

Royal Decree No (93/2004)

To issue

CIVIL AVIATION LAW

Upon reviewing the Basic Law of the State issued by the Royal Decree No. (101/96) and the Royal Decree No. (24/93) that specify the authority of the Ministry of Transport and approve its organizational chart,

and the Civil Aviation Law issued by the Royal Decree No (50/75),
and the Civil Service Law issued by the Royal Decree No. (8/80)
and the Amendments thereto,
and the Financial Law issued by the Royal Decree No. (47/98)
and the Amendments thereto,
and upon the exigencies of Public Interest,

We have decreed the following: -

Article One : Civil Aviation affairs shall be governed by the provisions of the concomitant Law.

Article Two : The Minister of Transport and Communications shall issue the executive regulations to the aforementioned Law. Until then, the current regulations and orders shall continue to be in force as long as there is no conflict with the provisions of the Law.

Article Three : The Royal Decree No. (50/75) shall be repealed, also any provision that is in conflict with or contradicts the provisions of this concomitant Law shall be repealed.

Article Four : This Decree shall be published in the Official Gazette and shall become effective from the date of its publication.

Issued: 20 Jumada Thania 1425 H

The : 7th August 2004

**Qaboos Bin Said
Sultan of Oman**

CHAPTER ONE

DEFINITIONS AND GENERAL PROVISIONS

Article (1) **Definitions**

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

1. **The Territory of the Sultanate:** Areas of land and water under its domain, and the air space above them.
2. **State of Registration:** The state in which an Aircraft is registered.
3. **Civil Aviation Authority:** Directorate General of Civil Aviation and Meteorology, or any other government body entrusted with the exercise of its powers or authority.
4. **The Competent Minister:** The Minister of Transport and Communications, or whoever exercises his powers or authority.
5. **Chicago Convention:** The International Convention on Civil Aviation signed at Chicago on 7 December 1944, and its Annexes and amendments ratified by the State.
6. **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. It includes all air ships like, Balloons, Gliders, fixed wing aeroplanes and helicopters.
7. **Flight Authorization:** Temporary or permanent approval issued by the Civil Aviation Authority to an Operator or air carrier to conduct air transportation activities in the Territory of the Sultanate.
8. **Flight Permit:** Permit issued by the Civil Aviation Authority to conduct one or more air operations within a limited period of time.
9. **General Aviation:** Includes state Aircraft, instructing and training flights, flights made by organizations, bodies, corporations, and individuals to transport personnel and equipment, private and leisure flights, flights like agricultural flying, aerial photography, oil exploration, building and construction, banner, air ambulances service, help and rescue operations.
10. **Certificate of Airworthiness:** A document issued by the Civil Aviation Authority to certify that an Aircraft is airworthy during a specified period of time.
11. **Air Operator:** Any natural person or a legal entity who offers or invests in or operates an Aircraft, the crew of which take orders from him, whether for

himself or for others, for the purpose of transporting passengers, mail and cargo or any of these.

12. **State of the Operator:** The state where the operator has his principle office of business or his permanent residence.
13. **Air Traffic:** All Aircraft in flight or operating on the maneuvering area of an airport.
14. **Airport:** A marked off area on land or on water-including buildings, installations and equipment thereon- designated to be used, wholly or partially for the arrival and departure and maneuvering of Aircraft.
15. **International Airport:** Any Airport designated by the State in its Territory and is prepared for arrival and departure of Aircraft, and where the special procedures of security, customs, immigration, health, agricultural and veterinary quarantine are carried out.
16. **Airport Operator:** Any natural person or a legal entity who invests in the Airport or in the management thereof, whether by himself or through his employees.
17. **Airport Certificate:** A certificate to operate an Airport issued by Civil Aviation Authority after approving the Airport manual, in accordance with the regulations and provisions of this Law.
18. **Maneuvering Area in the Airport:** That part of the Airport to be used for landing and take-off of Aircraft and other maneuvers associated with landing and take off, excluding aprons.
19. **Pilot-in-Command:** Aircraft pilot responsible for the operation and safety of the Aircraft during the flight time.
20. **Flight Crew Member:** A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.
21. **Aircraft Crew Member:** A person entrusted by the operator to perform certain duties on board during a flight duty period.
22. **Noise Level Certificate:** A certificate issued by the state of manufacture to testify that the level of Aircraft noise complies with the approved standards.
23. **Aircraft Leasing:** A written contract whereby a lessor is committed to enable the lessee to make use of his Aircraft with or without a crew, for one or more flights, or for a specific air operation for a certain period of time, for a remuneration.
24. **Leasing Aircraft Capacity:** A written contract whereby the lessor keeps the task of operating the Aircraft and enables the lessee to make use of all or part

of the Aircraft capacity for one or more flights, or for an air operation or for a certain period of time, for remuneration.

25. **Dispatchers:** Persons who oversee directly all services and ground handling provided to the Aircraft.
26. **Flight Time:** Total time from the moment an Aircraft first move under its own power for taking off until the moment it comes to rest at the end of the flight.
27. **Prohibited Area:** An Area in the airspace specified by the Civil Aviation Authority, after coordination with the competent bodies, within which the flight of an aircraft is prohibited.
28. **Restricted Area:** An area in the airspace specified by the Civil Aviation Authority, after coordination with the competent bodies, where certain restrictions on flight of aircrafts are applied.
29. **Hazardous Area:** An area in the airspace specified by the Civil Aviation Authority, after coordination with the competent bodies, within which operations hazardous to flight of aircraft may exist at certain times.
30. **Air service:** In which Aircraft are used to transport passengers or mail or goods for a remuneration, and is open to the public.
31. **International Scheduled Air service:** An airline that begins or ends in the territory of a state other than the state of registration of the Aircraft or the air carrier, and whose flights are operated according to a published schedule.
32. **Air Carrier:** A person, natural or juridical, offering or operating an air service for the transport of passengers, mail or cargo.
33. **Commercial Air Transport:** Aircraft transporting passengers, goods and mail or any of them, for a remuneration.
34. **International Air Operating Agency:** An agency that has a legal entity and operates international air services.
35. **Aircraft Manual:** A manual associated the Aircraft certificate of airworthiness, containing limitations within which the aircraft is considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the Aircraft.
36. **Operations Manual:** A manual approved by the state of the Operator, containing the procedures, instructions and guidelines for use by operational personnel in the execution of their duties.

37. **Type Certificate:** A document issued by the state of manufacture to define the design of an Aircraft type and to certify that the design meets the appropriate airworthiness requirements of that State.
38. **Aircraft Accident:** An occurrence associated with the operation of an Aircraft which could take place at any time between the time any person boards the Aircraft with the intention of flight, until such time as all such persons have disembarked, in which: -
- a) A person is fatally or seriously injured as a result of being in the Aircraft or having direct contact with any part thereof, including any part which have become detached from it, or direct exposure to jet blast, but not including injuries resulting from natural causes, or resulting from self-inflicted injuries, or injuries inflicted by other persons, or when the injuries are to a stowaway hiding outside the areas normally available to passengers or crews.
 - b) The aircraft sustains damage or structural failure, which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component.
 - c) The Aircraft is missing or completely inaccessible.
39. **Aircraft Incident:** An occurrence, other than an accident, associated with the operation of an Aircraft, which affects or could affect the safety of operation.
40. **Search and Rescue:** Every assistance, even by way of information, rendered to an aircraft facing the risk of destruction or threatened with danger or difficulties or there is doubt or fear about its safety. This includes assistance rendered to those on board.
41. **Maintenance:** The performance of tasks required to ensure the continuous airworthiness of an Aircraft.
42. **Signing the Maintenance Release:** When the competent engineer certifies that maintenance work has been completed satisfactorily in accordance with the standards in force.
43. **Approved Maintenance Organization:** An organization approved by a state who is a party to the Chicago Convention, which works under its supervision and carries out the task of maintenance to Aircraft or parts thereof.

Article (2)

Scope of Application

The provisions of this Law apply to:

- a) Civil Aircraft in the Territory of the Sultanate.

- b) 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.
- c) Civil Airports in the Sultanate and all work that take place thereon.

Article (3) **Complementary Laws**

The provisions of the Chicago Convention and the Convention of Montreal of 1999, and the related international treaties and agreements, to which the Sultanate is a party, are considered complementary to this Law. In case of conflict, the provisions of the international treaties and agreements shall prevail.

Article (4) **Powers and Duties of the Civil Aviation Authority**

The Civil Aviation Authority carries out the following tasks: -

- a) Supervision over civil aviation with the purpose of regulating and developing it.
- b) Construct, determine types of, operate and run civil Airports, grant licenses to run, operate and invest in such Airports.
- c) Construct, operate and manage navigation aids and meteorological and air traffic services in the Sultanate.
- d) Supervise and regulate any party entrusted with running and operating civil Airports in the Sultanate.
- e) Coordination with the relevant parties service providers to ensure the safe operation of Airports and Aircraft.
- f) Verify the financial and technical capabilities of the air carrier or Operator with regard to the flying operations he shall undertake.
- g) Issue the necessary rules and instructions for regulating civil aviation according to national and international standards.
- h) Issue national programs related to the security and facilitation of aviation in accordance with national and international requirements.
- i) Establish, operate and maintain weather stations for the service and safety of air navigation.
- j) Prepare daily weather forecast for all Airports of the Sultanate at internationally agreed times, and to prepare climatic data to help plan flight operations.

- k) Exchange of short and long daily weather forecasts with regional and international centers.
- l) Provide airlines Companies with forecasts data necessary for the safety of air navigation.
- m) Issue a public weather warning that may impose dangers to persons, Aircraft and civil aviation installations.
- n) Issue, revoke and transfer the certificate of an Airport and the certificate of an Operator, issue any other certificates or permits it deems necessary, after coordinating with the competent parties.
- o) Issue and validate flight authorizations and technical licenses associated with civil aviation works and services according to the executive regulation.
- p) Issue and validate all Aircraft, engines, instruments and maintenance licenses.
- q) Issue, renew and revoke the licenses of air traffic controllers and instructors of air traffic controlling, according to the executive regulation.
- r) Set terms and rules of validating, renewing, and extending the approval of maintenance organizations that maintain Aircraft registered in the Sultanate according to the types given to them, and approve maintenance works carried out by these organizations.
- s) Define the rules for the registration of Aircraft, and the markings of their nationality and registration, in accordance with the executive regulation.
- t) Define terms and method of registering Aircraft owned by persons resident in the Sultanate but not citizens thereof.
- u) Withdraw or revoke or suspend any permit after issue, if it transpires that the holder is below the required standard, or is in breach of any of the provisions of this Law, or the rules or the executive regulation, and manuals of the Operator or those of the maintenance organizations approved by the Civil Aviation Authority.
- v) Issue instructions, publications and directives associated with civil Airports which shall be in agreement with the national and international laws and regulations, and make certain of the ability and specialization of Airports' Operators in their management of Airports, to guarantee the safe operation of the Aircraft.
- w) Supervise and regulate the work of Airports' Operators, in which case it may look directly into violations and take the necessary measures with regard to the administrative violations.
- x) Levy Charges on certificates it issues and on services provided for Airports' Operators.

- y) Supervise all Airports' staff regardless of the identity of their employer, to ensure no breach of regulations or instructions, and the proper running of Airports, for that it may investigate and take the necessary measures.
- z) Approve technical staff to guarantee their efficiency to work at Airports, after coordinating with the Ministry of Civil Service.
- aa) Secure the safety of aviation and guard against exposing the citizens, their property and public property to any danger as a result of any failure in regulating flight operations or air traffic control in the Territory of the Sultanate.

Article (5) **Legal Nature of Airports**

Airports and the installations, buildings, cables, apparatus, equipment, wire and wireless stations and beacons which belong to the Civil Aviation Authority are considered public utilities, even if they were managed by a third party.

Article (6) **Air Easement Rights**

Civil Aviation Authority shall impose air easement rights over land surrounding and adjacent to the Airports and all the service installations, and the air navigational aids thereon, for a fair compensation, for the purpose of ensuring the safety of air navigation and the proper performance of its equipment. To achieve this, it shall have the right to: -

- a) Have access to the land and installations referred to, and carry out any works or engineering constructions.
- b) Erect and maintain any installations or structures or equipment.
- c) Prevent the erection of, remove any buildings or installations, prevent the construction of any light beacon or aid sign or trees or any obstruction of any kind or determine the altitude thereof.

The executive regulation shall determine the scope and extent of the air easement rights and areas where they may be established, in accordance with the provisions of the national and international regulations issued for this purpose.

Article (7) **Restrictions Regarding Areas of Air Easement Rights**

1. It is prohibited to construct any building or erect any obstruction or use of land or water in areas included in the air easement rights, or to alter the nature or the use of land serving the easement rights, except by prior permission by the Civil Aviation Authority and in accordance with the conditions stated in the executive regulation, and in particular in connection with the altitude of buildings, installations and the permitted equipment.

2. The Civil Aviation Authority shall have the right to remove any installations or buildings in these areas that have been erected without permission or in violation thereof. The violator shall bear the cost of removal. The Civil Aviation Authority shall remove any installations or buildings if deemed necessary.

Article (8) **Expropriation of Real Property**

Civil Aviation Authority shall have the right to expropriate real properties that may interfere with the execution of air projects of public interest pursuant to the provisions of the Expropriation of Property for Public Interest Law issued by the Royal Decree No. (64/78).

Article (9) **Lien Rights Over the Aircraft**

The following rights have lien over the Aircraft and shall be recovered from its price according to the order listed in this Article with priority over other debts even if they are preferred debts or secured by mortgage, with the exception of judiciary disbursements: -

- a) Debts due to the Civil Aviation Authority and other government departments.
- b) Cost of Aircraft rescue and the extraordinary cost of preserving it.
- c) Compensations for injury that the Aircraft causes to others on surface, whether the injury was caused by the Aircraft itself or by a person or an object falling from it, unless the Aircraft owner or Operator has covered such injuries by insurance for the benefit of the injured parties that covers the value of the due compensations in this case or 20% of the value of the Aircraft when new or the lower of the two values.
- d) Debts that became due in the last flight that the Aircraft had made or almost made before it was forcibly sold, as a result of the cost of repairs or maintenance or arrival, or departure or supply with fuel or oils or with the needs of its passengers or crew of food or consumer goods.

Article (10) **Judicial Confiscation**

Civil Aviation Authority employees and inspectors nominated by a resolution by the Minister of Justice in agreement with the competent minister shall have law enforcement power in relation to the violation of the provisions of this Law or any of the rules, regulations and resolutions in execution thereof.

CHAPTER TWO

AIRPORTS

Article (11)

Securing the Safe Operation of Navigational Aid

1. It is prohibited to erect a light beacon except with the approval of the Civil Aviation Authority.
2. Civil Aviation Authority shall have the right to remove or adjust any light equipment or guide signs which could be mistaken for or interfere with air navigation aids' light equipment. It may also impose the necessary restrictions on installations generating smoke or other substances which could affect visibility in the vicinity of Airports or affect the safety of air navigation.
3. Any person who owns or operates electrical equipment, or any mobile or fixed metal installation that interferes with the operation of wireless equipment or with air navigational aids, shall comply with the measures established by the Civil Aviation Authority.
4. It is prohibited to build hotels, schools, hospitals, mosques and other residential areas near the take off and landing areas of runways in use.
5. It is prohibited to construct facilities that are sensitive to noise in the take off and landing areas of runways in use.

Article (12)

Protection of Airports and Navigational Aids

1. Royal Oman Police, in coordination with the Civil Aviation Authority, shall set rules and regulations and take whatever measures they deem necessary to maintain the Sultanate's Airports security and guarantee the safety of Aircraft and navigational aids. In doing that, it may: -
 - a) Restrict or deny entry of individuals to certain areas in Airports.
 - b) Verify the identity of persons, put them under surveillance and interrogate suspects among them.
 - c) Search any passenger suspected of carrying a weapon or inflammable material or any other material that could be used in acts of sabotage, violence or for threatening during flight.
 - d) Verify permits of vehicles entering Airports and searching them.

2. Civil Aviation Authority shall be in charge of the safety of navigational aids that are situated outside the perimeters of Airports in coordination with competent bodies.

Article (13)

Compliance with the Laws and Regulations of Entry and Residence

Passengers, crews, shippers whether in person or through agents who work for them, shall comply with the laws, rules, regulations and instructions related to entry in the Sultanate, staying therein and departing therefrom.

CHAPTER THREE

AIRCRAFT OPERATIONS

Article (14)

Air Operations Permits and Flight Authorizations

No Aircraft may operate in the Territory of the Sultanate unless: -

1. With a flight authorization issued by the Civil Aviation Authority that allows the Operator thereof to undertake certain air operations. This authorization could be: -
 - a) Permanent, if issued by virtue of an international treaty to which the Sultanate and the state of the Operator are signatories, or a valid bilateral air transport agreement that regulates air transport between them.
 - b) Temporary for a period not exceeding one year in cases other than what is referred to in paragraph (a). This authorization could be renewed for other periods at the request of the license holder.
2. With a permit issued by the Civil Aviation Authority which shall allow an Aircraft to fly in the Territory of the Sultanate. In all cases the flight authorization or the permit granted is considered personal and cannot be transferred to others.

Article (15)

Terms of Operation

1. Aircraft operating in the Territory of the Sultanate shall meet the following terms: -
 - a) To have a valid registration certificate in accordance with Annex 7 of the Chicago Convention.
 - b) To have a valid certificate of airworthiness and a valid noise level certificate issued by the state of registration or validated by it, according to international standards.
 - c) To display in a clear way marks of its nationality and registration in accordance with international rules and regulations.
 - d) To be equipped with the required instruments and equipment.
 - e) All flight crew members shall hold valid licenses issued by the Civil Aviation Authority in the state of registration of the Aircraft, or approved by it. Their number shall be equal to the number specified in the approved aircraft manual.

- f) To be insured for the benefit of its crew, passengers and third parties on the ground in accordance with applicable rules.
 - g) Any other terms set by the Civil Aviation Authority.
2. The Civil Aviation Authority may exempt Aircraft that fly for technical testing or for training purposes, from one or more of these terms with the exception of sub-paragraph (f) of paragraph (1) of this Article.

Article (16)

Customs, Health and Security Procedures

Employees of Royal Oman Police, and the health and agriculture quarantine shall have the right to search the Aircraft or any person or cargo therein in accordance with laws, rules and regulations in force in the Sultanate. The search shall be conducted in coordination with the Civil Aviation Authority.

Article (17)

Use of Wireless Equipment

It is prohibited to equip any Aircraft that operates in the Territory of the Sultanate with any wireless equipment, unless it obtains a license from the Telecommunications Regulatory Commission. It is also prohibited to use such equipment except for air navigation purposes, in accordance with the applicable rules and with the knowledge of the flight crew.

Article (18)

Use of Photographic Equipment

Aircraft equipped with aerial photographic apparatus are prohibited from flying over the Territory of the Sultanate. Also the use of such apparatus is prohibited except with the prior permission of the competent authorities and in accordance with the applicable rules.

Article (19)

Transporting Dangerous Goods

It is prohibited to transport Dangerous Goods except with the prior permission of the Civil Aviation Authority after coordinating with the competent authorities in accordance with the applicable rules, and in particular: -

- a) Explosives, weapons and war ammunitions.
- b) Nuclear goods, radioactive isotopes, poisonous gases and related objects.
- c) Goods of dual use, like drugs.
- d) Germs and Dangerous Goods.
- e) Any other goods specified by the competent authorities.

Article (20)
Carrying Dangerous Goods

1. Persons on board of an aircraft are prohibited from carrying weapons or flammable material or other materials that could be used in acts of sabotage or violence or for threatening during flight, except with the approval of the Civil Aviation Authority.
2. If the necessity dictates the carriage of goods referred to in the previous paragraph, the possessor of such materials has to hand same to the representative of the Operator before boarding the Aircraft. The representative puts it in a place on the Aircraft that passengers cannot reach, and shall return such materials to its possessor at the completion of the flight.
3. Royal Oman Police officers and other security officers are permitted to carry weapons on board the Aircraft while carrying out their duties without violating the standards stated in Annex 17 of the Chicago Convention.

CHAPTER FOUR

RULES OF THE AIR

Article (21)

Regulating Air Traffic in the Territory of the Sultanate

Civil Aviation Authority shall lay down rules of the air and regulations related to the flight of Aircraft, altitude in flight, air navigation, the protection of persons and property on the ground, the use of air space, prevention of Aircraft' dangers and reducing injuries caused by the use of Aircraft, in accordance with international rules and regulations, in coordination with competent authorities.

Article (22)

Specifying Air Routes and Air Ways

Civil Aviation Authority shall specify air routes and air ways which the Aircraft shall follow when entering or leaving the Territory of the Sultanate, or when flying over it, in coordination with the competent authorities.

Article (23)

Prohibited, Restricted, and Dangerous Areas

The Civil Aviation Authority, after coordination with the competent authorities, shall define the Dangerous, Restricted, and Prohibited Areas and make that public. When flying over these Areas, Aircraft shall comply with the restrictions and rules applied in this matter without regard to the nationality of these Aircraft. If the Pilot-in-Command becomes aware that he is flying over the Areas referred to, he shall immediately notify the competent air traffic control unit and shall comply with its instructions. If he is not able to do that, he shall promptly land in the nearest Airport in the Sultanate outside these Areas and shall then submit a report to the Civil Aviation Authority detailing the incident and its justification. Otherwise he will be forced to land after giving him a warning.

Article (24)

Authority of the Pilot-in-Command

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 in accordance with the executive regulation.

Article (25)

Responsibility of the Pilot-in-Command

The Pilot-in-Command shall adhere to the flight's valid plan, and comply with all permits and instructions of the air traffic control. He shall not deviate from them except in an emergency where he shall notify the air traffic control immediately and obtain the necessary permit. He also shall:

- a) Ensure that the flight can be completed safely in accordance with the applicable rules and regulations, including the alternative measures in case it was not possible to complete the flight as planned.
- b) Ensure that the Aircraft is supplied with fuel enough for the flight.
- c) Review the available weather reports and valid forecast and the navigation data for the flight.
- d) Ensure that the Aircraft is airworthy.
- e) Ensure that each of the Aircraft Crew Members has applied the rules of the approved review system before starting the flight.
- f) Comply with the rules relating to the use of the Airport and Air Traffic.
- g) Comply with laws, rules and regulations of the use of the Airports and shall not land in Airports other than those specified by the Civil Aviation Authority except in emergencies in accordance with the instructions of the air traffic control or with permission from the Civil Aviation Authority. He shall take off from the same Airport where he landed or from a similar Airport.

Civil Aviation Authority may exempt some Aircraft from complying with the above based on the nature of their operations according to what the executive regulation states.

If the Pilot-in-Command was forced to land outside the specified Airports, he shall notify the Civil Aviation Authority immediately and furnish the Aircraft flight's record or the general declaration and all the required documents. In this case it is prohibited to move the Aircraft load or for the passengers to leave the place of landing except after taking the specified measures and obtaining the permission of the Civil Aviation Authority.

Article (26) **Prohibited Activities**

The Pilot-in-Command is prohibited from exercising the following activities:

- 1. Flying in the proximity of another Aircraft in a way that could create a collision hazard.
- 2. Flying negligently and recklessly in a way that could endanger the life and property of others.
- 3. Flying acrobatically or in maneuvering or in formation over the Territory of the Sultanate, also it is prohibited to fly pilotless aircraft except with a permit from the Civil Aviation Authority and in specified areas.

4. Dropping or spraying objects from an Aircraft in flight, except in cases of emergency or by permission by the Civil Aviation Authority.
5. The Aircraft crew members are prohibited from boarding the Aircraft with the purpose of carrying out their tasks while under the influence of alcohol or drugs or any other substance that could impair their capacity to perform their duties in a proper manner and the Operator shall ensure the compliance.
6. To descend by parachute without prior permission by the Civil Aviation Authority, except in an emergency.
7. To follow air routes and air ways other than those specified by the Civil Aviation Authority, except in an emergency. He shall, in this case, immediately notify the nearest air traffic control unit and follow its instructions.

CHAPTER FIVE

AIRCRAFT NOISE

Article (27)

Noise Level

The Civil Aviation Authority shall define the permitted noise level of Aircraft, which use the Airports of the Sultanate, in accordance with the national and international rules and regulations.

Article (28)

Noise Level Certificate

1. It is prohibited for any jet Aircraft that flies at subsonic speed to fly over the Territory of the Sultanate unless it is in possession of a noise level certificate, in accordance with the applicable international standards stated in Annex 16 of the Chicago Convention.
2. It is prohibited for the supersonic Aircraft or Aircraft with high levels of noise to fly over the Territory of the Sultanate and to land in its Airports. The Civil Aviation Authority may give permission to this type of Aircraft to fly under conditions specified in the permission with regard to altitudes and speeds allowed. The Operator bears responsibility for damages that may occur as a result of using that type of Aircraft and for compensations if any.
3. The Civil Aviation Authority shall approve noise level certificates that are registered in the National Register after verifying that they meet the standards specified in the Annex referred to in the previous paragraph.

CHAPTER SIX

LICENSES

Article (29)

Licenses of Flight Crew Members

Any person, who is a flight crew member of an Aircraft that operates in the Territory of the Sultanate, must hold a valid license under the laws, rules and regulations in force in the state of registration. If the Aircraft is registered in the Sultanate, possession of valid license issued or approved by the Civil Aviation Authority is required. The Civil Aviation Authority may reject certificates and licenses issued by a foreign state.

Article (30)

Abstention From Work on Health Grounds

A license holder is prohibited from continuing to perform the tasks he is licensed to perform, if he knew or has enough reasons to believe that his health or his mental state renders him unfit to perform those tasks, according to the rules and regulations in force.

Article (31)

Air Traffic Controller's Licenses

It is prohibited for an air traffic controller to work in any of the civil air traffic control unit, unless he holds a valid license for that unit.

Article (32)

Approved Maintenance Organizations

National and foreign maintenance organizations are prohibited from maintaining or repairing Aircraft registered in the Sultanate before being approved by the Civil Aviation Authority, in accordance with the regulations. The organization shall make all available facilities, documents and inspection procedures at the expense of the applicant for approval to ensure the capability and completeness of those works. The Authority may suspend or revoke the validation of any national or foreign organization if it becomes apparent that the standard of its technical capability has deteriorated, or if the organization refrains from enabling Civil Aviation Authority inspectors from performing their regular or unannounced inspections decided by the Authority.

Article (33)

Flight Training

It is prohibited for any person to train another person to fly with the intention of acquiring a flying license, unless the trainer is a holder of a valid license issued by the Civil Aviation Authority or validated by it, in accordance with the terms provided for in the executive regulations.

Article (34)
Flying Organizations and Clubs

It is prohibited for any organization or club or any other party or person to practice or instruct flying without a permission from the Civil Aviation Authority, in accordance with the terms of the executive regulation. The Civil Aviation Authority may suspend or revoke the permission in case its conditions are violated, or if the laws, rules, regulations and instructions in force are violated by the permission.

CHAPTER SEVEN

REGISTRATION, AIRWORTHINESS AND DOCUMENTS

Article (35)

Registration and Nationality Markings

1. The Civil Aviation Authority shall keep a register for national civil Aircraft titled (National Register of Aircraft Registration) in accordance with the terms and procedures prescribed in the regulations. It also issues registration certificates upon the completion of the legal procedures.
2. An Aircraft that is registered in the National Register shall benefit the nationality of the Sultanate, and shall bear the markings of its nationality and registration.
3. An Aircraft leased with the purpose of purchase or leased for a period of more than one year, shall be registered, according to the rules and terms of registration prescribed in the regulations.

Article (36)

Removal from the National Register

An Aircraft shall be removed from the National Register, if: -

- a) Its owner or lessee lost his Omani nationality.
- b) Its ownership has been transferred to a foreign national.
- c) It is completely destroyed, lost or permanently withdrawn from use.
- d) Its Certificate of Airworthiness has not been renewed for three consecutive years.

An Aircraft shall be considered lost, upon the issuance of a decision to that effect by the Civil Aviation Authority. The owner or lessee of the Aircraft shall immediately notify the Civil Aviation Authority of any change provided for in this Article upon its occurrence, and shall return the registration certificate of the Aircraft.

Article (37)

Airworthiness Certificate

No Aircraft may be operated in the Territory of the Sultanate, unless it is in possession of a valid certificate of airworthiness issued or validated by the competent authorities in the state of registration or by the Civil Aviation Authority, in accordance with the laws, rules and regulations in force.

Article (38)
Suspension or Revocation of Certificate of Airworthiness

The Civil Aviation Authority may suspend or revoke a Certificate of Airworthiness of an Aircraft registered in the Sultanate, if it found that the type of Aircraft is not airworthy. It may also subject the Aircraft to a technical inspection, and may not allow it to fly until all measures have been taken to ensure the safety of its flight.

It may, as an exception, allow the Aircraft to fly without passengers, in accordance with the rules prescribed in the executive regulation.

Article (39)
Flight Instruments and Equipment

1. It is prohibited to operate an Aircraft which is not equipped with all instruments and equipment necessary for flying and navigation whether under normal or emergency circumstances, and in accordance with the provisions of its certificate of airworthiness and Annexes of the Chicago Convention in force. The Civil Aviation Authority may exempt any Aircraft from this requirement if it is equipped with alternative instruments and equipment which provide the required data or achieve the required objectives.
2. The Civil Aviation Authority, in coordination with the competent authorities, shall issue special rules and regulations pertaining to the instruments and equipment and the maintenance thereof and, the method of operation, to ensure the safety of flight and passengers.

Article (40)
Aircraft Maintenance

The Operator of an Aircraft registered in the Sultanate shall undertake to maintain Aircraft including its engines, equipment and wireless instruments, in an approved maintenance organization or in another equivalent organization, according to the maintenance manual approved by the Civil Aviation Authority, and according to the terms and conditions stated in the executive regulation. The maintenance release shall be signed by the competent engineer. The Operator also undertakes to keep the maintenance documents for a period of no less than two years after the expiration of the validity of such documents, or for the period specified by the Civil Aviation Authority.

Article (41)
Technical Log and Aircraft Manual and Records

The Pilot-in-Command and the Operator of an Aircraft registered in the Sultanate and operates in its territory, undertake to record in a special technical log particulars and data specified by the executive regulation, and to keep this log and the Aircraft manual and documents and any other records specified by the executive regulation. He shall not dispose of them without permission from the Civil Aviation Authority.

Article (42)
Emergency Equipment and the Guidance of Passengers

1. The location of emergency equipment in all Aircraft registered in the Sultanate, which are engaged in commercial air transport, shall be indicated by means of using identifiable markings.
2. No instruments or equipment shall be installed or carried on board of an Aircraft in such a manner as to impose any hazard to its airworthiness, or interfere with the proper performance of other instruments and equipment which are necessary for the safety of the Aircraft.
3. The Operator undertakes the necessary measures to instruct passengers to the locations and the use of seat belts, emergency exits, life jackets, oxygen masks and other emergency equipment available for individual or collective use.
4. In case of emergency during flight, passengers must be directed to the emergency procedures that the situation require.

Article (43)
Weight and Balance Schedule

Aircraft Operator shall adhere to the Aircraft established weight and determine its center of gravity. The Operator shall prepare and maintain the loading schedule that conforms to the executive regulation.

Article (44)
Ensuring Airworthiness of Aircraft

Whenever it is deemed necessary, the Civil Aviation Authority shall undertake, through its inspectors who have law enforcement powers, to ensure the airworthiness of the Aircraft or any of its instruments or components, either by inspecting it or by conducting tests or by test flying it.

The Authority shall have the right to enter at any time into any place to conduct these tasks, as detailed in the approved aircraft manual.

The Operator shall bear the cost incurred as a result of these measures. The Authority shall define rules and measures for the inspection, grounding Aircraft or impounding its document. It shall also define the Operator's instructions in this regard.

Article (45)
Documents and Records to be carried on Board

1. It is prohibited for an Aircraft to operate in the Territory of the Sultanate unless it carries the documents and records which shall be carried by virtue of the laws, rules and regulations of the Aircraft state of registration, also any other documents or records specified by the executive regulation.

2. It is prohibited for an Aircraft registered in the Sultanate to commence any flight unless it carries the following documents and records: -

a) Aircraft on international flights:

- 1- Aircraft certificate of registration.
- 2- Certificate of Airworthiness.
- 3- Noise Level Certificate.
- 4- Licenses for crew members.
- 5- Aircraft log book, or the flights general declaration.
- 6- Aircraft radio station license.
- 7- Aircraft and operation manuals and maintenance documents.
- 8- A manifest of cargo and mail with detailed declaration thereof.
- 9- Passengers' manifest, origin and final destination of the Flight.
- 10- Any other documents prescribed by the Civil Aviation Authority.

b) Aircraft on domestic flights:

The Civil Aviation Authority shall designate which of the documents and records referred to in paragraph (2) of this Article to be carried in Aircraft engaged in domestic flights. The Civil Aviation Authority may exempt Aircraft flying for the purpose of technical testing or training from the requirement of carrying any of the foregoing documents and records.

3. In all cases, the certificates, licenses and documents referred to in this Article must be valid.

Article (46) **Submission of Documents and Records**

The Operator and the Pilot-in-Command shall, when requested, submit to the Civil Aviation Authority, any documents or records prescribed by this Law, its regulations and resolutions. Where it has been decided to revoke or suspend any certificate, license, approval, permit or any other document issued by the Civil Aviation Authority, the holder shall surrender it to that Authority if so requested.

Article (47)
Maintaining and Transferring of Documents and Records

The owner or Operator of an Aircraft, who ceases to use or operate it, shall continue to maintain the documents and records of the Aircraft and those of the flight crew members provided that: -

- a) If another person becomes the Operator of the Aircraft, and the Aircraft remains registered in the Sultanate, the former Operator shall furnish to the new Operator the maintenance manual, the log books, the weight and balance schedule, and any other records made by the recorder of that Aircraft.
- b) If an engine or a propeller is removed from the Aircraft and installed in another Aircraft, registered in the Sultanate which is operated by another person, the Operator of the former Aircraft shall deliver to the Operator of the latter Aircraft the log book relating to that engine or propeller.
- c) If any flight crew member of an Aircraft registered in the Sultanate leaves the employment of an Operator to the employment of another Operator, the former Operator shall deliver to the latter Operator all the records related to that crew member. In all cases, the second Operator shall deal with the content of such documents and records as if he was the original Operator.

Article (48)
Prohibited use of Documents and Records

A person shall not commit any of the following acts: -

- 1. Use any certificate, license, approval, permission or any other document issued by the Civil Aviation Authority, which has been revoked, suspended, altered, or if the holder thereof was found to be not entitled thereto.
- 2. Lend any certificate, license, approval, permission or any other document issued by the Civil Aviation Authority to, or allow it to be used by another person.
- 3. Impersonating with the purpose of obtaining for himself or another person any certificate or license or permission or any other document or the renewal or alteration thereof.
- 4. Destroy or help others to destroy or deface any record required to be used by this Law, or alter, or join, or omit any information therein, or insert any false information therein, during the period in which that record shall be kept.
- 5. Willfully or negligently, make an omission from or add a false entry in the load sheet.

CHAPTER EIGHT

RIGHTS AND ACTS RELATING TO AIRCRAFT

Article (49)

Legal Status of Registered Aircraft

It is prohibited to dispose of an 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 Civil Aviation Authority. The disposal between the contracting parties and others shall become valid only after having been entered in the National Register.

Article (50)

Aircraft's Leasing

Aircraft owner or Investor may, with the approval of the Civil Aviation Authority, lease the Aircraft with or without members of the Flight Crew, for one or more flights, or to operate it during a fixed period of time for remuneration agreed upon by the parties.

Article (51)

Duties of the Aircraft Lessor

The lessor shall undertake to hand the Aircraft in good condition and airworthy, also to maintain and conduct the necessary technical inspection, unless agreed otherwise.

Article (52)

Responsibilities of the Aircraft Lessor

The lessor shall be responsible for damages resulting from defects in the Aircraft, unless such damage is caused by hidden manufacturing defects or is a result of force majeure events and shall not prejudice the right of the lessor to refer to whoever is responsible for the damages.

Article (53)

Aircraft Lessee

The lessee shall use the Aircraft according to its technical specifications. He shall allow the lessor and the competent authorities to carry out the necessary maintenance and technical inspection. He shall return it to the lessor at the end of the lease period in the same conditions as it was at the start of the lease, unless agreed otherwise.

Article (54)

Legal Status of the Aircraft Lessee

Aircraft lessee shall be considered an Investor thereof in case he leased the Aircraft without flight crew members, or with flight crew members who take orders from him. In this case he shall be responsible for errors or damages resulting from the act of any flight crew member.

Article (55)
Relinquishment of Aircraft Lease

Lessee of an Aircraft registered in the Sultanate, may not relinquish his lease, or assign the Aircraft lease to another party, except with the approval of the lessor and the Civil Aviation Authority.

Article (56)
Joint Responsibilities

The owner of a leased Aircraft shall remain jointly responsible with the lessee for the legal commitments borne by the Aircraft Operator, if the Aircraft was leased with its crew, in relation to the Aircraft and its flight crew members.

Article (57)
Leasing Aircraft Capacity

1. An Aircraft Operator may lease the Aircraft capacity or part thereof, to others, for one or more flights, or for an aerial work for a fixed period of time, for a remuneration agreed upon by the two parties. The lessor shall provide the technical service and supervision for the Aircraft.
2. In case persons or goods are being transported by the leased Aircraft, the lessor may have the manifest issued in his name, provided he complies with the provisions of international conventions and agreements to which the Sultanate is a party, whether that was for international or domestic air transportation.
3. The lessor shall be responsible before the lessee for damage resulting from a defect in the Aircraft that requires compensation. Other than hidden manufacturing defects, or by an error by the Pilot-in-Command or by crew members.

Article (58)
Official Mortgage of Aircraft

Aircraft may be officially mortgaged. The mortgage may be on all or on a share of common ownership of the Aircraft. The official Mortgage on the Aircraft is concluded by an official document drafted before the Civil Aviation Authority after coordination with the competent authorities.

Article (59)
Mortgage of a Fleet of Aircraft or on Part Thereof

A single mortgage deed may be concluded for a fleet of Aircraft or part thereof belonging to the same owner. In that case the mortgage deed shall include details of the fleet Aircraft covered by the mortgage.

Article (60)
Registering the Mortgage

A mortgage shall be registered in the National Register of Aircraft. If the mortgage covers more than one Aircraft, the mortgage of each Aircraft must be registered separately.

Article (61)
Transfer of Some of the Functions and Duties of the State of Registration

An Operator who operates an Aircraft registered in the Sultanate according to any agreement, and has his principal place of business or his place of permanent residence in a state which is party to the Chicago Convention, 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 Sultanate then shall be released from responsibility with regard to the transferred functions and duties.

CHAPTER NINE

COMMERCIAL AIR TRANSPORT

Article (62) Air Transport Policy

1. The Civil Aviation Authority is empowered to formulate the commercial air transport policy and the supervision thereof in the Sultanate, in line with the requirements of the national economy.
2. The Civil Aviation Authority shall issue detailed rules and regulations for the commercial air transport. It shall publish, follow up, and amend them to meet the actual needs and requirements of air transport, tourism, internal and external trade, the changes in demand for the air transport services and the trends of the public who make use of these services. National and foreign air carriers and general aviation entities, shall comply with all the provisions of these rules and regulations.

Article (63) Exchange and Granting of Commercial Air Transport Rights

1. Commercial traffic rights are considered established sovereign rights for the Government of the Sultanate, who may, through the Civil Aviation Authority, grant authorizations to national air carriers to make use of these rights, according to the provisions of the executive regulation.
2. The Civil Aviation Authority grants the necessary traffic rights to support the network of air ways that connect the Sultanate with other states, and in particular with the major international hubs, while observing the interests of the national economy, tourism, external trade and the economics of operating air carriers.
3. The Civil Aviation Authority is empowered to negotiate with other states to conclude air transport agreements relating to the scheduled and non-scheduled flights, and any agreements related to international air transport.

Article (64) Supervision of Air Transport

1. The Civil Aviation Authority supervises the activities of commercial air transport carried out by national carriers. It issues flight authorizations and approves the amendment or revocation of any air service or the amendment of the number of flights.
2. The Civil Aviation Authority monitors the activities of commercial air transport carried out by foreign carriers and the compliance by these carriers with the air traffic rights granted to them pursuant to the concluded bilateral agreements or the operation permits issued in this respect.

3. The Civil Aviation Authority may participate in and supervise negotiations between national and foreign carriers to conclude agreements or making arrangements in relation to joint investment or other commercial agreements, in accordance with the rules and conditions prescribed by this Authority.
4. The Civil Aviation Authority is empowered to approve and regulate domestic and international airfares for scheduled and nonscheduled flights, and issue instructions related thereof.

Article (65)
Issuance and Suspension of Air Transport Permits

1. The Civil Aviation Authority is empowered to issue permits for national and international air carriers to operate scheduled and nonscheduled flights to and from the Territory of the Sultanate.
2. The Civil Aviation Authority is empowered to suspend or restrict the commercial activity carried out by national or foreign carriers if any of them violated the terms and conditions of the operation permits granted to them, or the provisions of the bilateral agreements concluded with foreign states, or any of the provisions of this Law.

Article (66)
Prohibition of Fictitious Reservations

Air carriers are prohibited from making fictitious reservations for the traveling public.

Article (67)
Domestic Air Transport

Foreign Aircraft are not permitted to carry passengers or goods or mail between two points within the Territory of the Sultanate, except with permission from the Civil Aviation Authority, if the public interest dictates so and with the approval of the competent minister.

Article (68)
Air Transport Statistics

National and foreign air carrier and general aviation entities shall furnish the Civil Aviation Authority with all the information and data it asks for, in addition to flight schedule, operational statistics and general aviation statistics.

CHAPTER TEN

ESTABLISHING AND OPERATING OF AVIATION COMPANIES AND ESTABLISHMENTS

Article (69)

Establishing Aviation Companies and Establishments

Subject to the provisions of the Commercial Companies Law, no company may be established to conduct domestic or international commercial air transport activity, or general aviation activities of all types, within the Sultanate except with the approval of the Civil Aviation Authority and the competent authorities, upon submitting the technical and economic feasibility study of the proposed project, and upon complying all conditions and procedures prescribed by the executive regulations and the approval of the concerned minister.

Article (70)

Flight Authorization and Operation Certificate

Upon the completion of measures necessary to establish a company or an aviation establishment as detailed in Article (69), an Operator shall not be permitted to commence activities before he has obtained the following from the Civil Aviation Authority: -

- a) Flight authorization in accordance with the prescribed rules, after having submitted the establishment documents of the company or the establishment, and supporting documents to prove the availability of qualified technical, financial and administrative capabilities.
- b) Air operation certificate according to the prescribed rules and regulations.
- c) Airworthiness certificate for each Aircraft to be used.
- d) Approved operating specifications defined by the regulations. Such specifications shall constitute part of the authorization granted to the Operator and shall be enforceable. The Operator shall make available, in his principal offices of operations, sufficient number of copies with its latest amendments. He shall also include the contents of such operating specifications in his manuals. The operating specifications may be amended at the request of the Operator, or if the Civil Aviation Authority deems it necessary to ensure the required standard of operation and regularity.

Article (71)

Approval of the Operation Specifications

The Operator shall submit the operation specifications and the amendments thereto to the Civil Aviation Authority for review and approval.

Article (72)
Violation of Operation Specifications

It is prohibited for an Operator to violate the operation specifications issued to him, unless necessity dictates so, in which case the Aircraft Operator and Pilot-in-Command shall submit immediately a report relating thereto to the Civil Aviation Authority.

Article (73)
Proving Flights

1. An Operator is prohibited from commencing to operate a new air service, or extend an existing one, before carrying out one or more proving flights, to verify the efficiency and safety of operation in accordance with the provisions of this Law and the rules and regulations issued pursuant to it.

The Civil Aviation Authority shall issue the relevant permit. This Authority may exempt the Operator from carrying out any proving flights, if it has reasons and information to believe that there is no need for them. In that case the proving flight or flights are carried out according to the conditions prescribed in the regulations.

2. It is prohibited for an Operator to carry persons or goods or mail during the proving flights, other than the persons needed to operate the Aircraft and the competent Civil Aviation Representatives.

Article (74)
Preparation of Operation and Aircraft Manual

1. An Operator shall provide, an operation manual to be complied by the pilots and operation personnel, prescribing their duties and responsibilities to help them in performing their tasks and ensure the safety of operation. The Civil Aviation Authority shall approve that manual and the amendments thereto, in accordance with the rules and conditions prescribed in the executive regulation.
2. An Operator shall issue a manual for each type of Aircraft he operates, containing all information required by pilots and flight engineers to perform their duties on such type of Aircraft so as to ensure the required standard of safety under normal or emergency conditions. This manual shall contain information on the Aircraft, its engines, instruments, equipment and methods of operating them in normal and emergency circumstances, the Aircraft performance and the prescribed operational limitations. The Civil Aviation Authority shall approve that manual and the amendments thereto, in accordance with rules and conditions prescribed in the executive regulation.

Article (75)

Flight Crew

1. Other than flights for the purpose of training persons to perform their duties on board the Aircraft, it is prohibited for the Operator of an Aircraft registered in the Sultanate to appoint a person as a crew member of the Aircraft for any flight, if that person does not hold a valid license that qualifies him for it. Such person shall hold appropriate qualifications and periodic practical test certificates to enable him to perform his duties in a proper fashion.
2. The Civil Aviation Authority may determine, for all or some flights, the addition of one or more members to the flight crew specified in the approved operation manual, whenever it deems such addition is necessary to ensure the safety of the flight.
3. A member of the flight crew may not perform, simultaneously, the function of two or more members of the flight crew.
4. The Civil Aviation Authority may require the presence of cabin attendants on board an Aircraft to perform functions related to the safety and service of passengers. The number of such persons shall be specified in regulations prescribed by this Authority

Article (76)

Training Programs

An Operator shall arrange training programs for flight crew members of his Aircraft, and for flight dispatchers, to ensure that they perform their duties in a proper manner. These programs shall be approved by the Civil Aviation Authority, in accordance with rules prescribed in the executive regulation.

Article (77)

Testing Pilots Efficiency

An Operator shall ensure that the efficiency and capability of the pilots to act in emergency circumstances during the flight have been tested in a practical way that proves the required capability, under the supervision of a test pilot approved by the Civil Aviation Authority or his representative.

Article (78)

Crew Members Duty Time and Rest Time

- 1- The Civil Aviation Authority shall prescribe rules and regulations that specify the flight time and rest period for the crew members of an Aircraft.
- 2- Subject to the rules and regulations referred to in the previous paragraph, the Operator shall ensure that the periods during which any crew member is asked to perform his duty on board the Aircraft, or is allowed to perform that duty or any other duties, and the rest periods granted to him, are certain not to expose

him to a state of fatigue during flight, which could endanger the safety of the Aircraft and passengers.

Article (79)
Recording Flight Times and Duty Times

An Operator shall keep for each flight crew member, a complete and accurate record which shows the flight time and duty time, in accordance with the rules and regulations prescribed by the Civil Aviation Authority, for a period of five years after the end of flight.

Article (80)
Aircraft Loading Requirements

The Operator of an Aircraft shall not permit it to be loaded except under the supervision of a trained person, to whom he has provided with written information and instructions as to the distribution and securing of the load so as to ensure that: -

- a) The load will be carried safely during the flight.
- b) The rules and regulations relating to the loading of an Aircraft including any conditions set forth in the approved Aircraft Manual are complied with.

Article (81)
Responsibility of the Operator for the Flight Operations of His Aircraft

The Operator or his representative shall be responsible for the control of flight operations of his Aircraft so as to ensure that such operations are conducted in accordance with the required safety standards and in compliance with the applicable laws, rules and regulations.

Article (82)
Use of Flight Instruments and Flight Cabin

1. No person shall be permitted to use the flight instruments of an Aircraft in flight unless he is a qualified pilot, and designated by the Operator for this purpose.

No person shall be permitted to enter the flight cabin of an Aircraft, unless he is a member of its crew, or inspector or supervisor assigned by the Civil Aviation Authority, or a person assigned by the Operator to perform a specific function during the flight. In the latter case the Pilot-in-Command shall be informed.

As an exception to the above, the Pilot-in-Command may prevent any person from entering or exiting the flight cabin in case of an emergency, and if he considers that the safety of the Aircraft so requires.

2. Every person who is permitted to enter the flight cabin, other than crew members, must have a seat on the Aircraft. The number of persons present in the flight cabin at one time shall not exceed the number of seats specified in the Aircraft manual.

Article (83)
Notification of a Flight Hazard

If the Pilot-in-Command faces unusual weather conditions during the flight, or notices unusual performance by the air navigational aids which may constitute a hazard to the flight, then he shall notify the concerned air traffic control unit about it and about any other circumstances that could endanger the safety of the flight.

Article (84)
Notifications of defective Instruments

The Pilot-in-Command shall enter in the Aircraft technical log book any defect or unusual performance by any of the instruments which he notices during flight. He shall also ensure, before commencing the flight, that the defects or notes, which have been entered in the technical log book in the previous flight, have been attended to.

Article (85)
Inspection of Air Transport Operations

1. The Civil Aviation Authority is empowered to inspect air transport operations, and aerial works, to supervise the implementation of operation requirements and the prescribed rules and regulations.
2. The Civil Aviation Authority shall define the rules and procedures of the inspection of air transport operations and aerial works.
3. Accredited representatives and inspectors of the Civil Aviation Authority, are authorized to enter at any time into any place associated to the Operator, with the aim of inspecting and implementing the operation specifications, and the rules, regulations and national and international instructions in force in the Sultanate.
4. The Civil Aviation Authority shall notify the Aircraft Operator of the results of inspection, which the Operator undertakes to comply with within the time frame specified by this Authority or agreed upon between them.

CHAPTER ELEVEN

AVIATION AND AIR NAVIGATION CHARGES

Article (86) Determining Charges

The Civil Aviation Authority, with the approval of the Ministry of Finance, shall determine the amount of charges for the use and operation of Airports open for public use, or for occupying parts thereof, also for the air navigation and weather services, and any other services for users of Airports and their facilities. The Authority may modify these charges with the approval of the Ministry of Finance.

Article (87) Collection of Charges

1. The Civil Aviation Authority shall collect the flight charges, air navigation charges, weather service and other service charges provided for users of the Airports of the Sultanate and its territory, according to financial rules and regulations in force.
2. The Civil Aviation Authority may suspend authorizations of the Aircraft to over fly the Territory of the Sultanate or land in its Airports that do not settle the outstanding payment, after the lapse of (90) days from the date of the invoice. The Authority may also suspend the Air Operation Certificate.

Article (88) Exemptions

The Civil Aviation Authority may exempt from charges the following: -

1. The Sultanate Aircraft which do not operate in the commercial field.
2. Aircraft of the United Nations and its specialized agencies.
3. Aircraft of the Arab League and its specialized agencies.
4. Aircraft of the Gulf Cooperation Council States.
5. Aircraft used without remuneration for search and rescue operations, and Aircraft belonging to Red Crescent and Red Cross.
6. Aircraft of states who exempt the Sultanate Aircraft from charges, according to the principle of reciprocity.
7. Any other Aircraft that the Civil Aviation Authority decides to exempt if the public interest so requires.

CHAPTER TWELVE

AIRCRAFT ACCIDENTS

Article (89)

Rules and Procedures of Investigation

1. The Civil Aviation Authority lays down the system for investigation of Aircraft accidents, the formation of committees, and the rules to be followed in investigating these accidents and incidents, the method of notification, the removal of its evidence and all the other rules that the competent authorities, the pilots and others shall follow when accidents occur, including preserving the Data Recorder and the voice recorder of the flight cabin, subject to the prescribed international rules in force.
2. The Civil Aviation Authority shall maintain safe custody of all records and documents related to the doomed aircraft and which are not onboard.

Article (90)

Notification of an Aircraft Accident

1. When an aircraft accident occurs in the territory of the Sultanate, the competent local authorities or the Pilot-in-Command or the owner or the Operator shall notify the Civil Aviation Authority immediately. The notification shall include the type of the Aircraft, place and nature of the accident. In case an accident occurs outside the Territory of the Sultanate for an Aircraft registered in the Sultanate, the Aircraft Operator, or owner or who represents it, shall notify the Civil Aviation Authority immediately.
2. Pilot in Command shall notify the Civil Aviation Authority immediately, if they witness an air accident.
3. The Civil Aviation Authority shall, when it becomes aware of an air accident involving a foreign Aircraft in the territory of the Sultanate, notify the following parties immediately: -
 - a) State of registration.
 - b) State of the Operator.
 - c) State of design.
 - d) State of manufacture.
 - e) International Civil Aviation Organization, if the maximum load of that Aircraft exceeds kg 2250.

Article (91)
Incidents of National Aircraft

1. Airports' operators and Pilot-in-Commands, Operators, and owners shall notify the Civil Aviation Authority, of any incident that occurs to Aircraft, immediately.
2. The regulations shall define the Aircraft incidents that shall be notified.

Article (92)
Duties of Local Authorities

1. When an air accident occurs in its territory, the local authorities shall notify the Civil Aviation Authority. It shall prevent the departure of the affected Aircraft, and shall preserve it and its parts, contents or wreckage until the arrival of the Civil Aviation Authority representatives.
2. The local authorities shall preserve the Aircraft, its parts, contents, and wreckage. It is prohibited from moving the affected Aircraft from its location except for the purpose of saving lives or extracting precious objects or mail, or for fire fighting, or if the Aircraft or its wreckage constitute a danger to air navigation or to other means of transport, or as a result of a permission from the Civil Aviation Authority, until the arrival of the investigation committee who will issue instructions in this regard. In all cases the wreckage must be photographed before being moved in whole or in part, or repositioned.
3. Security and administrative authorities shall, each in its respective field, take the necessary measures to facilitate the work of investigation committees, in particular furnishing them with all official documents which were prepared in relation to the accident. They also have to perform ambulatory and rescue work, transport the injured, extinguish fire, collecting the cadaver, while keeping the evidence of the accident intact. They shall comply with the instructions given by such committee to facilitate the performance of its tasks.

Article (93)
Civil Aviation Authority's Powers and Duties in the Investigation

1. The Civil Aviation Authority, whether by itself or through mandating an external party, shall conduct an investigation into aircraft accidents that occur in the Territory of the Sultanate, and into accidents involving national civil aircraft over the high seas.
2. When an accident to a national or foreign civil Aircraft occurs in the Territory of the Sultanate, or when an accident occurs to a national civil Aircraft over the high seas or in the territory that does not belong to a particular state, the Civil Aviation Authority shall notify the competent minister, and issue the order to conduct an investigation of the circumstances and causes of the accident.

3. If it transpires from the investigation prior to publishing the results thereof, that there is proof of the existence of one or more factors that could endanger the safety of aviation, then the Civil Aviation Authority shall submit the necessary recommendations to the competent authorities.

Article (94) **Formation of Investigation Committees**

1. The Civil Aviation Authority shall form committees to investigate Aircraft accidents and incident, with a minimum of three members in each committee.

A committee may seek the assistance of experts domestically or from abroad to participate in the investigation as consultants.

The Civil Aviation Authority shall bear the expenses, travel expenses and remuneration of the committee members. It shall also bear all the necessary cost of flight or practical tests or the technical investigations, which may be required by the accident circumstances.

2. When an accident occurs to a national Aircraft in the territory of a foreign state, the Civil Aviation Authority shall send accredited representatives to participate in the investigation conducted by the authorities of that state.

Article (95) **Authorities of Investigation Committees**

1. Investigation committees shall have the right of access to accident sites and other sites that may benefit the investigation. It shall also have the right for inspection, conduct examinations, review documents, records, references, diagrams and papers, also to retain what is necessary for the investigation. Investigation Committees shall have the right to interrogate witnesses and direct them to submit information or documents or objects which the committees may deem necessary for the investigation, take the necessary measures to preserve the Aircraft, its contents and components and to move it or any parts thereof to conduct the necessary tests thereon.
2. The committees shall conduct the investigation independently. They shall have full authority in accordance with the provisions of this law.

Article (96) **Participation in Investigation Committees**

1. State of registration, State of the Operator, State of design and State of manufacture, may appoint accredited representatives to participate in the investigation.
2. State of registration or State of Operator, may appoint an advisor or more, nominated by the Operator, to assist that State's accredited representative.

3. State of design and State of manufacture, may appoint one or more advisors, to be nominated by the organizations responsible for the design and for the final assembly of the Aircraft, to assist those states' accredited representatives.
4. Any State which provides information or facilitations or experts for the Civil Aviation Authority, may appoint - upon request - an accredited representative to participate in the investigation.
5. The representative of a State participating in the investigation, shall be granted the following rights: -
 - a) Visit the scene of the accident.
 - b) Examine the wreckage.
 - c) Obtain witness information and suggest areas of questioning.
 - d) Have full access to all relevant evidence, as soon as possible.
 - e) Receive copies of all pertinent documents.
 - f) Participate in read-outs of recorded media.
 - g) Participate in off-scene investigation activities such as component examinations technical briefings, tests and simulations.
 - h) Make submissions in respect of the various elements of the investigation.

Article (97) **Investigation Committee Report**

1. The investigation committee shall submit its report on the accident, its causes and circumstances, to the competent minister. The report shall include the regulatory and administrative aspects of the Operator, and the aspects that affect the operations. Individuals or entities may obtain copies of the report upon payment of the specified remuneration, except in cases when the Civil Aviation Authority decides not to publish the report.
2. The Civil Aviation Authority shall forward the final report to the following states: -
 - a. State of registration.
 - b. State of the Operator.
 - c. State of the design.
 - d. State of manufacture.

- e. Any State .having suffered fatalities or serious injuries to its citizens.
 - f. Any State that provided relevant information, significant facilities or experts.
 - g. The International Civil Aviation Organization.
3. Reports on incidents may be transmitted to the states concerned, if they were of special importance in relation to the airworthiness or operation of the Aircraft. Information on incidents involving Aircraft exceeding 5700 kg in weight may be transmitted to the International Civil Aviation Organization.
4. The Civil Aviation Authority shall send a copy of the draft final reports on the accident to all states that participated in the investigation and the following states for their comments within sixty days: -
- a. State of registration.
 - b. State of the Operator, if different from State of registration.
 - c. State of the Aircraft design.
 - d. State of manufacture.

The period referred to may be extended according to what the Civil Aviation Authority and the relevant states agree upon.

5. If the Civil Aviation Authority receives any comments, it could amend the draft final report in line with the substantial comments, or it may attach the comments with the report, according to the wish of the state who provided the comments.

If the Civil Aviation Authority did not receive any comments within the period referred to the final report shall be published immediately to prevent accidents.

Article (98) **Accident Involving a Crime**

If the investigation committee finds that the accident involves, or likely to involve a crime, the Civil Aviation Authority shall refer the matter to the competent judicial authority in the Sultanate to institute the necessary legal proceedings in this regard.

Article (99) **Reopening the Investigation**

The Civil Aviation Authority 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. The final report shall be deemed correct unless officially proved otherwise.

Article (100)
Accident Involving Civil and Military Aircraft

If an accident involving military and civil Aircraft occurs in the territory of the Sultanate, an investigation committee shall be composed of equal numbers of representatives of Civil Aviation Authority and Military Aviation Authorities and Security Authorities in the Sultanate. The committee shall submit its report to the Civil Aviation Authority to take the necessary procedures in accordance with the international rules and regulations.

CHAPTER THIRTEEN

SEARCH AND RESCUE

Article (101) Mandatory Assistance When Requested

No person shall refuse to render, when so requested by the Civil Aviation Authority, assistance in search and rescue operation if he is able to do so, or if the nature of his work requires him to offer such assistance.

Article (102) Search and Rescue

1. The Civil Aviation Authority shall define search and rescue areas for which it shall be responsible, and shall designate search and rescue co-ordination centers, in accordance with the requirements of the International Civil Aviation Organization, and in coordination with the competent parties.
2. The Civil Aviation Authority, jointly with the competent parties, shall organize rescue operations, which shall always be in a state of preparedness.
3. The Civil Aviation Authority shall take the necessary measures to coordinate and cooperate with other states, in search and rescue operations.

Article (103) Access to Prohibited Areas

Persons and Aircraft involved in search and rescue operations, may enter into any prohibited area, if there were indications that the Aircraft is located in that area, or where the accident occurred, provided that such operations are conducted under the supervision of the Civil Aviation Authority in coordination with the competent authorities.

Article (104) Cost of Search and Rescue

The Operator of an Aircraft that is being assisted, shall bear the cost of the search and rescue operations and the compensation for damages that have occurred during or as a result of the search and rescue operations.

Article (105) Jurisdiction

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

1. If the Aircraft, subject of the search and rescue operations is registered in the Sultanate.
2. If the plaintiff is a national of the Sultanate.
3. If the Aircraft subject of the search operations, is found after the accident within the Territory of the Sultanate.

Article (106)
Lapse of Search and Rescue Claims

Claims arising from search and rescue operations, shall lapse at the end of two years from the date of the accident. In case the term was interrupted or stopped, these claims will not be entertained after the lapse of three years from the date of the accident.

CHAPTER FOURTEEN

LIABILITIES AND GUARANTEES IN RELATION TO AIRCRAFT INVESTMENT

Article (107)

Carrier's Liabilities towards Persons

The carrier is liable for damage sustained in case of death or bodily injury of a passenger, if the accident that caused the death or injury took place on board the aircraft or in the cause of any of the operations of embarking or disembarking.

Article (108)

Carrier's Liability for the Jettison of Cargo

The carrier shall be liable towards the shippers and recipients of goods for the jettison of cargo during flight even if that jettison was necessary to save the Aircraft.

Article (109)

Carrier's Exoneration for Disembarking Passengers

The carrier shall be exonerated if the Pilot-in-Command had to disembark any passenger who disturbs the order or constitutes danger to the safety of the Aircraft or its passengers.

Article (110)

Possession of Travel Documents

1. Every air carrier that operates in the Territory of the Sultanate shall ensure that passengers and goods are in possession of the necessary documents that allow them to enter or exit the State.
2. The provision of the previous paragraph may be applied to domestic air transport, according to what is prescribed in the executive regulation.

Article (111)

Liabilities for Injury Caused on the Surface by Aircraft

Any person suffering an injury on the surface has the right for compensation as soon as it is proved that the injury was caused by an Aircraft whilst in flight or by a person or an object that falls from it.

An Aircraft is considered in flight from the moment its engines start lifting it from the surface, until the moment when the Aircraft had completely landed.

Article (112)
The Person Liable for Compensation

The Aircraft Operator shall be liable for the compensation referred to in the previous Article. The owner or the Lessee in whose name the Aircraft is registered, shall be considered responsible in this capacity, unless he can prove that the Operator is someone else in which case he shall take the necessary measures to have the Operator included into the Lawsuit as a party.

Article (113)
Exemption from Compensation

A person shall not be liable for compensation if the damage was the direct result of an armed dispute or internal disturbances, or if that person was prevented from using the Aircraft by the order of public authorities.

Article (114)
Participation of Aircraft in Causing the Damage

If a damage was caused to others on surface for which he shall be entitled to compensation, as a result of a collision of two or more Aircraft in flight, or because one Aircraft impeded the movement of the other, then each Aircraft shall be considered to have caused the damage, and the Operator of each of them shall be liable for compensation.

Article (115)
Plaintiff's Error

The liability of the responsible person shall be limited to the size of his error if it is proved that the injured party or his employees or representatives have contributed to the damage.

Article (116)
Lapse of Compensations Claims

Claims for compensations arising from damage caused by Aircraft to others on the surface, shall lapse at the end of two years from the date of the accident. In case the term was interrupted or stopped, these lawsuits will not be entertained after the lapse of three years from the date of the accident.

CHAPTER FIFTEEN

CRIMES COMMITTED AGAINST THE SECURITY AND SAFETY OF CIVIL AVIATION

Article (117)

Procedures of Security and Safety of Civil Aviation

The Civil Aviation Authority may, in coordination with the relevant authorities, take all the necessary preventive measures to stop committing acts and crimes against the security and safety of civil aviation in the Sultanate and acts committed on board of national Aircraft, in accordance with the international agreements and Rules.

Article (118)

Criminal Offences Against the Safety of Civil Aviation

A person shall be considered to have committed an offence against the safety of civil aviation, or against an Aircraft, if he attempts or commits or participates in committing any of the following: -

1. An act of violence against a person in an Airport that serves domestic and international civil aviation, and this act causes or could cause a serious or a fatal injury.
2. Destroy or seriously damage the installations and facilities of an Airport that serves civil aviation, or Aircraft that are not in use but might be there, or interfere with the Airport services, if such act is likely to endanger the safety of the Airport.
3. An act of violence against a person on board of an Aircraft in flight, if such act is likely to endanger the safety of the Aircraft.
4. Hijack or destroy an Aircraft in service, or cause damage to such an Aircraft so as to render it incapable of flight, or which is likely to endanger its safety.
5. Place or cause to be placed on an Aircraft in service, by any means whatsoever, a device or substance which is likely to destroy such Aircraft, or to cause damage to it that will make it unable to fly or to cause damage to it which is likely to endanger its safety in flight.
6. Destroy or damage air navigation facilities, or interfere with their operation, if any such act is likely to endanger the safety of Aircraft in flight.
7. Communicate information which he knows to be false, endangering thereby, the safety of an Aircraft in flight.

8. Steal air navigation facilities, or any equipment or instruments or cables which are necessary to secure the safety of flight or related to it.

An Aircraft is considered to be in flight at any time from the moment when all its external doors are closed following embarkation of passengers, until the moment when any of such doors is opened for disembarkation.

An Aircraft is considered to be in service from the beginning of the pre-flight preparation of the Aircraft by specialized technical personnel or by the crew to conduct a particular flight until twenty-four hours of the last landing of that aircraft. The period of service extends for the duration of the period where the Aircraft is considered in flight.

Article (119) **Crimes of Hijacking Aircraft**

A person is considered to have committed a crime, if he attempts or commits or participates in hijacking an Aircraft or taking control thereof when the Aircraft is in flight.

An Aircraft is considered to be in flight according to the meaning set forth in Article (118).

Article (120) **Crimes Against Crew Members**

Any person shall be considered to have committed a crime against any crew member if he commits or attempts to commit or participates in committing any of the following acts on board an Aircraft in flight.

1. An act of violence against a crew member which could affect the performance of that person, or impair his ability to carry out his duties.
2. Refuse to follow lawful instructions issued by the Pilot-in-Command or any crew member on his behalf, with the purpose of securing the safety of the Aircraft or any of the persons or property carried on board, or with the purpose of maintaining order and discipline on board.

Article (121) **Offences Against Safety or Order**

A person shall be considered to have committed an offence if he commits or attempts to commit or participates in committing any of the following acts on board an Aircraft in flight: -

- a) Bodily attack or an act of terrorizing or threatening another person, or sexual harassment or molest a child.
- b) Willfully cause damage or destruction to property.

- c) Intoxication as a result of having taken alcohol or drugs.

Article (122)
Other Offences

Any person shall be considered to have committed an offence if he commits any of the following acts on board an Aircraft in flight: -

1. Smoking in lavatories, or in any other place, in a manner that could endanger the safety of the Aircraft.
2. Tampering with smoke detecting devices, or other safety devices on board the Aircraft.
3. Damaging an instrument or equipment on board the Aircraft.
4. Operating any mobile electronic devices, when prohibited.

Article (123)
Jurisdiction over Offences Against Aircraft

The courts of the Sultanate are competent to try crimes and offences stated in Article (118), (119), (120), (121) and (122) in the following cases: -

1. When the offence is committed in the territory of the Sultanate.
2. When the offence is committed on board an Aircraft registered in the Sultanate.
3. When the Aircraft on which the offence is committed on board, lands in the territory of the Sultanate with the alleged offender still on board.
4. When the offence is committed on board an Aircraft leased to a lessee whose principal place of business is in the Sultanate, or if he is a permanent resident therein.
5. When the alleged offender is found in the Territory of the Sultanate and he has not been extradited to any other states that has jurisdiction.
6. Any civil Aircraft that flies outside the Territory of the Sultanate if: -
 - a) Its next landing shall be in the Sultanate.
 - b) The Pilot-in-Command decided to hand over the alleged offender to the competent authorities in the Sultanate, and asked the authorities of the state to try the suspect, and the Pilot-in-Command confirmed that neither he nor the Operator had made or shall make a similar request to another state.

7. Offences committed on board national Aircraft while over the high seas or territories which are not under the sovereignty of any state.
8. In any other case the Sultanate shall exercise its jurisdiction in accordance with its laws.

Article (124)

Authority of the Pilot-in-Command with Regard to Crimes and Offences Committed on Board

The Pilot-in-Command may take the necessary and precautionary measures, including restraining the freedom of any person who commits or attempts to commit or participates in committing any of the crimes and offences provided for in Article (118), (119), (120), (121) and (122). He may order flight crew members or allow them to assist him. He may also request the assistance of the passengers or allow them to assist him without coercion.

Article (125)

Offloading or Hand Over of a Suspect

1. The Pilot-in-Command may ask the competent authorities in the Sultanate upon landing in its territory, to offload the person against whom he has taken one of the prescribed legal measures, stating in writing, the reasons for having taken such measure.
2. If the Pilot-in-Command decided, because of the serious nature of the crime, to hand over the person, he shall notify the competent authorities in the Sultanate upon landing in its territory, stating in writing the reasons, evidence and the information available to him.

The Pilot-in-Command or any member of the flight crew, or any of the passengers, or the owner, or the Operator, or the person who chartered the flight, shall bear no responsibility for the measures or legal procedures taken against that person.

Article (126)

Legal Procedures for Handing Over a Person

The competent authority in the Sultanate shall hold of any person that the Pilot-in-Command offloads pursuant to the provisions of this Law and shall conduct immediate interrogation about the incident. If it transpires that the offence of which that person is accused comes within its jurisdiction, it will continue to hold that person and refer him to the competent judicial authority. But if it transpires that the offence which that person is accused of having committed, does not come within its jurisdiction, it will continue to hold the suspect until a decision has been taken in accordance with the national laws and regulations and the international agreements related to the extradition of criminals.

Article (127)
Regaining Control Over the Aircraft

The Civil Aviation Authority may, after coordination with the competent authorities, when an offence provided for in this Chapter, has been committed or attempted, take all the necessary measures to regain control of the Aircraft to its Captain, or to retain his control over it, and allow the passengers and the flight crew to continue with their flight.

CHAPTER SIXTEEN

PENALTIES AND CONTRAVENTIONS

Article (128)

Powers of Civil Aviation Authority in relation to Violations

Without prejudice to the penalties prescribed pursuant to the provisions of this Law, the Civil Aviation Authority may, in case of violation of the provisions of this Law or the rules, regulations or instructions issued thereunder, or the Aircraft manuals, or the manuals of Aircraft Operator or maintenance manuals or any documents validated by the Civil Aviation Authority, take one or more of the following measures: -

1. Prevent, suspend or remove violations of the provisions of Articles (6), (7) and (11) of this Law, and shall require the violator to bear all the expenses incurred by the Sultanate in this respect.
2. Suspend for a period not exceeding one month, or revoke the license issued to the Operator of the Aircraft or the Operators of Airports.
3. Suspend, for a period not exceeding three months, or withdraw the certificate of airworthiness issued or validated by it.
4. Suspend, for a period not exceeding one year, or withdraw flight authorizations or any licenses issued or validated by it.
5. Prevent an Aircraft from flying for a period not exceeding one month, or force it to land after giving it a warning.
6. Prevent the Pilot-in-Command from over flying the Territory of the Sultanate for a period not exceeding one year.
7. Suspend any flight or air service that the Operator operates.

Article (129)

Violation of Air Transport Fares

The Civil Aviation Authority shall impose a fine of not less than five hundred Omani Rials upon any air carrier or company which publishes or receives prices or fares that are different from the air transport prices and fares in force. The fine shall be doubled if the violation is repeated, with a possibility of revoking such air carrier's or company's license.

Article (130)

Violation of Commercial Air Transport Rights

The Civil Aviation Authority shall receive a compensation equal to twice the air transport fare charged by any national or foreign air carrier or enterprise, for violating

the provisions of permits or authorizations issued for it, or the bilateral agreements signed between the Sultanate and the state to which the air carrier or enterprise belongs.

Article (131) **Imprisonment and Fines**

- a) A person shall be subjected to a fine not exceeding one thousand Omani Rials, and to imprisonment not exceeding one year, or either of the two penalties, who: -
 - 1. Signs an Aircraft maintenance release in violation of the provisions of the applicable rules and regulations.
 - 2. Commits any of the acts provided for in Articles (120), (121) and (122).
- b) A person shall be subject to a fine of not less than one thousand Omani Rials and not exceeding six thousand Omani Rials and to imprisonment not exceeding one year, or either of the two penalties who: -
 - 1. Is the owner or Operator or Pilot-in-Command and causes his Aircraft to fly without permit or flight authorization, or prior to obtaining its certificate of registration, or its airworthiness certificate or after the expiry of any such certificates or the revocation thereof.
 - 2. Operated national or foreign carriers, or flew inside the Territory of the Sultanate or from or to it, without license or permission, or in a way that violates the terms therein.
 - 3. Operated a new air service or extends an existing one, without permission from the Civil Aviation Authority, or carried persons on board in a proving flight other than the persons needed to operate the Aircraft and the representatives of the Civil Aviation Authority.
 - 4. Caused an Aircraft to be flown or piloted it during flight without holding the certificates, licenses or authorizations required pursuant to the provisions of this Law.
 - 5. Piloted an Aircraft outside the areas, routes and airways designated by the Civil Aviation Authority.
 - 6. Appointed a person as a flight crew member of an Aircraft registered in the Sultanate, for any flight, without holding a valid license that qualifies him for that, and he does not hold qualifications, and periodical practical test certificates that would enable him to perform the duties assigned to him.
 - 7. Caused damage to aviation communication installations or the air navigation aids on the surface, or has not preserved such installations in good condition while he is required to do so.

8. Carried out any Civil Aviation Acts or air traffic control, without holding a valid license or an authorization from the Civil Aviation Authority, or violated the provisions of the rules and regulations in force.
 9. Trained any person to fly with the purpose of qualifying him to obtain a flying license, without holding a valid license that gives him the right to do so.
 10. Assigned an Aircraft that carries the nationality of the Sultanate, by selling or leasing to a foreigner, without the approval of the Civil Aviation Authority.
 11. Equipped an Aircraft with wireless instruments that are not licensed by the competent authorities in the state of registration.
 12. Is the Pilot-in-Command or the engineer who does has not entered the required information in the Aircraft logs and records, or who has altered such information.
 13. Carried dangerous goods in violation to the provisions of Article (20).
- c) A person shall be subject to fine of not less than three thousand Omani Rials and not exceeding fifteen thousand Omani Rials and to imprisonment not exceeding three years, or either of the two penalties, if he: -
1. Has piloted an Aircraft or caused it to be flown without displaying its nationality or registration marks, or displaying incorrect or illegible marks.
 2. Has piloted an Aircraft over a prohibited area, or has unintentionally flown over one of these areas and did not comply with the instructions issued to him.
 3. Has not complied with the order to land while flying over the Territory of the Sultanate.
 4. Has landed or taken off from places outside the designated Airports or places, or has flown outside the designated areas and routes, unless there is a special permission from the Civil Aviation Authority.
 5. Piloted an Aircraft over the Territory of the Sultanate without permission, and carried with him on board: -
 - a) Military weapon or ammunitions, or any other goods the carriage of which is prohibited by national laws and regulations.
 - b) Persons who intend to commit smuggling or felony, even if they did not commit any such acts.
 6. Is an Aircraft Operator who transports dangerous goods in violation to the provisions of Article (19).

7. Has piloted or worked as a crew member of an Aircraft while under the influence of alcohol, or drugs or medications that could impair his capacity to fly the Aircraft or work, as the case may be.
 8. Practice the activity of an institute or a club or any other organization that instructs flying, or practiced any other aerial works, without permission from the Civil Aviation Authority.
 9. Violated the approved operation specifications, except in emergency cases which justify that, without notifying the Civil Aviation Authority.
 10. Has not prepared an operations manual, pursuant to Article (74), or did not have it approved by the Civil Aviation Authority, or included therein instructions and information that are in conflict with the laws, rules and regulations in force in the Sultanate.
 11. Has constructed any building or obstructions in areas under the special air easement rights, or altered the nature or the use of the land serving the easement rights, without permission from the Civil Aviation Authority.
 12. Airports Operator who does not comply with the requirements of the Airport manual and Airport certificate.
 13. Has operated an Aircraft in the commercial air transport or general aviation without maintenance according to the maintenance program approved by the Civil Aviation Authority.
 14. Piloted an Aircraft at altitudes different from those prescribed by the Civil Aviation Authority or the Aircraft manual, except in emergencies which justify that or with the Authority's permission.
 15. Has not complied with flight times and duty times and rest as defined in Article (78), in a way that causes fatigue to any of the flight crew members and threatens their safety and the safety of the Aircraft.
- d) An approved national or foreign maintenance organization shall be subject to a fine of not less than five thousand Omani Rials and not exceeding fifteen thousand Omani Rials, if it violates the provisions of this law and the rules and regulations in force.

Article (132) **Imprisonment up to Five Years**

A person shall be subjected to imprisonment not exceeding five years, who: -

1. Has stolen equipment of air navigation facilities or any instruments, devices or cables which are

necessary to ensure the safety of aviation or which are related therewith.

2. Has willfully damaged or obstructed installations, buildings, cables, instruments, devices or equipment which are necessary to ensure the safety of aviation or which are related therewith.

Article (133) **Imprisonment or Death Sentence**

A person shall be subjected to term imprisonment or life imprisonment who willfully commits any of the felonies provided for in Articles (118) and (119) of this Law. The penalty shall be execution if the crime involved killing a human being.

Article (134) **Confiscation of Aircraft**

The Courts of the Sultanate may order the confiscation of an Aircraft involved in any of the following offences: -

1. Displaying incorrect nationality or registration marks, or not displaying either of these marks.
2. Transportations by the owner or the Operator of an Aircraft of weapons or ammunitions of war or explosives, or other materials of war or nuclear materials or nuclear isotopes, or poisonous gases, or germs or other dangerous goods with the purpose of smuggling or committing a crime that affects the security of the Sultanate.

Article (135) **Other Penalties**

Without prejudice to any severer penalty provided for in this Law, any person who violates the provisions of this Law or any of the condition, rules, regulations or decrees issued thereunder, shall be subject to a fine not less than five hundred Omani Rials, and not exceeding five thousand Omani Rials, and to imprisonment not exceeding one year, or either of the two penalties.