



Sultanate of Oman Civil Aviation Authority



Issuing the Civil Aviation Law

Royal Decree
No. (76/2019)

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Civil Aviation Authority

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**Royal Decree No. (76/2019)
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We Qaboos bin Said Sultan of Oman

having reviewed the Basic Law of the State issued by the Royal Decree No. (101/96),

and the Civil Aviation Law issued by the Royal Decree No . (93/2004), and in accordance with the public interest .

have decreed as follow

Article (1)

Civil aviation affairs shall be governed by the provisions of the attached Law .

Article (2)

The Chairman of the Board of the Public Authority for Civil Aviation shall issue the executive regulations and decisions to the aforementioned Law. Until then the current regulations and decisions shall continue to be in force as long as there is no conflict with the provisions of the Law .

Article (3)

The Civil Aviation Law issued by the Royal Decree No . 93/2004 shall be repealed , as well as , all that is contrary to or contradicting the provisions of the attached Law .

Article (4)

This Decree shall be published in the Official Gazette and shall become effective after one day following its publication .

Issued on 9 Rabi al-Awwal 1441 H

Corresponding to 6th of November 2019

Qaboos bin Said

Sultan of Oman



Civil Aviation Law
Chapter I
Definitions and General Provisions
Article (1)

In this Law the following terms and expressions shall have the meanings assigned to them, unless the text otherwise requires :

- 1) The Sultanate:** The Sultanate of Oman.
- 2) Territory of the Sultanate:** Areas of land and water under its sovereignty, and the air space above them .
- 3) Competent Authority:** The Public Authority for Civil Aviation or any other body entrusted with exercising its powers or authorities .
- 4) Regulations:** The Rules, Circulars, Instructions, Directives, Requirements, Policies, Orders and Decisions issued by the Head of the Competent Authority or his/her delegate.
- 5) Approval:** All licenses, certificates, permits, permissions or any other documents in relation to civil aviation affairs.
- 6) Airport:** A defined area on land or water surface (including any buildings, installations or equipment) dedicated wholly or in part for the arrival, departure and surface movement of the aircraft.
- 7) Aircraft:** A heavier than air vehicle, powered by moving forces, deriving its lift in flight chiefly from aerodynamic reactions on surfaces remaining constant under given conditions of flight.
- 8) Pilot-in-Command:** The pilot responsible for the operation and safety of the aircraft.
- 9) Crew Member:** A person assigned by an air operator with duties on an aircraft.
- 10) Aircraft-in-Flight:** The period from the moment when all the external doors of the aircraft are closed following embarkation of passengers until the moment when such doors are opened for their disembarkation.



11) Aircraft-in-Service: The period from the starting of aircraft preparation by the competent technicians or by crew members for a certain flight up to 24 hours after its last landing, which can be extended to include the entire period during which the aircraft is in flight.

12) Accident: An occurrence associated with the operation of an aircraft, which in the case of a piloted aircraft, takes place at any time between the time any person boards the aircraft with the intention of flying until all such passengers have disembarked from the aircraft, or in the case of an unmanned aircraft, takes place at any time when the aircraft is ready to move with the purpose of flying until such time as it comes to rest at the end of the flight and the primary propulsion system is switched off, including any occurrence of consequential injuries or damages as described in the relevant international annexes and regulations.

13) Aviation Incident: An occurrence, other than an accident, associated with the operation of an aircraft which affects or may affect the safety of operation.

14) Search and Rescue: Every assistance rendered to an aircraft suffering an accident, or threatened by danger, difficulties, or there is doubt or fear for its safety passengers, and crew.

15) General Aviation: Civil aircraft for non-commercial air transport purposes.

16) Commercial Air Transport: Flights transporting passengers, goods, mail or any of them, for remuneration.

17) Air Operator: Any establishment that operates domestic or international commercial air transport operations, either directly or indirectly.

18) Air Navigation Services: Services provided by the Sultanate within its airspace or any other airspace the Sultanate is responsible for.

19) Aeronautical Information Publication: A publication containing aeronautical information of a permanent and necessary nature for air navigation.

20) Chicago Convention: The Civil Aviation International Convention signed at Chicago on 7 December 1944, and its Annexes and amendments ratified by the Sultanate.



21) The Organization: The International Civil Aviation Organization (ICAO).

22) The Regulation: The Executive Regulation of this Law.

Article (2)

The provisions of this Law shall apply to:

- a. Civil aircraft registered in the Sultanate, wherever they may be, in so much as there is no conflict with the provisions of the laws of the foreign states where the aircraft operate.
- b. Civil airports and their facilities in the Territory of the Sultanate.
- c. Commercial air transport and general aviation.
- d. Air navigation services.
- e. Any other related activities to civil aviation in the Territory of the Sultanate.

Article (3)

The provisions of the Chicago Convention and of any other relevant treaties ratified by the Sultanate shall constitute an integral part of this Law. In case of conflict, the provisions of the international treaties shall prevail.

Chapter II

Competent Authority

Article (4)

The Competent Authority shall have a juridical personality, and shall be financially and administratively autonomous. The Head of the Authority shall be the one responsible for guaranteeing the execution of the requirements of the comprehensive civil aviation safety and security oversight.

Article (5)

The Competent Authority may entrust an international or regional organization or any expert or competent person it deems fit with performing any of its functions in accordance with the provisions of the Executive Regulation and Civil Aviation Regulations.



Article (6)

The Competent Authority shall have the right to expropriate properties needed for the implementation of aviation projects, in accordance with the provisions of the Expropriation of Property for Public Interest Law.

Article (7)

The Competent Authority shall be responsible for the implementation of the provisions of this Law, and shall have the following powers and competencies:

- a. Regulation, supervision and oversight of the establishment and operation of civil airports, airfields, heliports and their facilities.
- b. Regulation and oversight of the safety and security of civil aviation, commercial air transport facilities, general aviation, air operators, air navigation services, meteorology and any other civil aviation activities.
- c. Issuance and publication of regulations as well as the National Civil Aviation Security Programme, National Air Transport Facilitation Programme, State Safety Programme and any other national programmes and monitoring of their implementation.
- d. Regulation of the establishment, operation and management of navigational aids, meteorological and air traffic services in the Sultanate.
- e. Regulation of the establishment, operation and maintenance of weather stations for the service and safety of air navigation.
- f. Inspection of aircraft, impounding relevant documents and preventing violating aircraft from flying.
- g. Issuance of the necessary rules to ensure clear separation between the regulatory functions, and the operational functions relating to civil aviation activities as well as air navigation and meteorological services.
- h. Closing of the Omani airspace in coordination with the concerned parties and announcing such decision.
- i. Issuance of public weather alerts and warnings in exceptional weather conditions that may impose dangers to persons, property, aircraft and civil aviation installations.



- j. Investigation into any violation of the provisions of this Law.
- k. Banning or restricting any activity that may affect the safety of civil aviation or air navigation.
- l. Imposing and collecting the applicable fees for the services provided by the Competent Authority in coordination with the Ministry of Finance and the concerned parties.
- m. Issuance of regulations on environment protection from the effects of civil aviation activities in accordance with the international standards and applicable legislation in the Sultanate, in coordination with the concerned parties.
- n. Issuance of regulations on the establishment of commercial air transport and general aviation companies.

Article (8)

Competent Authority employees and inspectors nominated by a resolution by the Competent Body in agreement with the Head of the Competent Authority shall have law enforcement power in relation to the enforcement of the provisions of this Law or any of the regulations, rules and resolutions in execution thereof. They shall have the powers specified in the office procedures manual. In doing that, they shall have the right to:

- a. Unrestricted access to inspect aircraft, airports, air navigation services and other civil aviation facilities and institutions.
- b. Inspect relevant documents and records if required.
- c. Ensure the implementation of operational safety and security measures and arrangements for all civil aviation facilities and operators.
- d. Inspect and test the effectiveness of the security measures and arrangements followed and the security equipment and devices used.
- e. Seize the aircraft and prevent it from flying for justifiable reasons.
- f. Withhold approvals issued to civil aviation personnel and entities.



Chapter III

Rules of the Air

Article (9)

The Sultanate has complete and exclusive sovereignty over the airspace above its Territory and may intercept and force to land unidentified or unauthorized aircraft upon entering its airspace.

Article (10)

The Competent Authority shall set rules of the air and airspace use in accordance with the prescribed international rules and regulations in coordination with the concerned parties.

Article (11)

Every aircraft registered in the Sultanate must comply with all applicable flight rules and regulations wherever it may be.

Article (12)

The Competent Authority shall designate in coordination with the concerned parties:

- a. Airways and air routes to be used by aircraft within the Territory of the Sultanate.
- b. Prohibited, restricted and danger areas and declare the same.

Chapter IV

Aerodromes and Air Easement Rights

Article (13)

It is prohibited to establish or operate any airports, landing areas, airfields or air navigation and meteorological facilities without approval from the Competent Authority, in accordance with the applicable regulations.

Article (14)

Aircraft are prohibited from landing at undeclared airports, except in cases of emergencies or with the consent of the Competent Authority.



Article (15)

The Competent Authority shall impose air easement rights and shall determine the scope and extent of such rights for the purpose of ensuring the safety of air navigation and the protection of persons and property in accordance with the prescribed international rules and regulations.

Article (16)

The Competent Authority shall have the right to ban the construction of beacons, buildings, installations, equipment or any other thing that may affect air navigation safety, and order their removal or adjustment if installed without approval. The offender shall bear all the expenses resulting therefrom.

Article (17)

The concerned parties shall determine the manner of use of the land in accordance with air easement rights and Airport Vicinity Protection Area plan and after the obtainment of the Competent Authority approval. No approval may be granted for buildings, installations or land use in a manner contrary to the provisions pertaining to the Airport Vicinity Protection Area plan, or the conditions relating to air easements rights.

Article (18)

The regulation and certification of all air navigation services shall be in accordance with the applicable regulations.

Article (19)

The Royal Oman Police, concerned Security parties, Quarantine, Agricultural, Veterinary, and other Concerned parties shall have the right to carry out their respective functions in accordance with the relevant laws, in coordination with the Competent Authority, in a manner consistent with the provisions of this Law.



Chapter V

Air Operations

Article (20)

The Competent Authority shall establish a national register of civil aircraft in accordance with the terms and procedures prescribed in the regulations.

It is prohibited to dispose of any aircraft registered in the National Register, whether by sale or mortgage or lease or by any other method of disposal, except with the approval of the Competent Authority and in accordance with the applicable regulations.

In all cases, it is prohibited to operate a civil aircraft unless it is registered in the Sultanate or in a foreign State.

Article (21)

The operation and maintenance of aircraft registered in the Sultanate shall be in accordance with the applicable regulations.

Article (22)

The air operator shall not operate in the Territory of the Sultanate without approval from the Competent Authority in accordance with the Executive Regulation and other Civil Aviation Regulations.

Article (23)

The pilot-in-command may take any measures or arrangements to secure the safety of the aircraft and its load of persons and property, and to keep order and discipline on board.

Article (24)

The pilot-in-command and aircraft crew members are prohibited from carrying out their assigned duties whilst under the influence of alcohol or any other abuse substance.



Article (25)

The air operator or pilot-in-command shall, upon conducting any flight operations, comply with the provisions of this Law and applicable regulations. He/she shall keep aircraft documents and records and shall, when requested, submit them to the Competent Authority.

Article (26)

An operator who operates an aircraft registered in the Sultanate or any other ICAO member state according to any agreement, and has his/her principal place of business or his/her place of permanent residence in a member state, the Sultanate may, upon an agreement with that state, transfer to it all or some of its functions or duties as a state of registration in relation to that aircraft in accordance with the provisions of the Chicago Convention. The state of registration shall be released from responsibility with regard to the transferred functions and duties.

Article (27)

It is prohibited to carry or transport arms, ammunition, explosives, or other flammable or dangerous substances on board civil aircraft without the approval of the Competent Authority. The Competent Authority shall set regulations governing the transfer and possession of such materials on board aircraft in the Territory of the Sultanate.

Article (28)

The following acts shall be prohibited:

- a. The use of remotely controlled or unmanned aircraft or any other flying object in the Territory of the Sultanate without obtaining the Competent Authority's approval.
- b. Directing laser or any other light or rays towards aircraft in a manner that may endanger them or affect the safety of air navigation.
- c. Any act or activity that may affect the safety and security of air navigation, aircraft, crew, or passengers.



Article (29)

It shall be prohibited to equip civil aircraft operating in the Territory of the Sultanate with any devices or equipment unless they are licensed in accordance with the applicable laws and regulations in the Sultanate and the international regulations. Such devices shall not be used for any purposes other than air navigation.

Chapter VI

Approvals

Article (30)

It is prohibited to practice civil aviation activities, air navigation and meteorological services except with the approval of the Competent Authority as set forth in the regulations.

Article (31)

Any approvals issued from foreign states to navigators or other personnel working in civil aviation activities are subject to approval by the Competent Authority.

Article (32)

The Competent Authority shall approve training institutions providing training or various civil aviation activities as detailed in the rules and regulations. It is prohibited to conduct training on such activities without the Competent Authority's approval.

Chapter VII

Commercial Air Transport Regulation

Article (33)

Commercial air traffic rights are considered established sovereign rights. The Competent Authority is empowered to negotiate such rights with other states and to grant authorizations to make use of them.



Article (34)

The Competent Authority shall issue the rules of economic regulation in relation to commercial air transport and general aviation, and the rules of passenger rights protection.

Article (35)

The air operator and general aviation entities operating in the Sultanate shall provide the Competent Authority with all the required aviation information, data and statistics

Article (36)

Subject to the provisions of the Commercial Companies Law, no company may be established to conduct commercial air transport activity or general aviation activities within the Sultanate except with the approval of the Competent Authority and the concerned parties in accordance with the applicable regulation.

Chapter VIII

Civil Aviation Fees

Article (37)

The Competent Authority, in coordination with the concerned parties, shall:

- a. Determine Civil Aviation and Air Navigation fees and their collection mechanism.
- b. Approve fees levied by the services providers of airport open to public use, air navigation, meteorology and any other services.
- c. Determine the amount of charges for the operation and use, in whole or in part, of airports open for public use or land and property of the Competent Authority.



Article (38)

The Competent Authority may exempt any aircraft from such fees if the public interest so requires as detailed in the Executive regulations and other Civil Aviation Regulations, and shall publish a list of the owners and operators of aircrafts who are exempted from the fees in the aircraft manual.

Chapter IX

Search and Rescue

Article (39)

The provision of search and rescue services shall be in accordance with national and international regulations in force.

Article (40)

The Competent Authority shall determine, in collaboration with the concerned parties, the search and rescue areas for which it shall be responsible, and shall designate search and rescue coordination centers.

Article (41)

The Competent Authority shall take the necessary measures to coordinate and cooperate with neighboring states in search and rescue operations.

Article (42)

The authorities responsible for search and rescue operations shall issue a respective national plan in accordance with the applicable regulations.

Article (43)

The Competent Authority shall make such arrangements as may be necessary to assist aircrafts in danger in the Territory of the Sultanate. No entity or person shall refuse to render, when so requested, assistance in search and rescue operations if he is able to do so, or if the nature of his work requires him to offer such assistance.



Article (44)

The court of the place of the accident shall have jurisdiction over claims arising from the search and rescue operations. If the accident occurs in a Territory that is not under the sovereignty of any state, the Sultanate courts shall have jurisdiction in the following cases:

- a. If the aircraft subject of the search and rescue operations is registered in the Sultanate.
- b. If the plaintiff is a national of the Sultanate.
- c. If the aircraft subject of the search and rescue operations is found within the Territory of the Sultanate.

Article (45)

Claims arising from search and rescue operations shall elapse after two (2) years from the date of completion of the search and rescue operation. In case of suspension or interruption of the statute of limitation, such claims shall not be accepted after three (3) years from the date of completion of search and rescue.

Chapter X

Aviation Accident and Incident Investigation

Article (46)

An independent administrative unit for aviation accidents and incidents investigation shall be established by a decision of the Minister of Transport in order to improve the level of aviation safety and prevent such accidents and incidents. This administrative unit shall undertake the following:

- a. Investigate aviation accidents and incidents that occur in the Territory of the Sultanate.
- b. Investigate aviation accidents and incidents that occur to aircraft registered in the Sultanate over the high seas or in the Territory that does not belong to a particular state in respect of aircrafts registered in the Sultanate.



c. Participate in the investigation of aviation accidents and incidents that occur to aircraft registered in the Sultanate outside its Territory.

The administrative unit may seek the assistance of any competent authority to conduct the required investigation or participate in it.

Article (47)

The aviation accident and incident investigation unit shall develop an investigation procedures manual in accordance with regulations issued according to Annex 13 of Chicago Convention.

Article (48)

The Competent Authority or the concerned parties shall notify the aviation accident and incident investigation unit of the occurrence of an aviation accident or incident. The investigators of the aviation accident and incident investigation unit shall have the following powers:

- a. Unrestricted access to accident sites and other sites that may benefit the investigation.
- b. Review documents and records, and retain what is necessary for the investigation.
- c. Summon persons and interrogate them.
- d. Take the necessary measures to preserve the aircraft, its contents, parts, and to move it or any parts thereof to conduct the necessary tests thereon.

Article (49)

The concerned parties shall preserve and guard the site of the accident and the aircraft, its contents and wreckage, and to prevent the entry of unauthorized persons and not move the aircraft or any parts thereof except for the purposes of saving lives and protecting properties or for operational safety reasons until the arrival of a team from the aviation accident and incident investigation unit.



Article (50)

If the aviation accident and incident investigation unit finds that the aviation accident or incident involves, or likely to involve a crime, it shall refer the matter to the competent authorities in the Sultanate to institute the necessary legal proceedings in this regard.

Article (51)

The investigation carried out by the aviation accident and incident investigation unit shall be conducted independently from any other investigations carried out by other authorities.

Article (52)

Aviation accident and incident investigation unit may, by a reasoned decision, reopen an investigation of an aircraft accident, if new evidence has emerged which could affect the conclusion of the investigation.

Article (53)

If an aviation accident or incident involving military and civil aircraft occurs in the Territory of the Sultanate, a joint investigation team shall be formed from the aviation accident and incident investigation unit and the military authorities. This team shall include equal membership from both sides and shall be headed by a representative of the unit.

Article (54)

It is prohibited to conceal or remove any part of the aircraft or its contents, records, on-board recording equipment, and ground recordings unless otherwise authorized by the aviation accident and incident investigation unit.

The investigation records, the content of cockpit recordings, as well as the visual content of any on-board and ground recordings relating to the flight or the accident shall not be disclosed except for the purpose of the investigation.



Chapter XII

Third Party Liabilities of Air Operators

Article (55)

The provisions of the Convention for the Unification of Certain International Air Transport Rules (Montreal 1999) shall be applicable to all air transport contracts for passengers, baggage and cargo.

Article (56)

The air operator shall be liable for the damage caused to third parties on land or water surface if caused by an aircraft-in-flight.

Article (57)

The air operator shall bear search and rescue expenses and compensation for damages that occurred during or due to aircraft search and rescue operations.

Article (58)

The air operator shall be absolved of any liability if the pilot-in-command of the aircraft had to disembark any passenger who jeopardized good order and discipline on board or endangered the safety of the aircraft or its passengers.

Chapter XII

Offences Committed against the Safety and Security of Civil Aviation

Article (59)

A person is considered as a perpetrator of an offence against the safety and security of civil aviation if he/she attempts, commits, or takes part in committing any of the following acts:

- a. Taking hostages on board an aircraft or in airport premises;
- b. Seizing or using an aircraft in service for the purpose of conducting terrorist acts;



- c. Destroying or causing serious damages to air navigation installations or airport facilities serving civil aviation or aircraft not in service, present at the airport;
- d. Interrupting airport services in a manner that may endanger the safety of civil aviation;
- e. Performing an act of violence against a person at an airport serving civil aviation or on board an aircraft-in-flight;
- f. Placing a device or substance in an aircraft in service that may destroy or cause damages to the aircraft that renders it incapable of flying or may endanger its safety during flight;
- g. Communicating information that is known to be false and thereby jeopardizing the safety of an aircraft, its passengers and crew, or ground service personnel or the general public, at an airport or in the civil aviation buildings or facilities;
- h. Placing into an aircraft or airport: weapons, ammunition, explosives or dangerous devices and substances.

Article (60)

Any person is considered committing an offence if he/she attempts, commits or contributes to the commission of any of the following acts on board an aircraft-in-flight:

- a. Attacking a member of the crew; or
- b. Disobeying instructions issued by the pilot-in-command or a crew member on his behalf for the purpose of securing the safety of the aircraft, passengers and property or maintaining order and discipline on board.

Article (61)

The Omani courts shall have jurisdiction to adjudicate upon crimes committed in violation of the provisions of this Law in the following cases:

- a. If the crime is committed within the Territory of the Sultanate or on board an aircraft registered in the Sultanate.



- b. If the aircraft, on board of which the offence was committed, landed in the Territory of the Sultanate with the accused still being on board.
- c. If the crime was committed on board an aircraft leased to an operator whose head office is located in the Sultanate, or has a permanent residency therein.
- d. If the accused is found in the Territory of the Sultanate.
- e. In any other case, the Sultanate shall initiate criminal proceedings in accordance with its laws.

Chapter XIII

Sanctions and Penalties

Article (62)

The Competent Authority may impose on any person who violates the provisions of this Law or the regulations or decisions issued thereunder, one or more of the following penalties:

- a. Issuing warnings or temporary withholding or cancelling of exemptions and approvals.
- b. Banning or limiting the practice of operating privileges granted hereunder temporarily or permanently.
- c. Stopping or restricting any flight or air route operated by an Air Operator.
- d. An administrative penalty not exceeding thirty thousand (30,000) Omani Rials, that shall be doubled in case of recurrence.

Article (63)

Any person who violates the provision of any of the Articles (14,21,22,24,25, 13 ,27,29,30,32,54) of this Law shall be punished by imprisonment for a term not less than one (1) year and not exceeding three (3) years and a fine of not less than fifteen thousand (15,000) Omani Rials and not exceeding fifty thousand (50,000) Omani Rials, or either of the two penalties.



Article (64)

Any person who violates the provision of any of the Articles (16,17,28,36) of this Law shall be punished by imprisonment for a term not less than three (3) months and not exceeding one (1) year and a fine not less than five thousand (5,000) Omani Rials and not exceeding ten thousand (10,000) Omani Rials or either of the two penalties.

Article (65)

Any person who attempts, commits or takes part in committing any of the acts prescribed in Article (59) of this Law shall be punished by imprisonment for a term not less than three (3) years and not exceeding fifteen (15) years and a fine of not less than thirty thousand (30.000) Omani Rials and not exceeding sixty thousand (60,000) Omani Rials.

Article (66)

Any person who attempts, commits or takes part in committing any of the acts set forth in Article (60) of this Law shall be punished by imprisonment for a term not less than six (6) months and not exceeding one (1) year and a fine of not less than five hundred (500) Omani Rials and not exceeding two thousand (2,000) Omani Rials, or either of the two penalties.

Article (67)

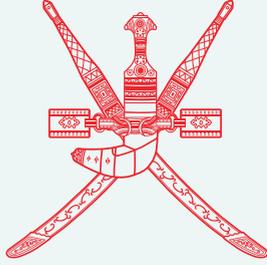
The Sultanate's courts may order the confiscation of the aircraft in the following cases:

- a. The aircraft is not displaying the registration mark or uses an incorrect one.
- b. The aircraft is equipped with or uses aerial photography equipment without prior approval of the Competent Authority.
- c. The air operator carries weapons, ammunitions, explosives, or other dangerous substances with the intention of smuggling or committing a crime



Article (68)

Without prejudice to any severer penalty provided for in this Law or any other law, any person who violates the provisions of this Law or any Executive Regulations and other Civil Aviation Regulations or decisions issued thereunder shall be punished by imprisonment for a term not less than one (1) month and not exceeding one (1) year and a fine not less than two thousand (2,000) Omani Rials and not exceeding twenty thousand (20,000) Omani Rials, or either of the two penalties.



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Stratategic Planning
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