of 2010.

**Article 28** Carrying of Weapons and Hazardous Materials on Aircrafts:

- 1- No person on the aircraft shall, without a permit from the Civil Aviation Authority, carry a weapon, inflammable materials or any other materials that could be used in any act of sabotage, violence or threat during the flight.
- 2- If it is necessary to transfer an unloaded weapon, any inflammable materials or any other materials that could be used in any act of sabotage, violence or threat, the owner of such weapon shall handed it over to the operator's representative before his/her entrance to the aircraft. Such weapons or materials shall be kept in a place that cannot be reached by the passengers and shall be returned to the person who handed it over after the flight.

**Article 29** Airmail Carriage:

Any mail or postal parcel carriage by air may be undertaken only in accordance with the established postal measures and subject to provisions of the international conventions which the State is a party thereto.

**Article 29 bis** <sup>(1)</sup> Handling and Carriage of Dangerous Goods:

Handling and carriage of dangerous goods shall be subject to the instructions of the International Civil Aviation Organization, the provisions set forth in the International Air Transport Association's annual directory, and the regulations defined by the Civil Aviation Authority.

**Section Four Aircrafts Noise**

**Article 30**<sup>(2)</sup> Determination of the Level of Noises and Emissions:

The Civil Aviation Authority, in coordination with the concerned bodies, shall determine the allowed level of noises and emissions for the aircrafts using the Egyptian aerodromes and landing areas as well as the aircrafts' altitudes, speeds, engines capacities and other conditions ensuring not exceeding the levels referred to, and the authority shall set the necessary rules and controls to remove or limit any air pollutions; smokes, dust and others that affect the proper conduct of aerial operations.

**Article 31** –..... <sup>(1)</sup>



<sup>(1)</sup> Added by law no. 136 of 2010.

<sup>(2)</sup> Amended by law no. 136 of 2010.

## Chapter Three

### Aircraft Airworthiness

#### **Article 32**<sup>(2)</sup>- Aircraft Airworthiness Certificate:

No airworthiness certificate may be issued for a registered aircraft or aeroplane in State, unless it has met the technical requirements in accordance with rules and procedures defined by Civil Aviation Authority. The operator shall renew the Airworthiness Certificate in accordance with the rules defined by such authority.

Civil Aviation Authority may validate an airworthiness certificate issued by another State, and may impose any additional provisions or restrictions for specific types of such certificate prior to the validation thereof.

Civil Aviation Authority may, if it found any registered aircraft, aeroplane or its model in the State is not airworthy, suspend or withdraw its airworthiness certificate, and shall have the right to carry out a technical inspection on aircraft, and shall not allow the aircraft to fly, unless safety measures of its flight are taken.

<sup>(1)</sup> Superseded by law no. 136 of the year 2010

<sup>(2)</sup> Amended by law no. 136 of 2010.

**Article 33-** ..... <sup>(1)</sup>

**Article 34** Aircraft Instruments and Equipment:

1. The Operator of any registered aircraft in the State shall abide by equipping it with devices and equipment set forth in Chicago Convention annexes.
2. Civil Aviation Authority may decide to install any additional instruments or equipment in any State-registered aircraft, to guarantee the safety of the aircraft or the crew thereof or to facilitate search and rescue operations.
3. Aircraft's instruments and equipment shall be installed so as to be easily replaced; and shall, as well, be maintained and adjusted in order to be serviceable and usable.
4. Locations and methods of use emergency equipment in each registered aircraft in State shall be visible in a clear manner.
5. Installation of aircraft instruments and equipment must not constitute a hazard to airworthiness, or adversely affect the performance of any instruments or equipment required for the aircraft's safety.

**Article 35-** ..... <sup>(\*)</sup>

<sup>(1)</sup> Superseded by law no. 136 of the year 2010

<sup>(\*)</sup> Superseded by law no. 136 of the year 2010

**Article 36** Aircraft weight and weights  
schedule:

- (1) Each aircraft which has got airworthiness certificate issued or validated by Civil Aviation Authority shall be weighed. The aircraft's center of gravity shall be identified periodically in cases and methods determined by such authorities.
- (2) The Operator shall prepare the aircraft's schedule of weights after weighing thereof in accordance with whatever determined by Civil Aviation Authority.
- (3) The Operator shall keep the aircraft's schedule of weights and shall not dispose it unless upon a permission by Civil Aviation Authority.

**Article 37** Inspection for the verification of  
Airworthiness:

Civil Aviation Authority shall conduct or request to conduct inspection, testing or flying for the purpose of checking as may be necessary to make sure the aircraft, any of its instruments, equipment or components is airworthy in accordance with the airworthiness certificate. Such procedures shall be taken at the Operator's own expense and the authority's representative shall have access to the aircraft's

location to carry out any of such works. Civil Aviation Authority shall, as well as, have the right to issue the necessary instructions to the Operator in this regard. In case of violating any of the procedures mentioned above, Civil Aviation Authority shall be entitled to suspend the validity of the airworthiness certificate.

## **Chapter Four**

### **Rules of the Air**

#### **Article 38** Rules of the Air:

The competent Minister shall issue rules of the air, and relevant regulations of aircraft flight, air navigation, protecting people and properties on ground and usage of the State's airspace.

#### **Article 39** Compliance with of Rules of the Air:

Aircraft Captain shall be directly responsible for piloting the aircraft in accordance with the applicable rules of the air, and may deviate from such rules in cases where it's inevitable for safety, in such cases aircraft Captain shall notify the competent authorities, as soon as it's possible.

**Article 40** Air Routes:

Civil Aviation Authority shall determine air traffic service routes through which aircrafts are required to follow when entering or exiting the State's territory, or flight within the air space thereof.

**Article 41** Compliance with Air Traffic Control Authorizations and Instructions:

Aircraft Captain shall abide by the valid flight plan and shall adhere to all Air Traffic Control authorizations and instructions, and may not deviate from such it except for emergency cases necessitating immediate action. Accordingly aircraft Captain shall, in such cases, notify the competent Air Traffic Control Unit as soon as possible and shall get an amended authorization if necessary.

**Article 42** Air Traffic in Aerodrome and Around:

A Captain of an aircraft operating within aerodrome traffic or in the vicinity around thereof shall abide by regulations of aerodrome usage and air traffic rules.

**Article 43** Flight Altitudes:

- 1) No aircraft may fly at altitudes lower than such determined by Civil Aviation Authority, except in emergency cases or by a permission of such authority.
- 2) With the exception of take-off and landing requirements, as well as cases permitted by Civil Aviation Authority, no aircraft may fly above a city or populated area unless at an altitude that enables it, in emergencies, to land without causing damages to people and properties on ground.

**Article 44** Prohibited, Restricted and Dangerous areas:

- 1) Civil Aviation Authority shall, without nationality discrimination, prohibit or restrict aircrafts flight in the following places:
  - (a) Above certain areas in the State for military reasons or for public order requirements.
  - (b) In exceptional cases, above the territory of the State or any part thereof and for reasons relating to the public order.
- 2) Civil Aviation Authority shall be entitled to determine danger areas.

- 3) If the Aircraft Captain noticed he is flying above a prohibited area, he shall then notify the competent Air Traffic Control Unit immediately and shall follow the instructions thereof precisely.  
If he failed to do so, he shall land as soon as possible in the nearest aerodrome of the State outside the prohibited area and shall submit a detailed report on this incident and the justifications thereof to the competent authority.
- 4) If the competent authority warned an aircraft for being flying above a prohibited area, such aircraft shall instantly follow the instructions made by such authority; otherwise such authority shall be entitled to take the necessary actions to enforce the landing of the aircraft after notifying it.

**Article 45<sup>(\*)</sup>** Aircraft Captain's Duties before the Commencement of Flight:

Any Aircraft Captain shall, prior take-off for a certain flight, perform the following:

- 1) Ensuring the possibility of ending the flight safely as per the rules and regulations set forth in this regard, including the alternative procedures if the flight didn't end according to what is prescribed in the flight plan.

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(\*) Item (5) added by law no. 136 of 2010

- 2) Ensuring the aircraft has been supplied with the sufficient amount of fuel required for the flight.
- 3) Precise study of the available reports, current weather forecasts and navigation information related the flight.
- 4) Ensuring the completion of airworthiness procedures.
- 5) Ensuring that the security procedures required for the flight are taken.

**Article 46**      General Provisions:

- 1) Throwing or spraying anything from the aircraft during flight may not be permitted, except in emergency cases or under permission of Civil Aviation Authority.
- 2) No aircraft may pull another aircraft or anything else unless upon a permission of Civil Aviation Authority.
- 3) Parachuting may not be allowed without a prior permission of Civil Aviation Authority, except in emergency cases.



- 4) Acrobatic flying, aerobatics or formations above the territory of the State may not be allowed unless upon a permission by Civil Aviation Authority.
- 5) Flying in a careless or reckless way, in a manner that endangers the lives and properties of others shall be prohibited.
- 6) Flying close to another aircraft in a manner that may lead to a crash with or endanger its safety shall be prohibited.
- 7) No person shall be allowed to piloting the aircraft or to act as a crew member thereof, as long as he is under the influence of alcohol or drug or any other substance that leads to weakening his ability to carry out his duties perfectly. In all cases he shall not be allowed to take any of such things during his/her duty period.
- 8) No unmanned aircraft is allowed to fly or to work in the territory of the State unless upon a permission of Civil Aviation Authority.

In all cases, using unmanned aircraft is prohibited as per Rules of the Air and Air Traffic set forth in this respect.

## Chapter Five

### Licenses and Aviation Education

#### **Article 47-** Aircrafts flight Crew Members’

Licenses:

- 1) A member working in an aircraft’s flight crew board working within the territory of the State shall be granted a valid license as per the applicable laws, rules and regulations in the State of Registry.
- 2) However, Civil Aviation Authority may not, with regard to flying in the territory of the State, recognize the certificates and licenses granted to the State’s nationals from a foreign State.

#### **Article 48-.....**<sup>(1)</sup>

#### **Article 49-.....**<sup>(2)</sup>

**Article 50-** Issuance, Approval and Renewal of Licenses Regarding All Works of Civil Aviation Services:

- 1) Civil Aviation Authority shall be responsible for issue, approve and renew flight licenses and other

(1, 2) Superseded by law no. 136 of 2010

technical licenses regarding all works of civil aviation services as per the conditions of issuance, approval, or renewal which proposed by such authority and of which a decree by the competent Minister is issued.

- 2) Civil Aviation Authority shall issue the previously mentioned licenses, after ensuring that the licenses applicant is qualified in terms of experience, knowledge, skill, age and health level. And shall, to that end, perform theoretical and practical tests in this respect.
- 3) Civil Aviation Authority shall have the right to refrain from issuing, renewing, approve, or extending the validity of any license within its competence as per the provisions of the present Section. It shall, as well, have the right to withdraw, suspend or cancel the approval of the license, if it found a decreasing in the license's applicant or holder's level below the required level, or if he/she violates any of the provisions hereof.
- 4) A licenses holder may not continue doing the works by which he/she is entitled to, if he/she knew or had reasons that make him/her believes that he/she is no longer able to do such works either temporarily or permanently due to his health State.

- 5) The said license shall be deemed suspended if the holder thereof suffered:
- a. A wound that prevents him/her from doing the works he/she is entitled to do by virtue of the license.
  - b. A disease preventing him from performing the jobs he/she is authorized to do by the license. The one licensed, in such cases, is to notify Civil Aviation Authority of such in writing, in order to take the necessary procedures to undergo the medical examination approving the license he/she is granted again.

**Article 50 (bis)** <sup>(1)</sup>- Approval of Aircraft and Aircraft Components Maintenance Organizations:

Civil Aviation Authority shall issue an approval to Egyptian or foreign companies providing maintenance for Egyptian aircrafts, components, engines or engine propellers in accordance with rules and procedures it defines. No Egyptian aircraft may be operated, unless upon the issuance of approval to the company providing the maintenance thereof.

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<sup>(1)</sup> Added by Law no. 136 of 2010

The Operator shall be obliged to keep documents of airworthiness in accordance with rules defined by Civil Aviation Authority.

Civil Aviation Authority may suspend, terminate, or reduce the certification of any national or foreign company providing maintenance, if a decreasing in the technical competence level is detected.

**Article 51-**.....<sup>(1)</sup>

**Article 52**<sup>(2)</sup> Granting Temporary Authorizations for Aircraft Maintenance:

In case of using aircrafts of new models or developing new methods for checking, inspection and testing, Civil Aviation Authority may grant temporary permits to aircraft maintenance engineers, technicians and mechanics to perform specific tasks under the supervision of persons holding required permits or certifications.

**Article 53-**.....<sup>(3)</sup>

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<sup>(1)</sup> Superseded by Law no. 136 of 2010

<sup>(2)</sup> Amended by Law no. 136 of 2010

<sup>(3)</sup> Superseded by Law no. 136 of 2010

**Article 54**                      Personal Flight Logbook:

Each flight crew member of a registered aircraft in the State and each person flying for the purpose of being qualified; either for aviation education, finalization of its tests, or the issuance or renewal of one of the licenses thereof, shall keep a Personal Flight Logbook, and such logbook and data therein shall be approval by Civil Aviation Authority, and he/she shall also keep it and do not dispose of before obtaining a permit from such authorities.

**Article 55**                      Aviation Education:

No person may train another person on aviation, for the purpose of preparing him/her to obtain an aviation license unless the person in charge of training holds a valid license, issued or approval by Civil Aviation Authority, giving him the right to work as an aircraft Captain for those purposes and in circumstances where he/she provides the training, and unless such license includes an evidence of his/her competence as a flight instructor authorized to provide training. The competent Minister shall set the conditions of granting or approval of a license for flight instructor based on Civil Aviation Authority proposal.



**Article 56** (\*) Aviation Institutes and Clubs:

The competent Minister shall issue the decrees regulating the establishment and operation of aviation institute and clubs.

## Chapter Six

### Documents and Logbooks

**Article 57** Carriage of Documents and Logbooks on Aircrafts:

- 1- No aircraft may fly within the territory of the State during an international flight, unless it has the documents and logbooks required as per Chicago Convention and annexes thereof, as well as other documents and logbooks defined by Civil Aviation Authority.
- 2- Civil Aviation Authority shall determine the documents and logbook required to be on aircrafts in domestic flights. Such authority may exempt any of such aircrafts from carrying such documents, logbooks or some of them, if such authority finds out reasons for exemption, provided that these documents are kept in a place specified by such authority.



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(\*) Amended by Law no.136 of 2010

**Article 58-** .....<sup>(1)</sup>

**Article 59-** .....<sup>(2)</sup>

**Article 60** Keeping Documents and Logbooks:

Any Aircraft's Owner or Operator shall, even if stopped using or investing it, continue keeping documents and logbooks of it as well as flight crewmembers' logbooks, for the period defined by Civil Aviation Authority.

The Owner/ Operator shall, upon the aircraft's transfer of title or right of investment, deliver all necessary documents and logbooks to the new Owner /Operator who, before operating the aircraft, shall get the documents and logbooks referred to. All the former Owner/Operator's obligations shall be transferred to the new owner in this respect.

**Article 61** Documents Withdrawal/ Suspension

If any certificate, license, approval, permit or any other document issued by Civil Aviation Authority is determined to be withdrawn or suspended, the person to whom such document is issued or the person

keeping it shall deliver it to such authority upon request or as soon as possible.

**Article 62** Safeguard of the Documents and Logbooks and Prohibiting Messing with and Misusing it:

Messing with any certificate, license, accreditation, permit, authorization, logbooks or any other documents determined to be used as per the provisions of this law shall be prohibited. Violating the data and trainings included therein shall be prohibited likewise.

## Chapter Seven

### General Provisions of Air Transport and Aerial Occupancy

**Article 63** Agreements between the Companies of Air Transport:

1. The provisions of this Chapter shall apply subject to the provisions of Article (2) of this law.
2. National air transport companies and establishment may not conclude agreements or mutual arrangements with foreign companies and facilities of Air Transport concerning joint operation or investment, or any commercial or technical operations, unless in accordance with terms and

conditions specified by the competent Minister. None of such agreements or arrangements may be carried out, unless after being accredited by the Minister.

**Article 64**-.....<sup>(\*)</sup>

**Article 65** Establishment, Modification or cancellation of Airlines:

National and foreign air transport companies and establishment shall, before establishing, modifying or cancelling any of its airlines or modifying the number of flights it operates, obtain a prior approval from Civil Aviation Authority in accordance with the rules issued by the competent Minister.

**Article 66** Governmental Orders:

National and foreign air transport companies and establishment shall abide by all orders issued by Civil Aviation Authority, particularly with regards to the following:

1. Air fares and prices and other relevant conditions, including operation quality and duration.
2. Operation of any airline or airline group.

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\* Superseded by Law no. 136 of the year 2010

3. Inspection of air transport companies and facilities' offices and having access to necessary documents thereof.
4. Issuing free and low cost tickets.

**Article 67** Exchanging and Granting of Air Transport Commercial Rights:

No agreements, arrangements, measures may be concluded, made or taken regarding exchanging or granting of Air Transport commercial rights with any foreign entity except through Ministry of Civil Aviation.

**Article 68** <sup>(\*)</sup> Foreign Companies Agencies:

Subject to the provisions of Article (75) hereof, no foreign Air Transport companies, either operating within the territory of the State or not, may open an office unless upon the approval of Civil Aviation Authority and on the basis of the principal of reciprocity. Acting by proxy for companies and facilities of Air Transport within the territory of the State may not be carried out, unless after getting Civil Aviation Authority's approval provided that the proxy is Egyptian national.

(\*) Amended by Law no. 136 of 2010

**Article 69** Domestic Commercial Air

Transport:

No Foreign Aircrafts may transport passengers, cargo or mail between two points located within the territory of the State. Civil Aviation Authority, however, may grant a license for such carriage as per the public interest.

**Article 70**..... (\*)

**Article 71** Duties of Air Transport Companies and Facilities:

- 1) National and foreign air transport companies and establishment shall provide all information, data and schedules required by Civil Aviation Authority, as well as statistics related to the investment of the airlines thereof.
- 2) Subject to the applicable rules and procedures of the State, a prior approval by Civil Aviation Authority shall be obtained to appoint all foreign employers working in aviation companies and facilities operating in the State.

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(\*) Superseded by Law no. 136 of 2010

## Chapter Eight

### Air Transport Operations and Aerial Occupancy

#### Section One Applicable Laws, Rules and Regulations

Article 72- .....<sup>(1)</sup>

Article 73- .....<sup>(2)</sup>

Article 74- .....<sup>(3)</sup>

#### Section Two Establishment and Operation of Aviation Companies and Facilities

**Article 75**<sup>(4)</sup> Establishment of Companies:

Without prejudice to the provisions of the laws governing the establishment of companies and facilities, no company or facility may be established to practice any of the civil aviation activities specified under a decree by the competent Minister, or adding one of such activities to existing companies unless upon his/her approval after submitting the technical and economic feasibility study.

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<sup>(1,2,3)</sup> Superseded by Law no. 136 of 2010

<sup>(4)</sup> Amended by law no. 136 of 2010

The companies and facilities referred to in the preceding paragraph shall not practice the activity unless obtaining authorization to practice the civil aviation activity and the Air Operator Certificate (AOC).

**Article 75 (bis)<sup>(1)</sup> Issuance and Approval of the Type Certificate:**

Subject to the provisions of Article (9) of this law, an aircraft, engine or engine propeller may not be produced unless upon obtaining the Type Certificate and Certificate of Production Efficiency. The product may not be modified unless upon obtaining a Supplementary Type Certificate in cases specified by the Civil Aviation Authority.

The certificates referred to in the preceding item shall be issued by the Civil Aviation Authority in the State of the manufacturer in accordance with conditions and specifications that it shall define and the civil aviation authority may approve or accept the Type Certificate or the Supplementary Type Certificate issued from a foreign country.

**Article 76 - .....<sup>(2)</sup>**

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<sup>(1)</sup> Added by Law no 136 of 2010

<sup>(2)</sup> Superseded by Law no 136 of 2010

**Article 77<sup>(1)</sup> - Preliminary flights:**

Subject to the provisions of Article (75) of this law, the Certificate of Operational Efficiency may not be granted to air transport companies before the preliminary flight(s) assuring the efficiency of the operation.

The air carrier may not be authorized to add a new model unless upon making a preliminary flight(s) assuring the efficiency of the operation.

The Civil Aviation Authority may exempt the Operator from making any preliminary flights if they're deemed unnecessary. In such case, the first flight(s) shall be made in accordance with the conditions defined by the authority.

The Operator may not be allowed to carriage of people other than those who are required to operate the aircraft and the competent representatives of the civil aviation authority. He/she may carry mail or goods during such flights.

<sup>(1)</sup> Amended by Law no 136 of 2010

## **Section Three      Operations Manuals and Flight Manual**

**Article 78.....** <sup>(1)</sup>

**Article 79 .....** <sup>(2)</sup>

**Article 80      Flight Manual**

The Operator shall provide a manual, approved by the civil aviation authority of the State of the aircraft manufacturer, for every aircraft he/she operates, including the information needed by the aircraft crew to do their duties at the desired level of safety, whether in normal or emergency circumstances

This manual must include information about the aircraft and its engines, equipment, instruments, normal and emergency procedures of operation, performance and the prescribed limits of operating.

**Article 80 (bis)<sup>(\*)</sup>      Compliance with Preparing Work Manuals:**

The operator has to prepare the work manuals specified by the civil aviation authority for each activity provided

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<sup>(1), (2)</sup> Superseded by Law no 136 of 2010

(\*) Added by Law 136 of 2010

that they include the rules of operation, maintenance, training, operations, security and any other manuals specified by such authority in accordance with the type of activity practiced to be used as a guide by the staff. The manual must include the duties and responsibilities of the staff and whatsoever helps them to do their jobs and the relevant services to ensure the safety of operation and performance.

The manuals may not include any instructions or information contradicting the provisions of laws, decrees, regulations or rules applicable in the State that are issued by Civil Aviation Authority therein. These manuals or their amendments shall not be put into consideration unless upon being approved or accredited by such authority

**Article 81** - ..... (1)

**Article 82** - ..... (2)

## **Section Four      Aircraft Crew**

**Article 83**      Crew's Formation:

- 1- The Civil Aviation Authority may decide, for all or some flights, to add a member or more to the

<sup>(1), (2)</sup> Superseded by Law no 136 of 2010

aircraft flight crew in addition to the formation prescribed in the aircraft's airworthiness certificate and Flight Manual if deems to be necessary to ensure the aviation safety.

- 2- A member of the flight crew may not be, while forming thereof, assigned the duties of two or more members of the aircraft cabin crew in any flight.
- 3- The civil aviation authority shall specify the number of the cabin crew who do works relating to the passengers' safety and service.

**Article 84** .....<sup>(1)</sup>

**Article 85**<sup>(2)</sup> Testing Pilots' Competency:

The Operator shall ensure that the competency of the pilots and their ability to confront emergencies are tested in a practical way that ensures the required ability in accordance with the rules defined by the civil aviation authority.

**Article 86**<sup>(3)</sup> – Specifying Flight Times, Work and Rest Periods:

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<sup>(1)</sup> Superseded by Law no. 136 of 2010

<sup>(2)</sup> Amended by Law no.136 of 2010

<sup>(3)</sup> Item (2) is superseded by Law no 136 of 2010

- 1- The Civil Aviation Authority shall define the rules and instructions specifying the flight times, work and rest periods for the flight crew.
- 2- .....

**Article 87** Logbooks of Flight times and Work Periods:

- 1- The Operator shall keep a complete and accurate logbook for every crew member where flight times and work periods are illustrated in accordance with the rules and instructions defined by the Civil Aviation Authority.
- 2- The Operator shall keep such logbooks for five years following the end of aviation period for each crew member

**Section five The Aircraft's Devices and Equipment**

**Article 88** ..... (\*)

**Section six Aircraft loading**

**Article 89** Aircraft loading:  
The Operator shall allow loading of aircraft only

(\*) Superseded by Law no 136 of 2010

under the supervision of a trained person whom the Operator provided with sufficient information instruction in writing about the distribution and fixing of the cargo in a way ensuring the following:

- 1- Accomplishment of the safe transport of the cargo throughout the flight.
- 2- The implementation of rules and instructions issued in this respect including any conditions stipulated in the Airworthiness Certificate of the aircraft and aviation guide.

## **Section Seven      Air Operations**

### **Article 90**      Air Operation Monitoring:

The Operator or his/her representative shall be responsible for monitoring air operations of his/ her aircraft to ensure performing such in accordance with the prescribed safety levels and pursuant to the provisions of the laws, rules and regulations issued thereon.

**Article 91**<sup>(\*)</sup>      Appointing the responsible aircraft pilot-in-command:

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(\*) Amended by Law no. 136 of 2010

The Operator shall not allow any flights unless after appointing one of the pilots as the aircraft's pilot-in-command.

The aircraft pilot-in-command shall be responsible for operation and safety of the aircraft, and also the safety of the passengers on board during the flight and he shall have the right to take the necessary measures to maintain the order on board and to implement the applicable rules in this respect.

All the people on board shall implement the orders issued by the aircraft pilot-in-command in this respect.

**Article 92**      The flight crew members keeping in Their Positions:

A flight crew member may not be allowed to leave his/her position during the flight or to unfasten the seat belt unless when necessary or to accomplish tasks related to the aviation operations.

Every crew member must, throughout the taking-off and landing, stay in his position and keep the seatbelt and shoulder harness fastened around him. Those who do not sit in the pilot's seat may unfasten the shoulder harness only if they hinder him from doing the tasks entrusted to him freely.

**Article 93** ..... (\*)

**Article 94**      Entering the cockpit:

- 1- No person may be allowed to enter the cockpit except for being on of crew members, an inspector or a supervisor appointed by the Civil Aviation Authority, or a person assigned by the operator or the Civil Aviation Authority, to do a specific task during the flight. In the latter case, the aircraft pilot-in-command must be informed, however that shall, in no way, detract the authority of the aircraft captain, in emergencies, to prevent anyone from entering or getting out of the cockpit if he believes that the safety of the aircraft requires that.
- 2- Any one allowed to enter the cockpit must have one of the passenger seats unless he/she has a seat in the cockpit.

**Article 95**      Reporting the Flight Dangers:

If the aircraft captain encounters any unusual weather conditions or notices unusual performance of the air navigation aids that may constitute a danger, he/she must inform the Air Traffic Services Unit responsible for such conditions. Also, he must report



(\*) Superseded Law no 136 of 2010.

any other conditions that may endanger the flight safety.

**Article 96** Reporting the aircraft instruments defects:

The aircraft captain must record, in the aircraft' technical logbook, any defects or unusual performance of one of the aircraft instruments that may occur or be noticed during the flight And he/she shall, prior commencing the flight, make sure of the procedures taken with respect to any defects or notices previously recorded in the aircraft's technical logbook during the previous flight.

**Article 97** Guiding the Passengers:

- 1- The operator shall take the procedures sufficient to ensure guiding the passengers to the places and usage of seats belts, the emergency exits, lifebuoys, oxygen respirators and other emergency equipment prepared for individual or collective usage.
- 2- In emergency cases during the flight, the passengers must be guided to the emergency procedures required for such cases.

## Chapter Nine

### Aviation Accidents and Incidents

**Article 98<sup>(\*)</sup>** Competencies of department competent of the aircrafts' accidents:

The department competent of the aircrafts' accidents in the civil aviation competent Ministry shall be competent of the following:

- a- Receiving notifications and following-up the investigation in aircraft's accidents and incidents that occur in the State's territory or that happen to the Egyptian civil aircrafts on high seas or above lands that are not owned to any State.
- b- Notifying the State and the concerned bodies of the accident as soon as possible.
- c- Presenting the necessary recommendations to the competent Minister if it is found, through the investigation and before publishing its findings, that there is one or more factors threatening the aviation safety to take the necessary actions, at his/her discretion, in this respect.
- d- Establishing the necessary recommendations to prevent the recurrence of accidents and incidents to secure the safety of aviation in the future.

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(\*) Amended by Law no. 136 of 2010

The competent Minister shall determine the rules and procedures of investigating the aircraft's accidents and incidents.

The head of aircraft's accidents investigations department shall have the right to prevent from flying the aircrafts involved in the incident he deems to be investigated.

**Article 98 (bis)**<sup>(\*)</sup>      The Meaning of Aircrafts' Accidents and Incidents:

An aircraft's accident is every incident related to the aircraft's operating at any time starting from the first person gets on the aircraft for flying purpose till the last person on board gets off, if one of the following happens as a result to such incident:

- 1- If any person has been fatally or seriously injured as a result of his/ her presence on board, or his/ her direct contact to any of the parts attached to or detached from the aircraft, or if his/ her direct exposure to the burning jet exhaust, excluding the injuries resulting from natural causes or those caused by the person himself/ herself or by other persons, which the accident has nothing to do with,

\* Added by Law no.136 of 2010

and the injuries caused to an intruder person hiding in places not usually allowed to the passengers or to the aircraft's crews' members.

- 2- A damage or structural defect that would badly affect the aircraft's structural strength, performance or flight characteristics; and that requires major repair or replacing the damaged Parts, excluding the engine's failure or damage only when it's limited to the engine, its cowls, accessories, propellers, the edges of the wings, antennas, tires, brakes, fairings, the small skin wrinkling or the small holes in the surface or on the skin of the aircraft.

An aircraft's incident is every incident to which the definition of an aircraft's accident illustrated in the present Article doesn't apply, and that is related to the aircraft's operating and would affect the safety of operating or would endanger the aircraft.

**Article 9<sup>(\*)</sup>** Notification of an Aircraft's Accident or Incident:

Each crew member must notify the nearest competent authority, upon the occurrence of an

(\*) Amended by Law no. 136 of 2010

accident to his/her aircraft, if in a condition allowing him/her such.

Each aircraft captain must, upon detecting another aircraft's accident in the air, notify the Air Control Unit of such accident.

The operator shall notify the aircrafts' accidents department and the civil aviation authority of his/her aircraft's accidents once he is aware of such.

Aerodromes' Heads, aircrafts' captains and operators must notify the aircrafts' accidents department and the Civil Aviation Authority of the aircrafts' incidents once they are aware of such.

**Article 99 (bis)**<sup>(\*)</sup> Forming Aircraft's Accidents Investigation Committees:

A committee of three members at least formed under a decree by the competent Minister shall conduct the technical investigation of the aircraft's accident. The committee may get help from whoever it considers of a special expertise to participate in the investigation in a consultative capacity and the civil aviation competent ministry shall incur the expenses, the travel allowance, committee's members and the assisting experts' bonuses, the expenses of the flight and

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(\*) Added by Law no. 136 of 2010

laboratory tests and the technical researches required by the investigation. A committee member may not be isolated, during the investigation, unless upon a reasoned decree issued by the Minister.

The investigation committee shall have the right to summon persons, to question witnesses and to request them to present whatever information, documents or things that it considers essential to reveal the truth and shall reserve whatever considered necessary and shall take the required measures to move the aircraft, its parts, wreckage or the entire or part of cargo to carry out the necessary tests thereon.

**Article 100** - .....<sup>(1)</sup>

**Article 101**<sup>(2)</sup> The Duties of the Local Authorities upon an Aircraft's Accident or Incident:

Subject to the provision of Article (98), item (b) of this law, the competent authorities must, upon the occurrence of an aircraft accident, maintain the parts of the aircraft, all its assets and wreckage and not to move them unless for the purpose of saving people, taking out valuable things or mail, firefighting or if the

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<sup>(1)</sup> Superseded by Law no.136 of 2010

<sup>(2)</sup> Amended by Law no.136 of 2010

aircraft or its wreckage endangers the people or the properties and till the investigation committee arrives and issues instructions in this respect without prejudice to the competencies of the judicial investigation authority.

In all cases, when it is possible, the parts, the assets and wreckage shall be, when practical, photographed before partly or totally moved or have their position modified.

**Article 102** - ..... <sup>(1)</sup>

**Article 103** - ..... <sup>(2)</sup>

**Article 104** – Allowing the States’ Representatives to participate in the investigation:

- 1- Representatives of the following may participate in the investigation of the Egyptian aircrafts’ accidents in the State’s territory:
  - a) The State of the operator if not has the Egyptian nationality.

(3, 4) Superseded by Law no.136 of 2010

b) The State of the manufacturer if the investigation includes some points relating to airworthiness.

The representative of the State shall have the right to accompany one or more consultants to help him/ her during the investigation.

2- In case of a foreign aircraft's accident occurring over the Egyptian territories, each of the countries referred to hereinafter shall have the right to designate a representative to participate in the investigation and he/she shall be entitled to seek the assistance of one or more of the consultants.

a) The State of registration of aircraft.

b) The State of the operator.

c) The State that provides useful information for the investigation if it is asked to do so.

d) The State of the manufacturer if its participation in the investigation is deemed necessary.

3- The representative of the State participating in the investigation shall have the following rights:

a) To visit the place of accident.

b) To examine the wreckage.

c) To question and discuss the witnesses.

d) To view all the relevant evidences.



- e) To obtain a copy of all the documents closely relevant to the accident.
- f) To make observations in writing about the different elements of the investigation.

**Article 105** Representing of the State in the Investigation of the Egyptian Aircrafts' Accidents Abroad:

In case of an Egyptian aircraft's accident occurring over the territories of a foreign State, the competent Minister shall designate the State's representative and his/her consultants to participate in the investigation carried out by the authorities of such State.

**Article 106<sup>(\*)</sup>** Judicial Arrest

The head of the aircrafts' accidents department, his/her assistants, the members of the investigation committee and those of special expertise assisting the committee of the Egyptians joining it, shall have the right of judicial powers of arrest, and shall accordingly, have the right to enter the scene and other relevant places, and to carry out the inspections and take the necessary measures to maintain the aircraft, its parts, wreckage or cargo at the scene; and to view the documents, logbooks, references, drawings and papers.

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(\*) Amended by Law no.136 of 2010

**Article 107** Security Authorities and the Administrative Bodies' Assistance to the Investigation Committees:

The security authorities and the administrative bodies, within the respective competencies, shall take the necessary procedures to facilitate the work of the investigation committees; particularly providing them with all official documents prepared about the accident and shall do the works of rescue and succor, transfer of the injured, putting out fires and removing the dead bodies, while keeping the accident's remnants as they in compliance with the instructions issued by the investigation committees to facilitate their task.

**Article 108**(\*) The Investigation Committee's Report:

The investigation committee shall submit, to the head of the competent accidents' department, reports about the accident/ incident, the reasons and the surrounding circumstances and shall submit the accident's final report to be viewed by the competent Minister to be approved.

The head of the accidents' competent department shall inform the relevant States and bodies, indicated under a decree issued by the competent Minister, about the reports referred to in the preceding paragraph.

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(\*) Amended by Law no.136 of 2010

If the investigation committee finds, a criminal suspicion behind the accident, it must inform the Public Prosecution

**Article 109** - ..... (\*)

**Article 110** Aircraft Accidents' Re-investigation:

The competent Minister may issue a reasoned decree to re-investigate the aircraft accident if essential information that was not known by the committee in charge of the previous investigation comes out.

**Article 111** The authenticity of the Investigation Committee's final report's proceedings:

The proceedings included in the final report set by the investigation committee about the aircraft's accident shall be deemed authentic until proved otherwise.

## Chapter Ten

### Search and Rescue (SAR)

**Article 112** The meaning of search and rescue:

Search and rescue are every aid provided, even by notification only, to the aircraft that is being exposed to

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\* Superseded by Law no.136 of 2010

destruction, threatened by a danger or some difficulties or anything that reason to doubt or concern for its safety, including the aid provided to the passengers thereof.

**Article 112 (bis)<sup>(1)</sup> SAR Organizing:**

The SAR center affiliated to the Ministry of Defense shall be considered a main center that is responsible for searching and rescuing works in coordination with any other centers or other external and internal bodies.

The Civil Aviation Authority shall announce the areas of searching and rescuing under the responsibility of the State and that are specified by the SAR center.

**Article 113 - .....<sup>(2)</sup>**

**Article 114 Commitment to offer Search and Rescue (SAR) Aid:**

No person or organization may refrain from providing any search and rescue aid; when having the ability to provide it, whenever such is requested by the competent authorities, with the nature of its work shall enable such to offer such aid.

<sup>1</sup> Added by Law no.136 of 2010

<sup>2</sup> Superseded by Law no.136 of 2010

**Article 115<sup>(1)</sup>** Access Authorization into Prohibited Areas for SAR Purposes:

The Competent authorities are to allow the entrance of all means of SAR to any prohibited areas, if the aircraft being searched for, parts or wreckage thereof is likely to be found in such area, provided that such operations shall be performed under the supervision of such authorities.

**Article 116** Access Authorization into the State for SAR Purposes:

The Competent Authorities are to authorize experts, equipment and aircrafts that the Civil Aviation Authority deems necessary for SAR operations, to enter immediately and temporarily the territory of the State for participation in such operations.

**Article 117-** .....<sup>(2)</sup>

**Article 118** SAR Operations' Compensation and Reimbursement of Expenses:

- 1- Every SAR aid offered by persons as per the provisions of this Section shall grant such persons the right of reimbursement of expenses resulting

<sup>(1)</sup> Amended by Law no. 136 of 2010

<sup>(2)</sup> Superseded by Law no. 136 of 2010

from aid operations as well as the compensation for damages occurred during or as a direct result of such operations.

2- Provisions of the preceding paragraph shall not apply to any aid offered by the State's bodies inside the State.

**Article 119** Rewards on SAR of People, Aircraft and Money:

The competent Minister shall, in addition to expenses and compensation refer to in Article (118), stipulate rules governing disbursement of rewards for searching and rescuing people, aircraft and money.

**Article 120** Commitment of the Operator of the Aircraft Aided:

The operator of an aircraft aided shall pay due SAR aid expenses, compensations and rewards; even if the aircraft aided is a property of the Aider.

**Article 121** Court of Competent Jurisdiction of SAR Lawsuits:

The court where the accident occurs shall have jurisdiction over lawsuits arising from SAR, the

Southern Cairo Court of First Instance, Abdin Summary Court shall, in case of the accident occurs on the high seas or in any place not subject to the sovereignty of any State, have jurisdiction over such as per amount on controversy in the following cases:

1. If the aircraft being searched for or rescued is registered in the State.
2. If the aircraft being searched for exists within the territory of the State after the accident.
3. If the plaintiff is one of the subjects of the State.

**Article 122** Abatement of SAR Lawsuits:

Lawsuits arising from SAR shall be expired by the elapse of two years from SAR end date.

## **Chapter Eleven**

### **Liabilities and Warranties Relating to Aircraft Investment**

#### **Section One Contractual Liability of Air Transport**

**Article 123<sup>(\*)</sup>** Rules of Air Transport:

Convention for the unification of certain rules relating to international air transport signed in Warsaw on 12 October 1929 acceded by the State and other amended

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(\*) Amended by Law no.136 of 2010

and complementing agreements shall be applied on international air transport.

Provisions of subsection 4 of Section 7 of Chapter 2, (2.7.4) of the Trade Act issued by law no. 17 of 1999 shall apply to domestic air transport.

**Article 124** Carrier Liability Regarding Dumping of Cargo:

Carrier shall be liable to shippers and consignees regarding dumping of shipped goods during the flight, even if such should have been dumped to rescue the aircraft.

**Article 125** Carrier's lack of liability in terms of Dropping off Passengers:

Carrier shall not be liable if the Pilot had to drop off any passenger violating the order or constituting a threat to the aircraft's safety or passengers thereof.

**Article 126** Verifying the Possession of Travel Documents:

1. Each Air Carrier working within the territory of the State must verify that passengers and cargo fulfill the instruments and documents required to enter/exit from the State to the destination's aerodrome.



2. The provisions of the preceding item shall apply to domestic Air Transport when necessary.

## **Section 2 Liability for Damages Caused by Aircrafts to Others on Ground**

**Article 127**           Compensations on Damages Caused by aircrafts to others on ground:

Anyone suffered damage on ground has the right of compensation once proven that the damage has arisen directly from an aircraft in flight or of someone or something fell thereof.

The aircraft is deemed in flight from the moment the driving force is initiated to do the actual takeoff till the moment the driving force is stopped after landing.

As for the Lighter-than-Air (LTA) aircraft, its in-flight status is initiated from the moment being separated from the ground till the moment it is settled thereon.

Except for the cases mentioned in this Article, general rules applicable in the State shall be applied.

**Article 128<sup>(\*)</sup>**           Liability for Compensation:

Air Carrier shall be liable for compensation referred to in the preceding Article.

As for private aircrafts, the aircraft's owner shall be liable for such compensation.

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(\*) Amended by Law no.136 of 2010

**Article 129** The Joint Liability in case of using the Aircraft without the Operator's Consent:

1. If a person use an aircraft without the consent of the Operator thereof, such operator shall, unless he/she proves to conduct the due diligence to avoid such use, be jointly responsible, with the one who used it without his/her consent, for damages justifying the compensation referred to in Article 127, and both of them shall abide by to such compensation as per the conditions set forth in this Chapter and the Limitations of Liability defined therein.
2. The person who has the right to use the aircraft for a period less than 14 days shall be jointly responsible, with the person who granted him such right, for paying the compensation referred to in Article 127.

**Article 130** Exemption from or reduction of compensation:

The person who is deemed responsible in accordance with the provisions of this Chapter shall not abide by the compensation, if the damage is

directly resulted from an armed conflict or internal disturbances, or if such person is prevented from using the aircraft by the general authorities, or if the damage is proved to be due to the injured party or his/her subordinates or agents' fault, negligence or abstention.

If the responsible person proved that the injured party, his/her subordinates or agents had contributed to occurrence of the damage, the compensation shall be reduced proportional to their contribution.

Exemption from compensation or reduction thereof shall not take place if a fault has been made by the victim's subordinates or agents thereof, if it is proved that they were working behind their authorities.

**Article 131**      Aircrafts' participation in Causing Damage:

If others on ground have suffered a damage deserving compensation, as a result of a crash of two aircrafts or more in- flight or due to an aircraft being obstructed by another aircraft, or if such damage occurred by two aircrafts or more together, then each aircraft shall be deemed responsible of causing the damage to occur, and the Operator of each of the two aircrafts is responsible in accordance with the provisions of this Chapter.

**Article 132** Compensation Maximum Amounts:

Compensation maximum amounts shall be applied on damages caused by aircrafts to others on ground in the territory of the State in accordance with the relevant international agreements which the State is a party thereto.

**Article 133** Unlimited Liability on Damages of Aircrafts:

1. The liability of the operator shall, in accordance with the provisions of the present Section, be unlimited if the injured party proved that the damage is a result of an act or abstention by the operator, his/her subordinates or agents, with the intention to cause damage or due to imprudence coupled with awareness of prospective damage. In case of the act occurring or the subordinates or agents abstention, it is required to prove that they were doing their duties within their competencies.
2. If a person illegally captured an aircraft and used it without the consent of the one authorized to use it, his/her liability shall then be unlimited.

**Article 134** Limits of Liability in case of Several Liable Parties:

1. If there are several parties liable for damage in accordance with the provisions of this Section, the injured parties shall not have the right of total compensation exceeding the compensation ceiling with which one liable party may be charged, without prejudice to the provisions of the preceding Article.
2. Upon application of the provisions of Article (131), the injured party shall have the right to obtain a compensation not exceeding the total ceilings set forth regarding aircrafts contributed in occurrence of damage. However, no Operator shall be liable for paying a compensation exceeding the ceiling set forth for his/her aircraft, unless his/her liability is unlimited in accordance with the provisions of Article (133).

**Article 135** Due Compensations Exceeding the Limits of Liability:

If the total amount of due compensations exceeded the limits of liability set forth herein in accordance with the provisions of Article (132), the following rules

are applied taking into account that liability for death or injuries may not exceed the limits defined on each dead or injured person:

1. If the compensations are relating to deaths or only physical injuries or due to only money damages, such compensations shall be subject to a reduction appropriate for the respective amounts allocated.
2. If the compensations are relating to deaths, physical injuries and money damages all together, half of the total amount prepared for distribution shall be allocated to compensate death and physical injuries provided that such shall be given the priority, and shall be proportionally distributed between such two cases if found insufficient .

As for the other half of the total amount prepared for distribution, it shall be proportionally distributed among cases of damage regarding money, provided that the remainder, if any, shall be added to the first half allocated for compensation of death and physical injuries.

**Article 136** Court of Competent Jurisdiction of Actions for Compensations on Damages of Aircrafts:

Actions for compensation on damages caused by aircrafts to others on ground in the State shall be

brought before the court located in the place of the incident, however one or more plaintiffs together with one or more defendants may mutually agree to bring the action before the courts of any other State.

**Article 137** Abatement of Actions for Compensation on Damages of Aircrafts:

Actions for Compensation on damages caused by aircrafts to others on ground shall be expired upon the elapse of two years from the date the incident took place.

**Section Three Insurance and Warranties required to Cover Liabilities Related to Aircrafts' Investment**

**Article 138** Operator's Commitment to Insurances:

Subject to the provisions set forth in this Chapter, each operator of an aircraft operating within the territory of the State shall insure to cover his/her liability for damages of passengers, luggage and goods on board, and damages caused by the aircraft to others on ground.

Such operator shall also insure on his/her employees exposed to flight risks to cover damages that might result from it.

**Article 139** Insurance at an authorized Insurer: Insurance referred to in the preceding Article shall be made at an authorized insurer by virtue of the laws of the State where the aircraft is registered.

**Article 140** Substitution of Insurance for Warranties:

Insurance referred to in Article (138) may be substituted by one of the following warranties:

1. Cash insurance shall be deposited in the treasury of the State where the aircraft is registered or any bank authorized by it to do so.
2. A bail shall be provided by a bank authorized to do so by the State where the aircraft is registered, provided that such State verifies the Operator's capacity to fulfill his/her obligations.
3. A bail shall be provided by the State where the aircraft is registered, provided that such State shall not submit any judicial immunity upon dispute regarding such bail.

In all such cases, the aforementioned warranties shall be within the limits defined by the Ministry of



Civil Aviation in the light of the international agreements.

**Article 141** Carrying Certificates of Insurance on board or Filing Copies thereof at Civil Aviation Authority:

An aircraft working within the territory of the State may be forced, by Civil Aviation Authority, to carry a certificate issued by the insurer to prove the insurance is made in accordance with the provisions of this Chapter, as well as a certificate proving his/her financial capacity issued by the competent authority in the State where the aircraft is registered, in the State of the insurer's domicile or business' headquarters.

Carrying the certificates referred to on board may be substituted by filing a certified copy at Civil Aviation Authority.

## **Chapter Twelve**

### **Crimes Committed against Civil Aviation's Security and Safety:**

#### **Section One**

#### **Assault Crimes against Civil Aviation's Safety**

**Article 142-** .....<sup>(1)</sup>

**Article 143-** .....<sup>(2)</sup>

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<sup>(1,2)</sup> Superseded by Law no.136 of 2010

**Section Two Illegal Aircraft Burglaries**

**Article 144-** .....<sup>(1)</sup>

**Article 145-** .....<sup>(2)</sup>

**Section Three Authorities of Aircraft's Captain  
or Crew Members**

**Article 146** Preventive Measures:

An aircraft's captain, if he believed for reasonable reasons that someone has committed or sets out to commit any of the offenses prescribed for in this Chapter or any act that may jeopardize the safety of the aircraft, may take against such person any measures he deems necessary and preventive. Also, he may request assistance of passengers or authorize them to do so, but it is not permitted to force them to.

**Article 147** Notifications of the Existence of a Suspect on board:

1. An aircraft's captain may request the competent authorities in the State where the aircraft lands in its territory to take down the person referred to in the

preceding Article, specifying the reasons justifying such measure.

2. If the aircraft's captain sees he should deliver the said person due to the danger of the crime, he/she shall notify the authorities of the State where the aircraft lands in its territory as soon as possible, specifying the reasons. He/ She shall, upon landing, submit the evidences and information available to him/her.

**Article 148** Non-liability for preventive measures:

With regards to actions to be taken in accordance with Article (146), the liability of the aircraft's captain, any cabin crew member, any passenger, owner/operator or the person for whom the flight is made, shall be deemed disclaimed in any claim arising from the treatment of the person against whom such actions are taken.

## **Section Four Privileges and Duties of the State**

**Article 149<sup>(1)</sup>** Restoring control to the aircraft's Captain and allowing passengers to complete the flight:

The competent authorities shall, in the event of committing any offense prescribed for in this law, set

out to commit such or doing any action that may

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<sup>(1)</sup> Amended by Law no. 136 of 2010

jeopardize the aircraft's safety, take all necessary measures to restore the aircraft's captain's control over the aircraft or to maintain his/her control over such. In such cases, passengers and cabin crew members of the aircraft landed in the territory of the State shall be allowed to complete their flight as soon as possible, and the competent authorities shall return the aircraft and goods on board to the persons who are legally entitled such.

**Article 150-** .....<sup>(1)</sup>

**Article 151** Taking down the Accused:

The Competent authorities shall allow the aircraft's captain to take down any person as per the provisions of Article 147.

**Article 152<sup>(\*)</sup>** Legal Procedures:

The competent Authorities shall take over any accused the captain delivered to it in accordance with the provisions of Article (147) hereof, and shall immediately conduct an investigation about the incident.

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<sup>(1)</sup> Superseded by Law no. 136 of 2010

<sup>(\*)</sup> Amended by Law no. 136 of 2010

The authorities shall take procedures if it finds the offense falling within the jurisdiction of the State in compliance with the provisions of this law.

And if finds the offense not falling within the jurisdiction referred to, it shall take the appropriate decision in such regard according to the law.

In all cases- such authorities shall according to the law- have the right to deliver the suspect to his/her State of nationality, the State where he/she resides in permanently or the State from which he/she had begun his flight.

**Article 153** Security and Safety Procedures of Civil Aviation:

Civil Aviation Authority shall take all preventive measures required for preventing passengers from committing acts and offenses against the security and safety of Civil Aviation inside the State, and on board of national aircrafts in the light of the international rules in this respect.



## Chapter Thirteen<sup>(1)</sup>

### Sanctions

#### **Article 154** Judicial Seizure Capacity:

Employees of Civil Aviation Authority assigned under a decree by Minister of Justice in agreement with the competent Minister shall be deemed judicial arrest's officers regarding the contraventions in violation of the provisions of this law or the decrees implementing thereof.

#### **Article 155<sup>(2)</sup>** Administrative Sanctions Imposed by Civil Aviation Authority:

Without prejudice to criminal penalties defined in accordance with this law, any other law or disciplinary sanctions defined by virtue of laws and regulations. Civil Aviation Authority may, in case of violating any of the provisions of this law or the decrees implementing thereof, impose one or more of the following administrative sanctions:

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<sup>(1)</sup> The second paragraph of Article 5 of the law no. 136 of 2010 stipulates that the title of Section 13 of the same law shall be replaced to be (Sanctions).

<sup>(2)</sup> Amended by Law no. 136 of 2010

1. Suspension or cancellation of the authorization for a certain period.
2. Suspension or cancellation of the certificate of efficiency for a certain period.
3. Suspension of the permit issued for the aircraft for a certain period or withdrawal thereof permanently.
4. Suspension of the license or eligibility for a certain period or withdrawal thereof permanently.
5. Prevention of the aircraft to fly for a certain period or forcing it to land after being warned.
6. Prevention of the aircraft captain to fly in the territory of the State for a certain period or permanently.

**Article 156-** .....<sup>(1)</sup>

**Article 157-** .....<sup>(2)</sup>

**Article 158<sup>(3)</sup>** Violation of the Rights of Commercial Air Transport:

In case of the foreign company violating the provisions of the bilateral Air Transport Agreements

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<sup>(1)</sup> Superseded by Law no.136 of 2010, and was previously amended by Law no. 92 of 2003

<sup>(2)</sup> Superseded by Law no. 136 Of 2010



<sup>(3)</sup> Amended by Law no. 136 of 2010

concluded between Egypt and the State to which the company is affiliated or the violating the authorization or the permits issued thereto, the violating company shall abide by paying the Civil Aviation Authority an amount equivalent to double the highest fee of full carriage on the number of the carried passengers in violation and the fees shall be calculated based on what is given to one of the companies working on the same airline or similar airlines.

**Article 159-** .....<sup>(1)</sup>

**Article 160-**.....<sup>(2)</sup>

**Article 161-**.....<sup>(3)</sup>

**Article 162-**.....<sup>(4)</sup>

**Article 163-**.....<sup>(5)</sup>

**Article 164-**.....<sup>(6)</sup>

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<sup>(1, 2, 3, 4, 5, 6)</sup> Superseded by Law no. 136 of 2010

## Chapter Fourteen

### Foreign Military Aircrafts

**Article 165** Foreign Military Aircrafts’  
Flying over and landing on the Territory of the State:

Foreign Military Aircrafts must not fly over or land on the State’s territory unless by virtue of an international convention or agreement which the State is a party thereto or by virtue of a special permit by the competent authorities.

Such aircraft must have its distinct labels clearly.

**Article 166<sup>(\*)</sup>** Foreign Military Aircrafts’  
Applicable Provisions:

The following provisions shall be applied to the foreign military aircraft:

- 1- When necessary, the Civil Aviation Authority, in coordination with the Ministry of Defense, search the military foreign aircraft and prevent it from flying in case of violating the conditions of the permit issued for it.

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(\*) Amended by law no.136 of 2010

- 2- Foreign Military aircrafts, people and properties onboard is subject to the control of the customs, security, quarantine and plant quarantine authorities.
- 3- Foreign military aircraft may not carry or use any aerial photography devices or sensors during flying, landing or taking off in the State territory unless upon the approval of the Ministry of Defense and a permission from the Civil Aviation Authority.
- 4- Foreign military aircraft captain shall abide by the instructions, and procedures issued by the Civil Aviation Authority.  
And foreign military aircraft, when flying over the State's territory, shall abide by the rules of the air Stated in this law.

## Chapter Fifteen <sup>(\*)</sup>

### Penalties

**Article 167** Without prejudice to any severe penalty set forth in any other law; the crimes prescribed for in the following Articles shall have the penalties established therein.

**Article 168** Whoever takes by force or control any means of air transport, shall be punished by the rigorous imprisonment.

life imprisonment shall be the penalty if the felon, to commit the crime set for thin the preceding paragraph, does any act of violence, hitting, injuring or harming of any person inside or outside such means of carriage by air or resists, by force or threat, any of the general authorities during performing their job recapturing the means after being taken over or controlled or preventing such authority from performing its job.

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<sup>(\*)</sup>The third Article of law no. 136 of 2010 States that “Section fifteen of the civil aviation law referred to, shall be replaced with the following Section “Section Fifteen, Penalties”

Execution shall be the penalty if such act results in the death of a person inside or outside the means of carriage by air.

**Article 169** Life imprisonment or the rigorous imprisonment shall be the penalty if one of the following acts is done deliberately:

- 1- Destroying, damaging, disabling or sabotaging any of the means of air transport during flight or being at the airport or in the landing area.
- 2- Destroying, damaging, sabotaging or disabling any devices, equipment or facilities of the air navigation, aerodromes or other facilities of air transport service.
- 3- Putting devices or substances in one of the means of carriage by air with the purpose of destroying, damaging, sabotaging or disabling or jeopardizing the safety of the flight.
- 4- Every behavior intended to harm means of communication and control assigned to the air navigation if it is to jeopardize the safety of flying.
- 5- Stealing the devices or the equipment of the air navigation or the aerodrome's fittings.

- 6- Carrying weapons, ammunitions or explosives on one a means of air transport with the intention of committing a crime prescribed for in the Penal Law impinging the State's security, externally or internally.
7. Carrying weapons, ammunitions, explosives, any flammable substances or any other substances with the purpose of doing any acts of destroying, damaging, sabotaging or disabling set for in this Article.

Execution shall be the penalty if any of the acts prescribed for in the preceding item results in the death of someone.

The means of carriage by air shall be confiscated if the perpetrator of the crime set forth in item (7) is the owner of the means of carriage by air or if he is aware of its committing.

**Article 170** Whoever commits any of the following shall be punished by detention for a minimum one year period of time not exceeding five years and/ or by a minimum fine of five thousand pounds and not exceeding fifty thousand pounds:

1. Repots deliberately false information that is to jeopardize the safety of one of the means of air transport or postpone its taking- off time due.

2. Drives one of the means of carriage by air that does not carry an evidence of its nationality, registration marks or carries false or unclear marks for the purpose of hiding nationality or the State of registry without a permit from the civil aviation authority.
3. Deliberately lands or takeoff, without a special permit from the civil aviation authority, outside the declared aerodromes, landing areas and airstrips.
4. Refrains from implementing the landing order issued by the competent authority during flying over the State's territory.
5. Drives an aircraft or works within its crew while being drunk or under the influence of alcohol or drugs.
6. Does not –deliberately- record the data required to be written in the aircraft or air traffic's documents, or the logbooks thereof or change any of such data, or record any data in violation of the relevant decrees, if any of the above mentioned is to jeopardize the aircraft or the safety of the flight.

Without prejudice to the rights of third party, an aircraft confiscation may be carried out if conviction of the crimes prescribed in item (2) of this Article is decreed.

**Article 171**           Whoever commits any of the following is punished by detention and/or a minimum of five thousand pounds fine not exceeding fifty thousand pounds:

- 1- Using force, violence or threatening against any person on board or in any of the air traffic units if such would jeopardize the aviation traffic.
- 2- Refusing to comply with any of the orders issued by the captain of the aircraft during the aviation if that would endanger the air traffic.

**Article 172**           Whoever commits any of the following is punished by detention for a period of time not exceeding two years and/ or a minimum of five thousand pounds fine not exceeding a hundred thousand pounds:

- 1- Operating the aircraft before obtaining the certificate of registration, airworthiness certificate, type certificate or without having the documents and logbooks prescribed in Article (57) hereof or the flight permit from the civil aviation authority
- 2- Driving an aircraft without having the licenses or qualifications established for him/her.
- 3- Building an aerodrome, landing area, an airstrip or a facility of air navigation service or operating any of



them without a permit of such in accordance with the provision of this law.

- 4- Flying, in cases other than emergency, out of the defined areas and ways without a special permit from the civil aviation authority.
- 5- Non-compliance with the commands issued to him when, unintentionally, flying with the aircraft over a prohibited, restricted or dangerous area or existing with the aircraft above such area.
- 6- Existing, without permit, in the aircraft movement areas that are prohibited to enter or leaving things and animals inside it that would jeopardize the safety of flight.

**Article 173**           Whoever commits any of the following is punished by detention for a period of time not exceeding one year and/ or a minimum of one thousand pounds fine not exceeding thirty thousand pounds:

- 1- Practicing any of civil aviation activities before obtaining a permit of such from the competent Minister and a certificate of operational efficiency from the civil aviation authority.
- 2- Doing any of the civil aviation service's works without obtaining a special permit from the civil aviation authority.

**Article 174** Whoever violates any of the provisions of Articles 24 and 25 hereof, resumes any of the works previously ceased through the administrative way or refrains from implementing the disposal during the period defined by the Civil Aviation Authority is punished by detention for a period of time not less than one year and a minimum of twenty thousand pounds fine not exceeding twice the value of the violating works. The contractor executing such works is punished by the same penalty if the works are established without a permit from the Civil Aviation Authority or in violation thereof; also, the officer of the administrative body competent of the regulation affairs is punished by the same penalty if involved in committing such violations.

And in all cases, disposal of the violating works at the expense of the violator shall be decreed.

**Article 175** Whoever commits any of the following shall be punished by a minimum fine of five pounds and not exceeding ten thousand pounds:

- 1- Being very drunk or under the influence of alcohol on board.
- 2- Smoking on board.

Without prejudice of the provisions of Article 18 (bis) of the Criminal Procedure Act, reconciliation may take place regarding the crimes prescribed for in the preceding two items when the violator pays half of the

minimum of the penalty immediately, the head of the aircraft's stewards crew or an judicial arrest officer shall, as the case may be, offer reconciliation and write minutes thereof and an action ex-delicto consequently abates by reconciliation.

**Article 176**           Whoever violates any other provision of this law is punished by a minimum of one thousand pounds fine not exceeding fifty thousand pounds.

Without prejudice of the provisions of Article 18 (bis) of Criminal Procedure Act, reconciliation may take place regarding the crimes set for thin the present Article; a competent judicial arrest officer shall offer reconciliation and write its minutes. The same provisions prescribed in Article (135) of this law shall be applied to such reconciliation.

**Article 177**           Whoever sets out any of the misdemeanors prescribed for in this law is punished by half of the penalty Stated for a perfect crime.

**Article 178**           Without prejudice to the provisions of the Articles: 1, 2, 3 and 4 of the Penal Code, the provisions of penalties prescribed for in this law shall be applied to whoever commits a crime

prescribed for therein out of Egypt in the following cases:

1. If he/she commits a crime against one of the means of carriage by air that are registered in, or carrying the flag of the State, or on board.
2. If he/she commits a crime against or on board of any of the means of carriage by air leased, without a crew, to a leased whose headquarters or permanent place of residence is in the State.
3. If such crime causes damage to any of the means of carriage by air set for thin the preceding two items or if it is intended to force the State or any of the authorities or organizations thereof to make or refrain from an action
4. If the perpetrator is a foreigner existing in Egypt, in case he/she is not surrendered.

**Article 179** Authorities of fact finding, investigation and trial shall be competent to the procedures prescribed in this law and in the Criminal Procedure Act regarding the crimes committed abroad and the provisions of this law are applied thereto.

Cairo Criminal Court or Abdin Summary Court, as the case may be, shall be competent to adjudicate such crimes.

**Article 180** – Except for the crimes prescribed in the Articles: 170, 171, 172, 173, 174, 175 and 176 of this law, filing criminal proceedings or taking investigation's procedures in the crimes prescribed for in this law may not made unless upon a written request from the competent Minister.

In case of discrepancy between the English translation and the original Arabic text, the Arabic text shall prevail

## Contents

<b>Subject</b>	<b>Article No.</b>
Enactment Articles	First- Third
Chapter One: General Provisions	
Section One: Definitions	1
Section Two: Scope Of Application and The State’s Authorities	2-8
Section Three: Aviation General Provisions	9-15
Chapter Two: Aerodromes and Navigation Services’ Facilities	
Section One: Establishment, Management and Usage of Aerodromes	16-21
Section Two: Air Easements	22-26
Section Three: Protection of Aerodromes, Aircrafts and Navigational Aids	17-29 bis
Section Four: Aircrafts’ Noises	30-31
Chapter Three: Airworthiness	32-37
Chapter Four: Rules of The Air	38-46
Chapter Five: Licenses and Aviation Education	47-56
Chapter Sixth: Documents and Logbooks	57-62
Chapter Seven: General Provisions of Carriage	63-71

by Air and Aerial Works

Chapter Eight: Carriage by Air Operations and Aerial Works

Section One: Applicable Laws, Rules and Regulations. 72-74

Section Two: Establishment and Operation of Aviation Companies and Facilities 75-77

Section Three: Operations Manual and Flight Manual 78-82

Section four: Aircraft Crew 83-87

Section Five: Aircraft's Devices and Equipment 88

Section Sixth: Aircraft Loading 89

Section Seven: Air Operations 90-97

Chapter Nine: Aviation accidents and Incidents 98-111

Chapter Ten: Search and Rescue (SAR) 112-122

Section Eleven: Liabilities and Warranties Relating to Aircraft Investment

Section One: Contractual Liability of Carriage by Air 123-126

Section Two: Liability for Damages Caused by Aircrafts to others on Land 127-137

Section Three: Insurance and warranties

Required to cover Liabilities  
Relating to Aircraft's Investment

Chapter Twelve: Offenses Committed against Civil Aviation Security and Safety	
Section One: Offenses against Civil Aviation Safety	142-143
Section Two: Illegal Aircraft Burglaries	144-145
Section Three: Authorities of Aircraft's Captain or Cabin Crew Members	146-148
Section Four: Authorities and Duties of The State	153-149
Chapter Thirteen: Sanctions	154-164
Chapter Fourteen: Foreign Military Aircrafts	165-166
Chapter Fifteen: Penalties	167-180