

Kingdom of Saudi Arabia  
Bureau of Experts at the Council of Ministers  
Official Translation Department



# *Civil Aviation Law*

*Translation  
Of Saudi Laws*

First Edition 2010



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# **Civil Aviation Law**

**Royal Decree No. M/44, 18 Rajab 1426H / 23 August 2005**

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**Translation of Saudi Laws**

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*In the Name of God  
the Compassionate  
the Merciful*

**This translation is provided  
for guidance. The governing  
text is the Arabic text.**

No. : M/44

Date: 18/7/1426H

**With the help of Almighty God,  
We, Fahd ibn Abdul aziz Al Saud,  
King of the Kingdom of Saudi Arabia,**

Pursuant to Article 70 of the Basic Law of Governance,  
issued by Royal Order No. (A/90), dated 27/8/1412H,

And pursuant to Article 20 of the Law of the Council  
of Ministers, issued by Royal Order No. (A/13), dated  
3/3/1414H,

And pursuant to Article 18 of the Shura Council Law,  
issued by Royal Order No. (A/91), dated 27/8/1412H,

And upon perusal of the Shura Council's Resolution  
No. (101/79), dated 25/2/1426H,

And upon perusal of the Council of Ministers' Resolution  
No. (185), dated 17/7/1426H,

**Have decreed as follows:**

Firstly: the Civil Aviation Law as per the attached form  
shall be approved.

Secondly: His Highness, the Vice-President of the  
Council of Ministers, and the Ministers, each  
within their jurisdiction, shall implement this  
decree of ours.

(Signed)

**Fahd ibn Abdulaziz**



# Chapter One General Provisions

## Section One Definitions

### Article (1) : Definition of terms:

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The following words and phrases, wherever mentioned in this Law, shall have the meanings assigned to them, unless the context requires otherwise:

1. Law: Civil Aviation Law.
2. Regulations: Implementing Regulations of this Law.
3. Kingdom: Kingdom of Saudi Arabia.
4. Registration Country: Country where the aircraft is registered.
5. Territory: Land and territorial waters under the sovereignty of the Kingdom, and the airspace thereover.
6. Minister: Competent minister or designee with respect to civil aviation affairs.
7. Civil Aviation Authority: Authority with the official power to oversee civil aviation affairs.
8. Authority: General Authority of Civil Aviation; which is the authority with the official power to oversee civil aviation affairs in the Kingdom.
9. Board of Directors: Board of Directors of the General Authority of Civil Aviation.
10. Chairman of the Board: Chairman of the Board of Directors of the General Authority of Civil Aviation.





11. International treaties: International treaties and agreements to which the Kingdom is party, and amendments thereto.
12. Chicago Convention: The Convention on International Civil Aviation signed in Chicago on December 7, 1944 and amendments thereto as ratified by royal decrees.
13. 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.
14. Operator: Any natural or corporate person operating, for his benefit, one or more aircraft and controlling the flight crew thereof.
15. State aircraft: Aircraft owned by the Kingdom and designated for serving non-commercial public interest purposes, such as military, customs and medical evacuation aircraft.
16. Aerial works: All air operations other than passenger or cargo carriage; such as firefighting, agricultural purposes, aerial photography and advertisement.
17. Air traffic: Traffic of all aircraft flying or operating within the aerodrome's maneuvering zone.
18. Aerodrome: An area of land or water; including any buildings, installations and equipment designated, wholly or partly, for the arrival, movement or departure of aircraft.
19. International aerodrome: An aerodrome designated by the Kingdom within its territory for entry and exit of international air traffic; where procedures pertaining to customs, immigration, health and quarantine, including animal and plant quarantine and other similar procedures are implemented.

20. Aerodrome maneuvering zone: The part of an aerodrome used for take-off, landing and other movements associated with aircraft take-off and landing, excluding aircraft parking area.
21. Aerodrome operator: Any natural or corporate person operating an aerodrome or part thereof.
22. Pilot-in-command: The pilot in charge of the operation and safety of an aircraft during flight time.
23. Flight crew member: A member of the aircraft crew holding a valid permit and assigned fundamental duties to operate an aircraft during flight time.
24. Cabin crew member: A person assigned certain duties by the operator to perform on board an aircraft during flight time.
25. Flight time: The total time from the moment when the aircraft first moves under its own power for the purpose of taking off until the moment it comes to rest at the end of the flight.
26. Prohibited area: An area within the territory specified by the Authority where flying is prohibited.
27. Restricted area: An area within the territory specified by the Authority where flying is subject to certain restrictions.
28. Dangerous area: An area within the territory specified by the Authority where activities dangerous to aviation may exist at specified times.
29. Regulated airline: An airline open to the public and operating according to an announced schedule or regularly and frequently in a noticeable series of scheduled flights.
30. International airline: Any airline crossing the airspace of more than one country.
31. Domestic airline: Any airline operating completely within the territory of a given country.



32. Air carrier: A natural or corporate person offering or operating airlines for passenger, mail and cargo carriage or any of them.
33. National registration: Registration of aircraft in the Saudi National Aircraft Register prepared and overseen by the Authority.
34. Register: Saudi National Aircraft Register prepared by the Authority to register national civil aircrafts.
35. International registration: Registration of aircraft with an organization of international legal personality.
36. Common mark: A mark assigned by the International Civil Aviation Organization to the common mark registering authority for the international registration of aircraft of a foreign or joint airline agency.
37. Common mark registering authority: The authority maintaining the non-national register or part thereof, in which aircraft of an international or joint airline agency are registered.
38. Aircraft accident: Any occurrence associated with the operation of an aircraft occurring between the time any person boards said aircraft with the intention of flying and the time when all persons have disembarked, and resulting in any of the following:
- a. Serious injury to, or death of, a person due to being on board an aircraft, coming in direct contact therewith or any part thereof or exposure to jet blast.
  - b. Serious damage to an aircraft.
  - c. Loss or inaccessibility of an aircraft.
- Injuries due to natural causes, self-inflicted injuries, injuries caused by others or injuries to stowaways, shall be excluded.

39. Aircraft incident: Any occurrence that is not included in the definition of an aircraft accident, and is associated with the operation of an aircraft and affects, or has the potential of affecting, safe operation thereof.
40. Aviation accident: Any situation or condition that could lead to an aircraft accident or incident.
41. Aeronautical obstacles: Either artificial obstacles such as tall buildings, towers, high wires and the like; or natural obstacles such as mountains, tall trees and the like.
42. Saudi Aeronautical Information Publication (AIP): A publication issued by the Authority, containing key principles provided for in laws, regulations and instructions as well as necessary rules that must be observed to ensure and facilitate safety, regularity and speed of air traffic in the territory controlled by the Authority.
43. Certificate of airworthiness: A document issued by the Authority to the registration country certifying airworthiness of an aircraft for a set period of time, provided that the operator follows the conditions provided for therein.
44. Authorization: Permission for an aircraft to cross the airspace of the Kingdom or land in one of its aerodromes for commercial, diplomatic or similar purposes, in the form of an authorization of scheduled flights or temporary authorization of unscheduled ones.
45. Licensing: An approval issued by the Authority to a natural or corporate person for engaging in a certain activity that falls within the powers of the Authority.

46. Permit: A certificate or license granted or validated by the Authority for persons working in the civil aviation sector such as aircraft crew, maintenance crew, air-traffic controllers and others whose work requires holding certificates or licenses of internationally set levels.
- 47 Government orders: Instructions issued by the Civil Aviation Authority to working airline companies with respect to engaging in activities within the state territory.

Words and expressions mentioned in international treaties and not provided for in this Article shall retain the meanings assigned to them in said treaties.

## **Section Two**

### **Sovereignty and Powers of the Kingdom**

#### **Article (2): Powers of the Kingdom**

---

The Kingdom has complete and absolute sovereignty over the airspace within its territory.

#### **Article (3): Scope of application**

---

The provisions of this Law shall apply to the following:

1. Civil aviation activities and operations within the territory of the Kingdom.

2. Civil aerodromes, air carriage facilities and ensuring aviation safety and security within the territory of the Kingdom.
3. Civil aircraft registered in the Kingdom.
4. State aircraft other than military ones.
5. Any aircraft registered in a foreign country and operated or maintained by a Saudi national by virtue of a lease, exchange or any similar agreement, if an agreement between the Kingdom and the aircraft registration country so states.

#### **Article (4): Implementing international treaties and agreements**

---

Provisions of, and annexes to, the Chicago Convention and all other international treaties on civil aviation to which the Kingdom is party shall be deemed supplements to this Law.

#### **Article (5): Powers of the Authority**

---

The Authority shall be solely in charge of all civil aviation affairs in the Kingdom, including undertaking all telecommunication services related to aviation safety and air traffic regularity.

#### **Article (6): Inspection of and preventing aircraft from flying and seizing the documents thereof**

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Without prejudice to provisions of other laws and



international treaties, the Authority shall have the right to inspect and prevent aircraft from flying or seize any relevant documents for the purpose of overseeing implementation of this Law. Rules for inspecting and preventing aircraft from flying and seizing documents shall be specified in the Regulations.

### **Article (7): Customs, security, health and agricultural quarantine and other authorities**

---

Officials of customs, security, immigration, health and agricultural quarantine and any other competent authority shall have the right to inspect aircraft or any person or cargo on board thereof, as per powers provided for in laws and rules in force in the Kingdom. Such inspection shall be conducted in the presence of a representative of the Authority in accordance with relevant laws and regulations.

### **Article (8): Observing requirements of entering, exiting and residing in the Kingdom**

---

Passengers, crew members and cargo dispatchers, when entering, residing in, or exiting the Kingdom must comply with laws, regulations and information on residence, immigration, customs and health and plant quarantine.

## **Section Three**

### **General Provisions on Aviation**

#### **Article (9): Aviation licenses and permits**

---

The Authority may issue aircraft licenses and permits, without which, no aircraft may operate in the territory of the Kingdom. Licenses and permits shall be deemed personal property and may not be assigned to others. Conditions for licenses and permits shall be specified in the Regulations.

#### **Article (10): Aircraft requirements**

---

1. Aircraft operating within the territory of the Kingdom shall meet the following requirements:
  - a- To be registered in the relevant country or under international or joint registration rules.
  - b- To have a valid airworthiness certificate issued or validated by the registration country or the common mark registering authority, provided that said certificate meet requirements stipulated in international treaties.
  - c- To visibly display nationality and registration markings pursuant to rules established by the Civil Aviation Authority.
  - d- To be fitted with set devices and equipment.
  - e- Flight crew members shall hold valid permits issued by the civil aviation authority of the registering country or the common mark registering authority, and shall be of the same number and quality as determined in the airworthiness certificate.





- f- To maintain a valid insurance for aircraft crew, passengers, cargo, luggage on board and for those belonging to others on ground, and to cover damages resulting from flight risks affecting users thereof. Said insurance may, if necessary, be substituted by cash deposit, bank guarantee or public authority guarantee pursuant to conditions stipulated in the Regulations.
2. The Authority may exempt aircraft used for purposes of technical tests, teaching or training, from one or more requirements set forth in paragraph (1) of this Article excluding the requirement set forth in paragraph (1/f) thereof.

### **Article (11): Use of wireless devices on board**

---

No aircraft operating in the territory of the Kingdom may be fitted with wireless devices without the approval of the competent authorities in the registering country or the common mark registering authority. Said devices may only be used for air navigation purposes with the knowledge of the flight crew pursuant to conditions specified in the Regulations.

### **Article (12): Dangerous goods**

---

Subject to applicable international laws on carriage of dangerous goods, no dangerous goods may be carried on board an aircraft unless permitted by the Authority in accordance with procedures specified in the Regulations.

### **Article (13): Aerial photography and survey devices**

---

No aircraft fitted with aerial photography and survey devices may be flown in the territory of the Kingdom, nor may such devices be used therein, unless authorized by the Authority, in accordance with conditions stipulated therefor.

### **Article (14): Interfering with the work of the flight crew and tampering with aircrafts**

---

No unauthorized person may interfere with, or obstruct the work of any flight crew member during flight time, nor may anyone tamper with any part of the aircraft or equipment or commit any act that would jeopardize the safety of the aircraft, flight crew or passengers.

## **Chapter Two**

### **Air Carriage Regulation**

#### **Section One**

#### **Policies and Implementation**

### **Article (15): Setting air carriage policies**

---

The Board of Directors shall set general air carriage policies in the Kingdom, and the Chairman or designee shall, in this respect, represent the Kingdom in relations with other countries and international and regional organizations.

## Article (16): Powers of the Authority

---

The Authority shall undertake regulation, control, development and promotion of the air carriage sector, as well as implementation of general policies for air carriage in the Kingdom, and may to that end assume the following powers:

1. Negotiate with foreign countries the conclusion and amendment of bilateral and collective agreements on regular and irregular air carriage, and submit what is agreed upon to complete relevant procedures.
2. Study international agreements and treaties on civil aviation and air carriage, and amendments thereto, and make recommendations on whether to enter into said agreements or treaties.
3. Join international organizations involved in civil aviation and air carriage, attend their meetings and conferences, follow up on their work, and implement decisions and recommendations made by them, upon approval thereof in accordance with applicable procedures.
4. Approve commercial agreements and arrangements concluded between national and foreign air carriage establishments and companies in accordance with relevant laws and instructions.
5. Determine which services and infrastructure can be privatized or opened for private sector participation and approval thereof by the competent authority.
6. Issue necessary operation licenses and permits for national and foreign air carriage establishments and

companies to operate regular airlines or irregular flights thereof, and monitor implementation of relevant provisions.

7. Issue necessary licenses for establishing and operating air freight and ground service companies and agencies in the Kingdom, monitor implementation of relevant provisions and impose relevant legally established penalties, upon approval by the competent authority.
8. Issue necessary permits for foreign airline establishments and companies to establish offices therefor or delegate their businesses to national air carriage or air freight companies and establishments on the basis of reciprocity. Requirements for issuing such permits shall be specified in the Regulations.
9. Amend, suspend, revoke or terminate any license or permit issued by the Authority, as specified in the Regulations.
10. Determine fees for issuing licenses, permits, certificates and services provided by the Authority, and approve fees for aerodrome and air navigation services provided by the private sector, in accordance with the Regulations.
11. Issue national and foreign air carriage agencies the necessary permits to perform sales, air freight or aircraft ground services in the Kingdom and set necessary controls.
12. Implement standard facilitation and aeronautical safety rules and principles necessary for facilitation and safety of airline operations, aircraft and flow



of passengers, cargo and mail from, within and to aerodromes of the Kingdom; in accordance with the provisions of the Chicago Convention and Annexes thereto and other agreements and treaties to which the Kingdom is party.

13. Implement established international rules and principles on various areas of air carriage as provided for in international treaties and resolutions issued by international civil aviation and air carriage conferences and organizations and approved by the Kingdom.
14. Conduct necessary economic and technical studies and researches for the development of air carriage in the Kingdom and economies of airlines and air freight companies and agencies operating in the Kingdom.
15. Adopt air carriage tariffs and prices of group and touristic flight packages within, from and to the Kingdom and amendments thereto, and set up a mechanism to monitor implementation thereof.
16. Oversee, check and inspect operations of national and foreign air carriage agencies to ensure compliance with the conditions of licenses, and permits issued thereto for operating regular airlines and irregular flights thereof and practice air carriage rights granted thereto; and inflict penalties set by law, upon approval by the competent authorities.
17. Issue government orders necessary to exercise the powers set forth in this Law.

## **Article (17): Inspection of operations of companies and agencies**

---

1. Authorized representatives of the Authority may enter offices and premises of national and foreign air carriage companies and establishments, as well as air freight and aircraft ground service companies and agencies to inspect them and monitor the implementation of the conditions of the licenses and permits issued thereto for the performance of the activities thereof.
2. Said representatives shall have the right to access any documents as may be deemed necessary to perform said inspection and may seize any documents found to be in violation of the provisions of this Law, licenses or permits issued to said companies or agencies or instructions issued by the Authority.

## **Article (18): Prohibition of internal air carriage**

---

Subject to the provisions of the Foreign Investment Law, no foreign operator may carry passengers, cargo or mail for a fee or consideration between two points within the territory of the Kingdom. Nonetheless, the Authority may authorize such carriage to cater for exceptional or special circumstances or to finish an incoming international flight.

## **Article (19): Prohibition of alcohol and narcotics**

---

1. An owner or operator of an aircraft registered in the Kingdom may not offer or sell any alcoholic drinks, narcotics or prohibited substances on board of the aircraft.
2. Anyone entering the Kingdom may not possess alcoholic drinks, narcotics or prohibited substances. Aircraft operator and pilot must warn incoming passengers thereagainst.
3. Subject to laws and instructions in force in the Kingdom, no aircraft may carry intoxicants, narcotics or prohibited substances into the Kingdom.

## **Article (20): Exchange and granting of air carriage rights**

---

No agreements may be concluded nor may any arrangements be made or measures be taken with respect to exchange or granting of air carriage rights pertaining to the Kingdom with any foreign party; except through the Authority and after completing the relevant required legal procedures.

## **Article (21): Carrying air mail**

---

1. Letters and parcels may be carried by aircraft from and to the Kingdom only pursuant to mail procedures and provisions established in the Kingdom and to

international treaties on mail which are approved by the Kingdom.

2. No letters or parcels may be carried by aircraft unless received pursuant to established mail procedures in the Kingdom.

### **Article (22): Aviation fees and charges**

---

National and foreign air carriage and aviation companies and establishments must pay civil aviation fees and charges due on their operations and domestic and international flights as per rates set in the Civil Aviation Tariff Law and Implementing Regulations thereof.

### **Article (23): Implementing government orders**

---

Owners or operators of aircraft operating in the Kingdom, as well as all national and foreign air carriage companies and establishments and air freight and aircraft ground service agencies, must implement all instructions issued by the Authority.

## **Section Two**

### **Licensing and Operating Aviation Companies**

### **Article (24): Establishing and operating aviation companies or establishments**

---

Without prejudice to the provisions of the Companies



Law and other relevant laws, no national company or establishment may be established for engaging in commercial air carriage or air operations, whether in the Kingdom or abroad, without an air operator license and the approval of the Authority pursuant to conditions stipulated in the Regulations.

### **Article (25): Approval required for operation**

---

National air carriage companies and establishments may not operate any airline or any new model of aircraft without approval by the Authority pursuant to conditions stipulated in the Regulations.

### **Article (26): Establishment, alteration and cancellation of airlines**

---

Prior to establishment or cancellation of airlines, or alteration of the number of flights operated from, to or within the Kingdom, national and foreign air carriage companies and establishments must obtain the prior approval of the Authority.

### **Article (27): Agreements between aviation companies**

---

1. Subject to Article (20) of this Law, national air carriage companies and establishments may only conclude agreements or make arrangements with foreign air carriage companies and establishments on operation of, or joint investment in any commercial air carriage

operations in accordance with rules and conditions stipulated in the Regulations. Said companies and establishments may not commence the implementation of such agreements or arrangements except after completion of necessary legal procedures.

2. The Authority may approve or refuse said agreements or arrangements within a period not exceeding thirty days as of the date of notification; provided that all refusals are reasoned and limited to cases of violating rules of competition and safety and the Kingdom's general policies pursuant to principles stipulated in the Regulations.

### **Article (28): Licensing of offices, representation and agencies**

---

1. No foreign air carriage or airline company or establishment may establish an office or representation thereof in the Kingdom without obtaining the necessary license from the Authority on the basis of reciprocity.
2. Foreign air carriage or airline companies or establishments may only assign representations or agencies in the Kingdom to licensed Saudi companies or agencies upon the approval of the Authority.

### **Article (29): Conducting aircraft ground services**

---

Aircraft ground services may not be provided in civil aerodromes in the Kingdom without obtaining a license from the Authority. Such licenses may only be issued to foreign

air carriage companies and establishments on a reciprocal basis.

### **Article (30): Submitting data and information**

---

National and foreign air carriage companies and establishments as well as air freight and aircraft ground service companies and agencies must submit all information, data and statistics on airline operations, as well as economic and technical studies on said airlines, air carriage charges and other data and information required by the Authority.

## **Section Three Air Transportation Facilitation**

### **Article (31): Implementation of international treaties**

---

The Authority and competent agencies, each as per their respective jurisdiction, shall implement the provisions on facilitation provided for in the Chicago Convention and amendments thereto as approved by the Kingdom; for the purpose of facilitating operations of air carriage and airline companies and establishments, and movement of aircraft, passengers, cargo and mail from, to and through the territory of the Kingdom.

## **Article (32): The national air carriage facilitation committee**

---

1. A national committee for air carriage facilitation shall be set up pursuant to a decision by the Minister. The Regulations shall determine its powers, membership, meeting controls and responsibilities in accordance with international provisions and rules on facilitation.
2. Pursuant to a decision by the Chairman of the Authority, a committee shall be formed in each international aerodrome in the Kingdom and shall be chaired by the respective aerodrome director. The Regulations shall determine responsibilities, work procedures and meeting controls for each committee in coordination with the Committee referred to in paragraph (1) of this Article.

### **Chapter Three**

### **Aerodromes and Navigational Service Facilities**

#### **Section One**

#### **Establishment, Management and Use of Aerodromes**

## **Article (33): Establishment and operation of aerodromes**

---

No civil aerodromes or airfields may be constructed, used or invested in, in the Kingdom without approval by the Authority.

## **Article (34): Aerodromes and aviation facilities as public facilities**

---

Aerodromes, facilities, buildings, tools and equipment, telecommunication stations and beacons belonging to the Authority, shall be deemed public facilities.

## **Article (35): Aerodrome management and supervision**

---

Subject to paragraph (5) of Article (16) of this Law, the Authority shall manage, supervise operation and maintenance, and set up work rules for aerodromes affiliated therewith; and may license other parties to undertake all, or part of, said duties subject to relevant laws and instructions without adversely affecting civil aviation safety and security.

## **Article (36): Types and categories of aerodromes**

---

The Authority shall determine types and categories of aerodromes in coordination with competent authorities.

## **Article (37): Use of aerodromes**

---

Aircraft shall use declared civil aerodromes, subject to relevant controls and rules, and may not land in aerodromes other than those declared except in emergencies, in accordance with the Regulations.

### **Article (38): Determining noise levels**

---

The Authority shall determine the permissible noise level for aircraft using aerodromes in the Kingdom; as well as altitudes, speeds, engine power and other conditions and specifications that would ensure said noise levels are not exceeded.

### **Article (39): Supervising aerodrome staff**

---

Without prejudice to powers of other government authorities operating in aerodromes, the Authority shall, in coordination with relevant parties, supervise staff of aerodromes affiliated therewith in matters that would ensure compliance with laws and instructions pertaining to said aerodromes and progress of work therein.

## **Section Two Aerial Easement**

### **Article (40): Establishment of aerial easement**

---

Special easement known as aerial easement shall be established to ensure safety of air navigation and good performance of relevant equipment; providing for the following:

1. Removal or prevention of any buildings, constructions or installations, implanting, laying or fixing overhead cables or any other obstacles or limiting heights thereof

in areas adjacent to aerodromes and navigation equipment facilities.

2. Installation of guiding signs for obstacles threatening the safety of air navigation.

### **Article (41): Limits of easement**

---

The Authority shall determine the scope of aerial easement and areas where said easement is applicable in accordance with annex (14) of the Chicago Convention on aerodromes.

### **Article (42): Installations and equipment affecting the safety of air navigation**

---

Anyone using or owning electrical or electronic communication or other equipment or fixed or movable civil installations that could interfere with air navigation radio or supporting equipment must comply with measures set by the competent authority, in accordance with the Regulations.

### **Article (43): Acquisition of necessary lands and real estate**

---

The Authority may acquire lands and real estate needed to establish or expand aerodromes affiliated therewith or connect them to roads, as well as lands needed for air navigation equipment stations in accordance with laws and instructions.

## **Section Three**

### **Protection of Aerodromes, Aircraft and Navigation Equipment**

#### **Article (44): Implementing laws and instructions on aerodrome and aircraft security**

---

Subject to relevant laws, the Authority, in cooperation with other competent authorities, shall implement laws and instructions and necessary measures to maintain security in aerodromes of the Kingdom and ensure safety of aircraft and navigational support, and may to that end do the following:

1. Restrict or prohibit access of individuals to certain areas of aerodromes.
2. Verify identities of individuals and vehicles entering aerodromes, monitor them and question any suspicious person, if necessary.
3. Search any passenger suspected of carrying weapons, flammable substances or any other materials that could be used in any act of sabotage, violence or threat during flights.

#### **Article (45): Inspection of mail and parcels**

---

Subject to Articles (21) and (44) of this Law, air mail and parcels must be inspected if suspected to contain materials threatening the safety of aircraft during flights or illegal or prohibited material under laws in force in the Kingdom.



## **Article (46): Supervisory Security Committee for Civil Aviation**

---

1. A national committee for civil aviation security shall be set up and named “the Supervisory Security Committee” and shall be responsible for devising, developing and following up on a national plan for protecting the security of civil aerodromes, aircraft and navigational facilities within the territory of the Kingdom.
2. The Board of Directors shall issue a resolution on setting up said Committee and determining powers thereof. Said Committee shall be chaired by the Chairman of the Authority – or designee – and shall comprise members representing relevant government bodies.

## **Article (47): Aerodrome Preparatory Security Committee**

---

A security committee shall be set up in every civil aerodrome within the territory of the Kingdom in accordance with relevant provisions of the Regulations.

## **Article (48): Aerodrome Security Manual**

---

The Authority shall develop an Aerodrome Security Manual containing controls and procedures that should be implemented to ensure civil aviation security in accordance with relevant international rules and laws.

## **Chapter Four**

### **Aircraft**

#### **Section One**

#### **Aircraft Registration**

#### **Article (49): Mandatory display of nationality and registration marks**

---

No civil aircraft may fly within the territory of the Kingdom without displaying nationality and registration marks in accordance with the laws of the registration country or the common mark registering authority. Nonetheless, the Authority may, as it deems fit, authorize flight or landing of unregistered aircraft for technical testing or any other purposes within the territory of the Kingdom.

#### **Article (50): Determining nationality and registration marks**

---

The Authority shall determine nationality and registration marks for national aircraft, as well as manner of displaying said marks on aircraft in accordance with relevant international rules and laws.

#### **Article (51): Saudi National Aircraft Register**

---

1. The Authority shall establish a register for national civil aircraft named “the Saudi National Aircraft Register”. The Regulations shall specify data to be entered into said Register as well as necessary aircraft registration requirements.

2. The Authority may grant others access to data contained in said Register in accordance with conditions set thereby.
3. Each aircraft registered in said Register shall enjoy the nationality of the Kingdom and must display nationality and registration marks in accordance with rules stipulated in the Regulations.

### **Article (52): Aircraft registration certificates**

---

The Authority shall issue aircraft registration certificates upon completing necessary procedures, provided that each certificate contains data specified in the Regulations.

### **Article (53): Striking aircraft off the Register**

---

1. An aircraft shall be stricken off the Register in the following cases:
  - a- If the owner or lessee thereof loses the Saudi nationality.
  - b- If ownership thereof is transferred to a foreigner.
  - c- If the aircraft is lost or withdrawn from service.
  - d- If the owner or lessee thereof requests that said aircraft be stricken off the Register.
  - e- If any of the registration conditions ceases to exist.
2. The owner or lessee of an aircraft must immediately notify the Authority of any change provided for in paragraphs (1/a, 1/b and 1/c) of this Article and return the aircraft registration certificate to the Authority.

## Section Two Rights on Aircraft

### Article (54): Scope of application

---

Provisions of this Section shall apply to all civil aircraft of any nationality while in the territory of the Kingdom as well as Saudi civil aircraft anywhere, excluding state aircraft.

### Article (55): Definition of (aircraft)

---

Subject to paragraph (13) of Article (1) of this Law, the term (aircraft), for the purpose of implementing the provisions of this Section, shall indicate the airframe, engines, propellers, radio devices and all parts serving an aircraft, whether fitted on or temporarily separated from said aircraft.

### Article (56): Determining rights on aircraft

---

1. The following rights may be established on civil aircraft:
  - a- Right to ownership of an aircraft.
  - b- Right of an aircraft acquirer to own said aircraft by means of purchase.
  - c- Right to use an aircraft pursuant to a lease contract.
  - d- Right to a registered lien and any similar right established by agreement on an aircraft to satisfy a debt.

2. Without prejudice to privileged debt provisions set forth in Article (61) of this Law, no other rights may be established on civil aircraft that supersede the rights provided for in paragraph (1) of this Article.
3. Judicial proceedings pertaining to rights on aircraft shall be subject to the law of the competent court.

### **Article (57): Entry of rights on aircraft**

---

1. Rights on foreign aircraft shall be entered in accordance with laws applicable thereon as per their registration nationality.
2. The Authority must enter rights on Saudi aircraft in pages of the register designated for said aircraft if said rights are duly established in accordance with provisions in force in the Kingdom.
3. The Authority may deem depositing a document establishing any right on an aircraft in the file of said aircraft kept by the Authority, as entry of said right in said register; in which case, said deposit shall have the same effect as that of entry in the register.

### **Article (58): Effects of entry of rights**

---

1. Laws and regulations governing a foreign civil aircraft as per nationality thereof shall determine effects of entry of rights on said aircraft against third parties.
2. Rights upon Saudi civil aircraft against third parties shall come into effect only as of the date of entry in the Register or of depositing the document establishing said rights in the aircraft's file with the Authority.

3. Any stakeholder may request from the Authority correspondences, copies or reproductions certified as true copies, which shall be deemed evidence of what is stated in the Register or said files in the absence of evidence to the contrary.

### **Article (59): Aircraft ownership**

---

Aircraft shall be deemed movable property in terms of applicability of laws and rules in force in the Kingdom. Ownership of national aircraft may not be transferred without an official deed which shall have no effect against third parties unless entered in the Register.

### **Article (60): Legal disposition of aircraft**

---

Any legal disposition of national aircraft may be made to any person by means of sale, lease, pledge or any other form of disposition based on Sharia or law. Said disposition shall come into effect only upon entry thereof in the Register.

### **Article (61): Privileged debts**

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1. Privileged debts shall have priority over all other rights or debts established on aircraft; which are as follows:
  - a- Remunerations for rescuing the aircraft.
  - b- Extraordinary expenditures needed to maintain the aircraft, provided that said privileged debts are subject to droit de suite in accordance with the laws of the country in which rescue or maintenance work is conducted.
  - c- Fees payable under laws and regulations.

2. Priority of said debts shall be inversely related to the chronological order of incidents giving rise thereto.
3. At the request of the creditor, the Authority shall record said privileged debts against registered aircraft in the Register, provided that such request is submitted within three months following completion of work which gave rise thereto. If said three-month period elapses, the debts may not be approved unless the amount of debt is agreed upon or a lawsuit is filed therefor. Reasons for interruption or suspension of said period shall be determined in accordance with the law of the court considering said dispute.
4. Priority granted to rights referred to in paragraph (1/d) of Article (56) of this Law shall extend to all secured amounts and charges due for no more than three years prior to commencement of enforcement procedures and throughout said procedures.

### **Article (62): Non-recognition of harmful disposition**

---

In case of attachment or forced sale of an aircraft or claim of any other right thereon, establishment or transfer of rights set forth in paragraph (1) of Article (56) of this Law may not be recognized if conducted by the debtor against whom sale or enforcement procedures are implemented, and with his knowledge, to the detriment of the attaching creditor, the executing authority or the purchaser.

## **Article (63): Forced sale of aircraft**

---

1. If an aircraft is subject to forced sale in the Kingdom in order to settle outstanding debts, forced sale procedures shall be implemented in accordance with procedures set by laws in force in the Kingdom and as provided for in the Regulations.
2. Without prejudice to laws in force in the Kingdom, violation of the provisions of paragraph (1) of this Article shall render said sale revocable upon a claim filed, within six months as of the date of said sale, by any person harmed by such violation.
3. No forced sale may be carried out on an aircraft unless rights of priority over rights of the attaching creditor, pursuant to the provisions of this Section, are settled from sale price or pledged by the purchaser.
4. Amounts spent in the joint interest of creditors on enforcement procedures leading to sale and legally due, in accordance with laws in force in the Kingdom, shall be paid using the aircraft sale price prior to all other debts, including privileged debts pursuant to Article (61) of this Law.
5. Pursuant to the provisions of this Article, forced sale of an aircraft shall relieve ownership thereof of all rights, including those not considered by the purchaser.

## **Article (64): Extension of registered right to spare parts**

---

1. If any of the rights set forth in Article (56) of this Law arises as security for a debt and is correctly registered



on an aircraft, said right shall extend to spare parts stored in a specified place or places subject to conditions provided for in the Regulations.

2. For the purpose of this Article, (spare parts) shall mean aircraft parts, engines, propellers, radio devices, tools and equipment and parts thereof; and, in general, all other items of any nature kept for the purpose of replacing parts or instruments making up an aircraft.

### **Article (65): Forced sale of spare parts**

---

1. Should an aircraft be subject to forced sale in accordance with Article (63) of this Law, said sale shall include attached spare parts; ownership of which shall be transferred to the new purchaser.
2. If the debt of the attaching creditor is not secured in kind, spare parts may be sold at an auction for two thirds of the value thereof pursuant to paragraph (3) of Article (63) of this Law as specified by experts appointed by the authority assigned to conduct said sale.
3. When distributing sale proceeds of spare parts, the authority assigned to conduct said sale for the benefit of the attaching creditor shall determine the amount disburseable to privileged creditors up to two thirds of the sale proceeds after deduction of joint expenses referred to in paragraph (4) of Article (63) of this Law.

## Article (66): Compensation for damage on the earth surface

---

1. If forced sale is conducted in the Kingdom and damage occurs on the earth surface within its territory by an aircraft on which any of the rights set forth in Article (56) is established as security for debt, the following shall be observed when attaching said aircraft or any other aircraft owned by the same owner with similar rights established thereon to the benefit of the same creditor:
  - a- The provisions of paragraph (3) of Article (63) of this Law shall not affect the person sustaining damage or harm nor shall they affect his successors if said person is an attaching creditor.
  - b- Rights referred to in Article (56) of this Law, conferring a burdensome security on the attached aircraft may not be invoked against the parties sustaining damage or successors thereof, except within (80%) of the sale proceeds.
2. Provisions of paragraph (1) of this Article may not apply if the operator has properly and adequately insured against damage on the earth surface, or if he holds insurance in his name in any country or with any insurance agency in any country.
3. In the absence of any other restriction by laws in force in the Kingdom where the attached aircraft is being sold, said damage shall be deemed insured against within the scope of this Article if the amount of insurance is commensurate with the value of the attached aircraft when new.

## **Article (67): Transfer of aircraft record or registration**

---

Excluding cases of forced sale conducted in accordance with the provisions of Article (63) of this Law, an aircraft record or registration may not be transferred from the Register to another country's register, or vice versa, unless after settlement of rights charged to said aircraft or approval of holders of such rights thereto.

## **Article (68): Lease of aircraft**

---

An aircraft lease is a written contract under which the lessor is obligated to enable the lessee to use said lessor's aircraft, with or without the flight crew, for one or more flights, for an air operation or for a specified period in return for a charge. Said aircraft lease contract shall only come into force upon the approval of the Authority. Obligations of both the lessor and lessee shall be specified in the Regulations.

## **Article (69): Joint liability of the lessor and lessee**

---

1. The owner of a leased aircraft shall remain jointly liable with the lessee for all legal obligations of the investor with respect to the aircraft and flight crew thereof pursuant to the provisions of this Law if said lease term does not exceed fourteen days.
2. If the lease term exceeds fourteen days or in the case of sale-type lease, the lessee operating the aircraft shall be solely liable for obligations referred to in paragraph

(1) of this Article, unless otherwise stated in the lease contract.

### **Article (70): Verification of the satisfying of requirements when purchasing, leasing or renting aircraft**

---

Saudi operators must, prior to purchasing, leasing or renting an aircraft verify that said aircraft meets requirements and technical standards set by the Authority.

## **Section Three Attachment of Aircraft**

### **Article (71): Attachment**

---

Attachment, within the meaning of this Section, shall mean every action, under any name whatsoever, under which an aircraft is seized for private interest by the judiciary or the competent authorities to the benefit of the creditor, owner or holder of any in-kind right to the aircraft. The Authority may also seize an aircraft in case of failure to pay due fees in the Kingdom.

### **Article (72): Scope of application of this Section**

---

Provisions of this Section shall not apply to attachment measures related to bankruptcy proceedings, nor to attachment measures implemented upon violation of the provisions of this Law, customs laws, criminal laws or security rules and laws in the Kingdom.

## **Article (73): Non-attachable aircraft**

---

1. Attachment may not be imposed on the following:
  - a- Aircraft designated for state service, excluding those designated for commercial service.
  - b- Aircraft used actually and absolutely in a regular airline and indispensable back-up aircraft.
2. Any other aircraft designed to carry passengers or assets for a fee when scheduled for flight therefor, except in the case of debt arising from, or through, said flight.
3. Provisions of this Article shall not apply to attachment imposed by the owner who has lost possession of an aircraft through any illegal act.

## **Article (74): Provision of Guarantees**

---

1. Where attachment of an aircraft is not prohibited nor inapplicable, and the operator has not pleaded invalidity of such attachment, provision of adequate guarantee shall prevent imposition of attachment, or allow for its immediate lifting.
2. A guarantee shall be deemed adequate if it covers the amount of debt and relevant expenses and is totally allocated for settlement of outstanding debt, or if said guarantee covers the value of the aircraft if said value exceeds the amount of debt and relevant expenses.

## **Article (75): Appointment of a receiver**

---

If an attachment is imposed on an aircraft, no receiver

may be appointed therefor other than the owner or operator thereof, if either one is the debtor or representatives thereof. Attachment shall not prevent said receiver from operating said aircraft pursuant to the decision of the attaching authority.

### **Article (76): Recording of attachment**

---

The Authority shall record attachment imposed on national civil aircraft in the Register at the request of the creditor upon verification of supporting documentation.

### **Article (77): Expeditious determination**

---

Disputes pertaining to attachment of aircraft and requests for lifting thereof shall be expeditiously determined.

### **Article (78): Compensation for attachment**

---

In accordance with rules and laws in force in the Kingdom, the receiver shall be liable for harm sustained by the owner or operator of an aircraft if attachment is imposed on said aircraft in cases other than those permitted under the provisions of this Section, or if the adequate guarantee provided by the debtor to prevent or lift attachment of said aircraft is refused or if the attachment is illegally imposed.

### **Article (79): Executive attachment**

---

No executive attachment may be imposed on an aircraft to settle an outstanding debt unless all procedures of

executive attachment of the debtor's other assets in the Kingdom are completed and said assets prove insufficient to settle debts owed to said creditor or creditors.

## **Section Four**

### **Airworthiness of Aircraft**

#### **Article (80): Observance of international laws and rules**

---

Subject to the provisions of this Section, international laws and technical standards set forth in the Chicago Convention and Annexes thereto as adopted by the Kingdom shall be implemented in order to achieve the highest degree of aircraft and air aviation safety in line with environment conservation considerations.

#### **Article (81): Airworthiness**

---

1. The Authority shall issue airworthiness certificates to aircraft registered in the Kingdom, and may approve any airworthiness certificate issued by another country to an aircraft registered in the Kingdom in accordance with conditions set forth in the Regulations.
2. No aircraft may fly in the territory of the Kingdom without a valid airworthiness certificate issued or validated by the competent registration authority. Moreover, conditions and restrictions set forth in said certificate and the aircraft flight manual must be complied with.

3. The Authority may exempt aircraft flying in the Kingdom for technical tests or other purposes specified in the Regulations from said certificate subject to compliance with restrictions and conditions set by the Authority.

### **Article (82): Technical records, weight and equipment of aircraft**

---

1. Technical records must be kept for every aircraft registered in the Kingdom containing data specified by the Authority.
2. The weight of every aircraft for which an airworthiness certificate is issued or validated by the Authority must be specified, and the relevant operator shall prepare the aircraft weight table as determined by the Authority and maintain and not dispose of said table without permission of the Authority.
3. Every aircraft registered in the Kingdom must be fitted with the devices and equipment set forth in the annexes to the Chicago Convention.

### **Article (83): Inspection to verify airworthiness**

---

The Authority may inspect aircraft in order to verify airworthiness thereof, and may, if necessary, suspend airworthiness certificates and issue the necessary instructions therefor in accordance with controls and procedures set forth in the Regulations.



## **Article (84): Manufacture and maintenance of aircraft in the Kingdom**

---

Without prejudice to other laws:

1. No aircraft, or part thereof, may be manufactured in the Kingdom without prior license from the Authority in accordance with applicable laws and rules. Relevant regulatory controls shall be provided for in the Regulations.
2. Parties and persons involved in aircraft maintenance must obtain prior license therefor, in accordance with applicable laws and rules. Relevant regulatory controls shall be provided for in the Regulations.
3. Aircraft manufacture and maintenance companies and establishments shall bear the expenses required by the Authority to undertake necessary control and inspection operations.

### **Section Five Operation Specifications**

## **Article (85): Carrying documentation and records on aircraft**

---

No aircraft may operate in the territory of the Kingdom during an international flight without carrying the required documentation and records pursuant to the provisions of the Chicago Convention and Annexes thereto and any other documentation or records specified by the Authority.

## **Article (86): Approval of operation specifications**

---

No operator may commence operation of their aircraft unless the Authority has approved the relevant operation specifications prepared by said operator. Said specifications shall be deemed part of the license granted to said operator and shall be enforceable. Moreover, the competent authority may approve or amend said specifications in accordance with this Law and its Regulations.

## **Article (87): Air operations manual**

---

The operator shall prepare an air operations manual for every aircraft operated thereby; including operation specifications, to be used and referred to by pilots and operations' staff upon approval by the Authority in accordance with the Regulations.

## **Article (88): Preliminary flights**

---

An operator may not operate any new airline or extend an existing one prior to conducting one or more preliminary flights; on which no passengers may be carried other than persons needed to operate the aircraft, as well as mail and cargo. The Authority may exempt operators from conducting said flights if proven unnecessary.

## Chapter Five Airspace Rules

### Article (89): Determination of airspace rules

---

1. The Authority shall determine airspace rules and laws related to flying of aircraft, air navigation, protection of people and property on the earth surface and use of airspace.
2. The Authority shall determine airways and routes to be followed by aircraft within the territory of the Kingdom.
3. The Authority shall determine responsibilities of the aircraft pilot with respect to airspace rules, air traffic in and around aerodromes, permissions and instructions of air control and what said pilot must do prior to take-off for a given flight.
4. Rules determining airspace and aviation altitude shall be set in the Regulations.

### Article (90): Prohibited areas

---

1. The Authority may prohibit or restrict flying over:
  - a- Certain areas within the territory of the Kingdom for security reasons or public interest requirements.
  - b- The whole territory of the Kingdom, or part thereof, in exceptional circumstances for reasons pertaining to public interest.
2. The Authority may specify and declare danger areas. Procedures for flying over danger areas shall be set in the Regulations.

3. The Authority shall determine prohibited acts which must be observed by aircraft operators and pilots, in addition to compliance with relevant instructions. The Authority shall also determine measures that must be implemented in case of committing said acts in accordance with the Regulations.

## **Chapter Six**

### **Flying Permits and Training**

#### **Article (91): Aircraft flight crew permits**

---

A flight crew member of an aircraft operating within the territory of the Kingdom must hold a valid permit issued by the registration country and the common mark registering authority, in accordance with standards set forth in international treaties.

#### **Article (92): National aircraft flight crew permits**

---

A flight crew member of an aircraft registered in the Kingdom must hold a valid permit for performing the duties thereof, issued or validated by the Authority.

#### **Article (93): Exemption from the permit requirement**

---

No person other than those holding the required permits may work as a pilot of an aircraft registered in the Kingdom except for training purposes or to complete a test required

to obtain, validate or renew flying permits; provided that the pilot-in-command hold the required permits and there are no passengers on board the aircraft other than the following:

1. A cabin crew member.
2. A supervisor, inspector, examiner or any other person approved by the Authority.

The term (required permit) set forth in this Article shall mean the permit or qualification entitling the holder thereof to perform the duties assigned thereto on said aircraft during said flight.

#### **Article (94): Issuance, validation and renewal of permits**

---

The Authority shall be in charge of issuance, validation and renewal of flying permits, as well as permits for air traffic controllers and maintenance and other technical permits related to all civil aviation service work. It may introduce other permits in accordance with conditions set by it, provided that such conditions are not, in any case, below internationally established standards. The Authority may refuse to issue or renew permits; it may also terminate or suspend permits, particularly in case of violation of permit conditions or laws and instructions, in accordance with conditions and controls set forth in the Regulations.

#### **Article (95): Personal flying record**

---

A flight crew member of an aircraft registered in the Kingdom as well as any person flying for the purpose of qualification – whether for flight training, completion of

tests or obtaining or renewing a permit – must maintain a personal flying record. Said record and data recorded therein must be approved by the Authority and may not be disposed of without permission thereof.

### **Article (96): Flight training**

---

1. No person may train another to fly in the Kingdom for the purpose of preparing or qualifying him to obtain a flying permit, unless the trainer holds a valid permit to fly the aircraft used for training, issued or validated by the Authority, stating eligibility of said trainer to provide such training as well as training conditions.
2. Subject to the provisions of paragraph (1) of this Article and provisions of Article (93) of this Law, persons not holding the required flying permit may not practice or train as pilots for aircraft within the territory of the Kingdom, unless supervised by an approved trainer and with no passengers on board the aircraft in question.
3. Conditions and controls for applying this Article shall be set forth in the Regulations.

### **Article (97): Flight training institutes**

---

No institute or any other party may engage in civil aviation training or techniques thereof, or any other aviation activity in the Kingdom without a prior license from the Authority. The Authority may suspend or revoke such license in case of violation of conditions thereof or applicable laws and instructions. Conditions and controls for applying this Article shall be set forth in the Regulations.

## **Chapter Seven**

### **Air Carriage and Aerial Work Operations**

#### **Section One**

#### **Applicable Rules and Instructions**

#### **Article (98): Scope of application**

---

Subject to the provisions of Article (3) of this Law, provisions set forth in this Chapter shall apply to the following:

1. Air operations conducted by operators of civil aircraft registered in the Kingdom; including the following:
  - a- Regular and irregular domestic and international commercial air carriage operations.
  - b- Domestic and international private air carriage operations.
  - c. Aerial works in and outside the Kingdom.
2. Air operations set forth in paragraph (1) of this Article carried out by a Saudi operator using an aircraft registered in a foreign country.
3. Commercial and private air carriage operations, or aerial works carried out by a foreign operator using an aircraft registered in a foreign country, within the territory of the Kingdom.
4. Any person employed by an operator carrying out any of the operations set forth in paragraphs (1) and (2) of this Article.
5. Any person on board an aircraft which is involved in any of the operations set forth in paragraphs (1) and (2) of this Article.

### **Article (99): Applicable rules**

---

Subject to the provisions of Article (4) of this Law, operators of any civil aircraft registered in the Kingdom and involved in air carriage or aerial works must, in operation thereof and wherever it may be, observe the provisions of this Law, unless they conflict with the provisions of the laws of countries where they operate.

### **Article (100): Inspection of air operations**

---

Approved representatives of the Authority shall have the power to access, at any time, any workplace affiliated with operators for the purpose of inspection and monitoring implementation of operation specifications as well as laws and instructions in force in the Kingdom. The Authority may suspend any flight or air line if the Authority decides that the operation level thereof violates said specifications or laws and instructions, in accordance with clear procedures specified in the Regulations.

## **Section Two Air Operations**

### **Article (101): Monitoring flight operations**

---

The operator, or his representative, shall be responsible for monitoring flight operations of his aircraft to ensure compliance with set safety levels and implementation of relevant laws and instructions.



## **Article (102): Appointment of the pilot-in-command, and duties of the crew during air operations**

---

The operator may not operate any flight of his aircraft prior to appointment of a pilot as the pilot-in-command to be responsible for the safety of the aircraft and everyone on board. All persons on board must carry out all commands or instructions given by the pilot-in-command to ensure the safety of the aircraft and its load. The Regulations shall specify the controls that the cabin crew must adhere to during landing, take-off and flight operations (air operations) to ensure the safety of the aircraft and its load.

## **Article (103): Entering the cockpit and using equipment thereof**

---

No person other than cabin crew members, inspectors or controllers appointed by the operator or the Authority to perform a specific duty during flights, may enter the aircraft cockpit; nor may any person, other than qualified pilots assigned by the operator, use the aircraft navigation equipment during flights, subject to conditions and controls set forth in the Regulations.

## **Article (104): Reporting flying hazards and instructions to passengers**

---

If a pilot-in-command encounters, during flight, abnormal weather conditions or notices abnormal performance of the navigation aids in a way that may threaten the flight, said

pilot-in-command must notify the relevant air traffic services unit thereof and of any other conditions that may threaten the safety of the flight. The operator must implement all measures necessary to instruct the passengers on safety requirements in accordance with the Regulations.

#### **Article (105): Prohibition of carrying intoxicated or narcotized persons**

---

A person showing signs of intoxication or drug use shall be prohibited from boarding an aircraft.

#### **Article (106): Prohibition of work under the influence of intoxicants or narcotics**

---

No person under the influence of intoxicants, narcotics or any medication undermining the ability to properly perform the duties thereof may fly an aircraft or work as a cabin crew member, nor may any person, under any circumstances, use any such substance while on duty.

## **Chapter Eight Aviation Accidents**

#### **Article (107): Bureau of Investigation (the Bureau) and powers thereof**

---

1. An independent bureau shall be established under

the supervision of the Board of Directors to undertake investigations into accidents and incidents involving civil aircrafts within the territory of the Kingdom, Saudi aircrafts or aircrafts operated by Saudi nationals over the high seas or territories not owned by any country in accordance with conditions and controls set forth in the investigation regulations. Said Bureau may, to this end, undertake the following:

- a- Set the investigation regulations for approval by the Board of Directors.
  - b- Form investigation committees and determine their powers, and set rules to be observed in investigating such accidents and incidents.
  - c- Prepare a report on conditions and circumstances relating to each investigated aviation accident, stating the causes and results thereof as well as any recommended measures or rules for the prevention of such accidents in the future.
  - d- Issue instructions and rules to be observed to ensure aviation safety and avoid future aviation accidents.
  - e- Publish results of aviation accident investigations upon approval by the Board of Directors.
2. The Bureau in the Kingdom may - upon the request of the competent authorities of a foreign country in the territory of which a Saudi civil aircraft or an aircraft operated by a Saudi national is involved in an aviation accident – conduct or participate in the technical investigation into said accident.

3. The Bureau may investigate aviation accidents involving any civil aircraft within the territory of another country upon request by the competent authorities in said country, provided that said country bears all necessary costs and expenses resulting from such investigation.

### **Article (108): Reporting aviation accidents**

---

1. In case of an aviation accident within the territory of the Kingdom, the local authorities, upon knowledge of an accident within their jurisdiction, cabin crew members of the aircraft involved in said accident, if their condition so allows, and pilots-in-command, upon witnessing an accident in the air while flying, shall notify the Authority thereof.
2. In case of an aviation accident outside the territory of the Kingdom involving a Saudi civil aircraft or an aircraft operated by Saudi nationals, the owner or operator of said aircraft or representative thereof shall notify the Authority in the Kingdom of said accident immediately upon knowledge thereof.
3. Aerodrome directors as well as aircraft owners, operators and pilots-in-command shall notify the Authority of any aircraft incidents as shall be specified by a decision by the Bureau.
4. The Authority shall notify the Bureau of the accident, immediately upon knowledge thereof.

## **Article (109): Reporting foreign aircraft accidents within the territory of the Kingdom**

---

Subject to the provisions of Annex (13) to the Chicago Convention on aircraft accident investigations, the Bureau shall, upon knowledge of an aircraft accident involving a foreign aircraft within the territory of the Kingdom, report said accident, as soon as possible, to the following:

1. Aircraft registration country or common mark registering authority.
2. Operator's country, if other than the registration country.
3. Country of design.
4. Country of manufacture.
5. Country sustaining damage as a result of the accident.
6. International Civil Aviation Organization.

## **Article (110): Duties of local authorities**

---

Local authorities shall, in case of an aviation accident within their jurisdiction, prevent the aircraft from flying; preserve said aircraft as well as parts, contents or wreckage thereof; refrain from moving said aircraft except for the purpose of saving lives, safeguarding valuables or mail or firefighting, or if said aircraft or wreckage thereof threatens air aviation or other means of transport, until the investigation committee arrives and issues its instructions in this respect. In all cases, it is preferable, if possible, to photograph said aircraft or wreckage thereof before it is wholly or partly moved or adjusted.

### **Article (111): The Authority to decide on conducting the investigation and powers of its committees**

---

The Board of Directors shall, in case of an aviation accident involving a Saudi aircraft or a foreign aircraft operated by a Saudi national within the territory of the Kingdom, over the high seas or lands not owned by any country, decide to conduct an investigation into the circumstances and causes of said accident in light of available initial information, and it may decide not to proceed with said investigation and settle for information gathered so far. Powers of the investigation committees shall be set forth in the Regulations.

### **Article (112): Participation of representatives of other countries in the investigation**

---

1. In case of an aircraft accident involving a Saudi aircraft or a foreign aircraft operated by a Saudi national, within the territory of the Kingdom, over the high seas or lands not owned by any country, the Bureau may request that the countries and parties specified in the Regulations appoint approved representatives thereof to participate, as observers, in the technical investigation of said accident.
2. In case of an aircraft accident involving a foreign aircraft operated by a foreign national within the territory of the Kingdom, each country or party specified in the Regulations may appoint an

approved representative thereof to participate in the relevant investigation, and each representative may have one or more consultants.

3. Rights of representatives of countries and parties participating in the investigation shall be set forth in the Regulations.

### **Article (113): Cooperation between local authorities and investigation committees**

---

Security and administrative authorities shall, each within their powers, take all necessary measures to facilitate the work of investigation committees and shall, in particular, provide said committees with official documents on the accidents. They shall undertake rescue and aid operations, transport of the injured, extinguish fires and recover dead bodies, while preserving the accident scene, and follow instructions issued by the investigation committees to facilitate the work thereof.

### **Article (114): Investigation committee report**

---

The investigation committee shall submit initial and final reports on the accident as well as its causes and circumstances to the Bureau. The Regulations shall specify relevant countries and parties to be notified of said reports upon the Board's approval and authorization of publication thereof, in accordance with provisions of international treaties.

## **Article (115): Countries' comments on draft final report**

---

The Bureau shall determine which parties may receive the draft report prepared by the investigation committee on an aviation accident involving a foreign aircraft within the territory of the Kingdom in accordance with provisions of international treaties for their comments thereon, if any, prior to publication of the final report on said accident. The Regulations shall set forth the procedures which the investigation committee shall follow with respect to the draft report sent to relevant parties and the actions to be taken in case said accident is or suspected to be caused by a criminal offence.

## **Article (116): Reinvestigating accidents**

---

The Bureau may, pursuant to a reasoned decision, reinvestigate aviation accidents if new substantive data or evidence affecting the outcome of the previous investigation arises.

## **Article (117): Conclusiveness of final report facts**

---

Facts stated in the final report prepared by the investigation committee on an aircraft accident shall be deemed true until proven otherwise.



## **Article (118): Participating in investigation committees abroad**

---

In case of an accident involving a Saudi civilian aircraft or a foreign aircraft operated by a person holding the Saudi nationality, or if Saudi nationals are injured as a result of a foreign aircraft accident within the territory of a foreign country, the Bureau shall dispatch an approved representative of the Kingdom as well as necessary consultants to participate in the investigation conducted by the competent authority in said country and submit a report on such participation.

## **Article (119): Investigating civil and military aviation accidents**

---

In case of an aviation accident involving a military and a civil aircraft within the territory of the Kingdom, the Board of Directors shall set up a joint investigation committee comprising the Bureau, the Royal Saudi Air Force and any other party, as the Board may deem appropriate, to investigate said accident and submit a detailed report on the accident and its causes to the Board for approval. The Board shall decide whether or not to publish said report.

## **Chapter Nine Search and Rescue**

### **Article (120): Definition of search and rescue**

---

Search and rescue shall mean every provision of

assistance, even if by mere warning, to an aircraft which is, or is feared or suspected to be, in imminent danger or distress, including assistance provided to persons on board.

### **Article (121): Organizing search and rescue operations**

---

The Authority shall be responsible for conducting search and rescue operations for aircraft accidents in different areas within the territory of the Kingdom, and all relevant authorities and parties shall coordinate therewith. Search and rescue rules shall be set forth in the Regulations.

### **Article (122): Obligation to provide search and rescue assistance**

---

1. The owner, operator or pilot-in-command of an aircraft shall conduct search and rescue operations required by the Authority whenever necessary, if the condition of the aircraft so allows.
2. No person or party may refuse to provide any rescue assistance, nor refuse to search if requested by the competent authorities or if the nature of their work enables them to provide such assistance.

### **Article (123): Granting access to prohibited areas**

---

Competent authorities shall grant persons, machinery and equipment, including search and rescue aircraft and vessels access to any prohibited area if the aircraft is in

such area, or the accident takes place therein, provided that said operations are supervised by the Authority.

### **Article (124): Temporary permission to enter into the Kingdom**

---

Competent authorities shall immediately and temporarily permit persons, equipment and aircraft, as the Authority may deem necessary for search and rescue operations, to enter into the territory of the Kingdom to participate in said operations.

### **Article (125): Cooperation with other countries**

---

The Authority may propose necessary arrangements for coordination and cooperation with other countries; particularly neighboring countries with respect to search and rescue operations. Arrangements reached shall be submitted to the Board of Directors for approval.

### **Article (126): Preservation of accident scenes**

---

No person may remove any part or piece of an aircraft involved in an accident, or tamper with the accident scene, unless such actions are necessary for rescue operations or approved by the Authority. Search and rescue and guard units shall monitor the implementation of these provisions until all information required for investigation is gathered.

### **Article (127): Compensation for search and rescue operations**

---

1. Any search and rescue assistance provided by persons

in accordance with the provisions of this Chapter shall entitle said persons to recover expenses arising from said assistance operations as well as compensation for damage sustained during said operations or directly resulting therefrom.

2. Subject to the principle of reciprocity, provisions of paragraph (1) of this Article shall not apply to any assistance provided by the Kingdom's agencies or authorities.

### **Article (128): Expenses and compensation maximum limit**

---

Expenses and compensation referred to in Article (127) of this Law may not exceed the value of the relevant aircraft immediately prior to the accident.

### **Article (129): Operator's obligation to pay compensation**

---

The operator of the aircraft receiving assistance shall be obligated to pay search and rescue expenses as well as compensation and remunerations payable under this Law, even if the aircraft in question is the property of the party providing said assistance.

### **Article (130): Search and rescue remuneration**

---

The Board of Directors shall set the rules regulating payment of remunerations for search and rescue of persons, aircraft and property.

## **Article (131): Search and rescue lawsuits**

---

The Board of Grievances shall hear lawsuits arising from search and rescue operations pertaining to accidents taking place in the Kingdom, the high seas or any territory not under the sovereignty of any country in any of the following conditions:

1. If the aircraft subject of the search or rescue is registered in the Kingdom.
2. If the claimant is a Saudi national.
3. If the aircraft subject of the search or rescue is within the territory of the Kingdom.

## **Article (132): Dismissal of lawsuits**

---

Lawsuits arising from search and rescue operations shall not be heard after the lapse of two years from the date of the end of said operations.

# **Chapter Ten**

## **Aircraft Operation Liabilities and Guarantees**

### **Section One**

#### **Air Carrier's Liability**

## **Article (133): Definitions**

---

The following words and phrases, wherever mentioned in this Section, shall have the meanings assigned to them, unless the context requires otherwise:

**Air Carrier:** The contracting or actual carrier, as the case may be, under the Air Carriage Contract and the Guadalajara Convention of 1961.

**Montreal Convention:** The Convention for the Unification of Certain Rules Relating to International Carriage by Air, executed in Montreal on May 28, 1999.

### **Article (134): Air carrier's liability**

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The air carrier's liability in his relationship with passengers, consignees and consigners shall be contractual in accordance with the air carriage contract concluded with any of them and subject to the provisions of international treaties to which the Kingdom is party and the provisions of this and other laws as well as instructions in force.

### **Article (135): Application of international treaties**

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International treaties to which the Kingdom is party shall apply to international and domestic air carriage of passengers, luggage and cargo.

### **Article (136): Liability for disposition of luggage and cargo**

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The air carrier shall be liable towards passengers, consignees and consigners for luggage and cargo disposed of during flights, even if said disposition is necessary to save the aircraft or passengers.

## **Article (137): Liability for disembarkation of passengers**

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The carrier shall not be liable if the pilot-in-command has to disembark or surrender any passenger for disorderly behavior on board, posing danger to the safety of the aircraft or passengers or in execution of instructions given by the competent authority.

## **Article (138): Ensuring possession of required documents**

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1. Every air carrier within the territory of the Kingdom shall ensure that passengers and cargo have the required documents to enter or exit the Kingdom to the destination aerodrome.
2. Provisions of paragraph (1) of this Article shall, when necessary, apply to domestic air carriage.
3. The air carrier shall be liable for failure to fully implement the provisions of paragraphs (1 and 2) of this Article.

## **Article (139): Approval of air carriage terms**

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Every national or foreign air carrier operating within the territory of the Kingdom shall submit a copy of the air carriage terms implemented by him in the territory of the Kingdom to the Authority for approval.

## **Section Two**

### **Liability for Damage Inflicted by Aircraft to Third Parties on the Earth Surface**

#### **Article (140): Definition of (aircraft in flight)**

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In implementing the provisions of this Section, an aircraft is deemed to be in flight from the moment when power is applied for the purpose of actual take-off until the moment when landing is completed. In case of an aircraft lighter than air, this condition begins from the moment when said aircraft becomes detached from the earth surface until it is re-fixed on the ground.

#### **Article (141): Cases of compensation for damage**

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1. Any person sustaining damage on the earth surface within the territory of the Kingdom shall be entitled to receive compensation from the aircraft operator once it is established that such damage was directly caused by the aircraft in flight or by any person or object falling therefrom. The damage sustained by a vessel or an aircraft registered in the Kingdom while over the high seas shall be deemed as if sustained within the territory of the Kingdom.
2. The following cases of damage, which are subject to other laws and rules in force, shall be excluded from the provisions of paragraph (1) of this Article:
  - a- Damage sustained by third parties on the earth surface within the Kingdom if not caused directly by the aircraft accident, or if arising from the mere



passage of the aircraft through the airspace in accordance with air traffic rules in force.

b- Damage sustained by an aircraft in flight or persons or property on board thereof.

c- Damage sustained on the earth surface, if liability for said damage is regulated by a contract between the aggrieved party and the operator or the person who is entitled to use the aircraft at the time of sustaining the damage; or regulated by labor legislation applicable to labor contracts concluded between said persons.

d- Damage resulting from an aircraft used for warfare, customs or police.

e- Nuclear damage.

3. Compensation set forth in paragraph (1) of this Article shall be rendered in the national currency of the Kingdom.

### **Article (142): Liability for damage**

---

1. The aircraft operator shall be liable for compensation referred to in Article (141) of this Law whether said operator used the aircraft personally or through affiliates or agents thereof in the course of performing their duties, even if not falling within their powers. In case of death of the investor, said liability shall apply to successors thereof.
2. The owner or lessee under whose name the aircraft is registered shall be deemed the operator of said aircraft, and shall, in said capacity, be liable unless

he establishes during the process of determining his liability that another is the operator; in which case he shall, to the extent permitted by litigation proceedings, promptly take all necessary measures to include the other person as party to the lawsuit.

3. Provisions of this Section shall not affect the liable person's right of recourse.

### **Article (143): Joint liability**

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1. The person entitled to use an aircraft for a period less than fourteen days shall be jointly liable with the person granting said right for compensation for damage giving rise to compensation set forth in Article (141) of this Law.
2. If a person uses an aircraft without the consent of its operator, said operator – unless he establishes that all due care has been taken to prevent said use – shall, together with the person who has used the aircraft without his consent, be jointly liable for damage giving rise to compensation. Both persons shall be deemed jointly liable for said compensation in accordance with conditions, and to the limits on liability, set forth in this Section.

### **Article (144): Exoneration from liability and reduction thereof**

---

1. A person liable, in accordance with the provisions of this Section, shall be exonerated from liability for damage in the following cases:

- a- If said damage is a direct result of armed conflict or civil disturbance.
  - b- If said person has been prevented from using the aircraft by order of public authorities.
  - c- If it is established that the damage is the result of error, negligence or omission of the aggrieved person, his affiliates or agents.
2. If the person liable establishes that the aggrieved person or any of his affiliates or agents contributed to the damage, the compensation shall be reduced proportionately with their contribution to such damage.
  3. There shall be no exoneration from, or reduction of, liability in case of the fault of affiliates or agents of the aggrieved party, if said party establishes that they were acting outside the scope of their jurisdiction.

### **Article (145): Aircraft contribution to damage**

---

If a third party sustains damage on the earth surface giving rise to compensation due to collision of two or more aircraft in flight or due to one aircraft obstructing the course of another or if two or more aircraft have jointly caused such damage, each aircraft shall be deemed to have caused said damage and the operators thereof shall be liable proportionately with his fault or his affiliates', in accordance with the provisions of this Section.

### **Article (146): Maximum liability**

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Maximum limits of compensation for damage caused

by aircraft to third parties on the earth surface within the territory of the Kingdom shall be applied in accordance with the provisions of international treaties and amendments thereto to which the Kingdom is party.

### **Article (147): Unlimited liability for damage**

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Subject to international treaties to which the Kingdom is party:

1. The operator's liability, in accordance with the provisions of this Section, shall be unlimited if the aggrieved party establishes that the damage was caused by a willful act or omission of the operator, his affiliates or agents with the intention to inflict damage, or if said damage was the result of recklessness with the knowledge of the possible occurrence of such damage. The aggrieved party shall establish that said affiliates or agents have committed such an act or omission in the course of their duties and within their power.
2. If a person unlawfully seizes and uses an aircraft without the consent of the party entitled to use it, he shall incur unlimited liability.

### **Article (148): Limits of liability in case of several liable parties**

---

1. Subject to the provisions of Article (147) of this Law, if several parties are liable for damage in accordance with the provisions of this Section, the aggrieved party shall not have the right to an aggregate compensation

exceeding the maximum compensation a single liable party is sentenced to pay.

2. In implementing the provisions of Article (145) of this Law, the aggrieved party shall be entitled to compensation not exceeding the aggregate of maximum limits set for the aircraft contributing to the damage. Nevertheless, no operator shall be liable for any damages exceeding the maximum limit set for his aircraft, unless said operator's liability is unlimited pursuant to the provisions of Article (147) of this Law.

### **Article (149): Damages exceeding liability limits**

---

If the aggregate of specified damages exceeds the maximum liability limit determined in accordance with the provisions of Article (146) of this Law, the following rules shall apply:

1. In case of liability for death or bodily injuries, damages may not exceed the limits set for each deceased or injured person.
2. If damages are allocated only to deaths or bodily injuries, or only for damage to property, they shall be reduced proportionately with the amounts allocated for each.
3. If damages are allocated to deaths or bodily injuries as well as to damage to property, aggregate damages set for distribution shall be appropriated to cover deaths or bodily injuries compensation percentages, and the balance thereof, if any, shall be distributed according to property damage percentages.

## **Article (150): Compensation lawsuits**

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1. An aggrieved person shall file a compensation lawsuit against the liable aircraft operator or notify him thereof within six months from the date of the accident resulting in damage; otherwise, his right to damages shall be limited to the remaining part of the damages for which the investor is liable after satisfying all claims filed during said period.
2. Compensation lawsuits shall not be heard after the lapse of two years from the date of the accident resulting in the damage.
3. The competent court in the Kingdom shall decide whether or not to hear a compensation lawsuit beyond the period set forth in paragraph (2) of this Article, based on reasons provided for in the lawsuit. In any case, no lawsuit shall be heard after the lapse of three years from the date of the accident resulting in the damage.

## **Article (151): The competent authority to hear compensation lawsuits**

---

1. Compensation lawsuits for damage caused by aircrafts to third parties on the earth surface within the territory of the Kingdom, as well as damage to Saudi vessels and aircrafts over the high seas shall be heard by the Board of Grievances.
2. One or more claimants may agree with one or more defendants to file a lawsuit before the courts of any other country, or submit the dispute to an arbitration

panel within the territory of the Kingdom or any other country.

3. If a compensation lawsuit is filed before the Board of Grievances, the Board shall ensure that the defendant and all other parties to the lawsuit are informed of each relevant proceeding and they are given fair and adequate opportunities to defend their interests.

### **Article (152): Damage liability coverage**

---

Subject to provisions stipulated in this Chapter, any operator of an aircraft operating within the territory of the Kingdom shall maintain insurance to cover liability for damage set forth in the Regulations.

## **Chapter Eleven Crimes and Acts against Safety and Security of Civil Aviation**

### **Section One Definition of Crimes and Acts**

### **Article (153): Application of international treaties**

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Crimes and acts against the safety and security of civil aviation and aircraft shall be subject to the provisions of relevant international treaties and agreements to which the Kingdom is party and the provisions of laws in force in the Kingdom.

## Article (154): Definition of crimes

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1. Any person who willfully and without lawful reason commits or attempts to commit or is an accomplice of another person who commits or attempts to commit any of the following acts shall be deemed an offender:
  - a- Committing any act of violence against a person on board an aircraft in flight, if such act is likely to endanger the safety of that aircraft.
  - b- Destroying an aircraft in service or causing damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight.
  - c- Placing or causing to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight, or cause damage to it which is likely to endanger its safety in flight.
  - d- Destroying or damaging air navigation facilities or installations or interfering with their operation, if any such act is likely to endanger the safety of aircraft in flight.
  - e- Seizing air navigation facilities, equipment or any devices, machines or cables which are necessary to ensure safety of aircraft or related thereto.
  - f- Communicating information which he knows to be false, endangering thereby the safety of an aircraft.
2. Any person who willfully, and without lawful reason, commits or attempts to commit, or is an accomplice





of another person who commits or attempts to commit any of the following acts using any tool, substance or weapon shall be deemed an offender:

- a- Committing an act of violence against a person in an aerodrome serving civil aviation, if such act is likely to cause serious injury or death.
  - b- Destroying or seriously damaging equipment and facilities of an aerodrome serving civil aviation or doing the same to an out-of-service aircraft therein, or interfering with aerodrome services if such an act endangers or has the potential to endanger the safety of the aerodrome.
3. Any person who, on board an aircraft in flight, unlawfully and by force or threat thereof or by any form of intimidation, seizes or attempts to seize said aircraft or exercises control thereof, or is an accomplice of a person who commits or attempts to commit such act, shall be deemed an offender.
4. Any person who, on board a civil aircraft, commits any of the following acts shall be deemed an offender:
- a- Assault, intimidation or threat, whether physical or verbal, against a cabin crew member, if such an act interferes with the performance of the duties of the cabin crew member or lessens his ability to perform those duties.
  - b- Refusal to follow lawful instructions given by the aircraft pilot-in-command, or by a cabin crew member on his behalf, for the purpose of ensuring the safety of the aircraft or of any person or property on board or for the purpose of maintaining law and order on board.

5. Any person who, on board a civil aircraft, commits an act of physical violence against a person, or an act of assault, intimidation or sexual harassment against cabin crew members or passengers shall be deemed an offender.
6. Any person who, on board a civil aircraft, commits any of the following acts shall be deemed an offender if such an act is likely to endanger the safety of the aircraft or of any person on board, or if it disturbs law and order on board the aircraft:
  - a- Assault, intimidation or threat, whether physical or verbal, against another person.
  - b- Intentionally causing damage to, or destruction of, property.
  - c- Consuming alcoholic beverages or drugs resulting in intoxication.
7. Any person who steals any property of an aircraft or passengers on board thereof shall be deemed an offender.

### **Article (155): Violations committed on board civil aircraft**

---

Anyone who commits, on board a civil aircraft, any of the following acts shall be deemed a violator:

- a- Failure to refrain from smoking, or smoking in the lavatory or elsewhere.
- b- Tampering with smoke detectors or other safety-related devices on board an aircraft.

- c- Operating any portable electronic devices when prohibited.
- d- Refusing to sit in the designated seat or to fasten the seat belt.

### **Article (156): Deeming aircraft in flight or in service**

---

1. An aircraft shall be deemed in flight from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation or, if the aircraft makes a forced landing, until the moment when the competent authorities of the country in which the forced landing takes place, take over the responsibility for the aircraft and for the persons and property on board.
2. An aircraft shall be deemed (in service) from the beginning of the preflight preparation of such aircraft by ground personnel or by the aircraft crew for a specific flight until twenty-four hours after the last landing of the aircraft. In any case, the service period shall extend to the whole period during which said aircraft is deemed in flight as specified in paragraph (1) of this Article.

### **Article (157): Powers of the pilot-in-command and cabin crew**

---

1. The pilot-in-command may, if he has reasonable grounds to believe that a person on board the aircraft while in flight has committed or is attempting to commit

any of the crimes provided for in this Chapter or any act which jeopardizes, or may jeopardize, the safety of the aircraft or of persons or property on board the aircraft, or disturbs law and order on board thereof, take any necessary preventive measures against said person, including restraint.

2. The pilot-in-command may order, or allow, the rest of the cabin crew to assist him in implementing the measures set forth in paragraph (1) of this Article, and may request, or allow, such assistance from passengers but may not compel passengers to do so.
3. The pilot-in-command may request from the competent authorities in the country in whose territory the aircraft lands to discharge the person referred to in paragraph (1) of this Article from said aircraft, upon providing grounds therefor.
4. If the pilot-in-command decides to surrender any person on board the aircraft due to the severity of the crime committed thereby, said pilot shall, as soon as possible, notify the authorities in the country in whose territory the aircraft lands, upon providing grounds therefor, and he shall, upon landing, submit all evidence and information in his possession.

## Section Two

### Jurisdiction and Duties of Authorities

#### Article (158): Control of aircraft and resumption of flight

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If any of the crimes set forth in Article (154) of this Law, or any act which jeopardizes or may jeopardize the safety of an aircraft in flight or any person or property on board thereof, is committed, the competent authorities in the Kingdom must implement the following measures:

1. Restore control of the aircraft to its pilot-in-command or maintain such control.
2. Restore the aircraft which has landed in the Kingdom, and cargo on board thereof, to those entitled by law to possess it, and allow the passengers and cabin crew to resume their flight as soon as possible.

#### Article (159): Discharging or surrendering suspects

---

The competent authorities in the Kingdom shall allow the pilot-in-command to discharge or surrender any person in accordance with the provisions of Article (157) of this Law.

#### Article (160): Legal procedures

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Upon surrendering any suspect in accordance with the provisions of Article (157) of this Law, or if the suspect is found within the territory of the Kingdom, the competent

authorities in the Kingdom shall implement the following legal procedures, in accordance with laws and rules in force:

1. Detain said person for the period necessary to complete judicial procedures or the procedures for surrender thereof to another country; allowing said person to contact the nearest representative of the country of which said person is a national.
2. Conduct an immediate investigation on the accident to ascertain that the suspect has committed a crime falling within the judicial jurisdiction of the Kingdom's courts, and bring the suspect to trial if such jurisdiction is established.
3. Deport or surrender the suspect to his country of citizenship, country of permanent residence or the country from which he started his flight, if the crime is not within the judicial jurisdiction of the Kingdom.

### **Article (161): A person's non-admittance**

---

Discharging or surrendering a person in accordance with Articles (157) and (159) of this Law, or detaining or prosecuting said person in accordance with Article (172) of this Law shall not be considered an acceptance of entry thereof to the territory of the Kingdom. The competent authorities may deport or return said person to his country of citizenship, country of permanent residence or the country from which he started his flight.

## Chapter Twelve Penalties and Punishments

### Article (162): Capacity to investigate

---

Authority's representatives assigned by the Chairman thereof shall have the power to investigate violations of the provisions of this Law or its Regulations, or their implementing decisions, instructions or rules.

### Article (163): Penalties imposed by the Authority

---

Without prejudice to the penalties established in accordance with the provisions of this Law and other laws applicable in the Kingdom, the Authority may take any of the following measures in case of violating the provisions of this Law or its Regulations, or decisions or instructions issued in relation thereto:

1. Suspending certificates, licenses or permits issued by the Authority to operators or aircraft for a limited period, or revoking them.
2. Suspending the validity of the certificate of airworthiness issued or approved by the Authority for a limited period, or revoking it.
3. Suspending the validity of the aviation certificate or any other certificate issued or approved by the Authority for a limited period, or revoking it.
4. Prohibiting an aircraft from flying for a limited period or forcing it to land after warning.
5. Prohibiting, temporarily or permanently, the pilot-in-

command of a foreign aircraft from flying in the territory of the Kingdom.

6. Suspending licenses, permits or certificates issued by the Authority for a limited period, or revoking them.
7. Closing down the offices of airlines, air freight companies and agencies or aircraft ground services which operate without license or after the license thereof is expired, withdrawn or revoked.

### **Article (164): Prevention, stopping or removal of violations**

---

Without prejudice to the imposition of prescribed penalties, the Authority shall take the necessary measures to prevent, stop or remove violations of the provisions of Section Two of Chapter Three herein, and oblige the violator to pay all expenses incurred by said authorities to this effect.

### **Article (165): Penalties for operation without license, permit or certificate**

---

Any person who operates any aircraft, company, agency or any air operations subject to the provisions set forth in this Law without obtaining the necessary license, permit or certificate from the Authority, or continues operation after suspension, withdrawal or revocation of such license, permit or certificate shall be subject to imprisonment for a period not exceeding one year and a fine not exceeding one hundred thousand riyals or to either penalty.



## Article (166): Penalties for acts endangering flight safety

---

Any person who commits any of the following acts shall be subject to imprisonment for a period not exceeding three years and a fine not exceeding three hundred thousand riyals or to either penalty:

1. Operating or flying an aircraft without displaying nationality or registration marks, or displaying incorrect or unclear marks without permit from the Authority, with intention to conceal the identity of the aircraft.
2. Operating an aircraft prior to obtaining the necessary certificates for registration or airworthiness thereof without a license, permit or certificate from the Authority or after suspension, withdrawal, revocation or expiration of any of such certificates.
3. Flying an aircraft without obtaining the required certificates or permits, or in cases other than those set forth in the provisions of this Law, without obtaining a special license from the Authority.
4. Flying an aircraft over a prohibited area, or flying over it unintentionally and disobeying the orders issued to him.
5. Disobeying orders to land directed while flying within the territory of the Kingdom.
6. Landing or taking off outside the aerodrome or designated and declared places, or flying outside the specified areas and airways without special authorization, or in other than a case of force majeure.
7. Flying an aircraft within the territory of the Kingdom, without a permit, that carries on board:

- a- Weapons and ammunition or any other articles, the transportation of which is prohibited by law.
  - b- Persons with the intention to smuggle or commit a felony, even if not committed.
8. Flying an aircraft while intoxicated or under the influence of narcotics, or a medication which undermines the ability to fly the aircraft.
  9. Not recording the data required in the aircraft documentation or registers, altering the same in bad faith or recording untrue data which endanger or may endanger the aircraft.
  10. Refusing, without justification, to conduct search operations required by competent authorities or to contribute by means in his possession to rescue an aircraft or a person whose life is threatened due to an aircraft accident.
  11. Entering, without permit, the prohibited area of aircraft traffic in aerodromes, or bringing or leaving animals or articles within said area which could cause damage to aviation safety.

### **Article (167): Penalties for acts of aggression against aviation facilities and aircrafts**

---

Subject to the provisions of other laws applicable in the Kingdom including harsher penalties, any person who commits an unlawful act provided for in Article (154) of this Law shall be subject to imprisonment for a period not exceeding five years and a fine not exceeding five hundred thousand riyals or to either penalty.

## **Article (168): Penalties for perpetrators of unlawful acts on board civil aircraft (disorderly passengers)**

---

Any person who commits any of the violations provided for in Article (155) of this Law shall be subject to the following fines:

1. Failure to refrain from Smoking, three hundred riyals.
2. Use of remote control electronic devices or other devices prohibited to be used on board, five hundred riyals.
3. Refusal to sit in the designated seat or to fasten the seatbelt, two hundred riyals.
4. Failure to follow internationally recognized aviation safety instructions and guidelines, two hundred riyals.
5. Smoking in the lavatory, five hundred riyals.
6. Tampering with the smoke detector or other safety-related devices on board, one thousand riyals.
7. Causing breakdown or damage to aircraft contents or any of its devices, one thousand and five hundred riyals.

## **Article (169): Penalties for violations where no penalty is prescribed**

---

A penalty of imprisonment for a period not exceeding six months and a fine not exceeding fifty thousand riyals shall be imposed in the following cases:

1. Commission or omission of an act in violation of the provisions of this Law, rules, instructions, licenses, permits or certificates issued in accordance therewith,

if no specific penalty is prescribed for such commission or omission in this or any other law.

2. Violation of penalties imposed by the Authority in accordance with provisions of Article (164) of this Law.
3. Violation of government orders issued by the Authority.

### **Article (170): Penalty for violating air carriage restrictions**

---

Subject to the provisions of Article (165), carriers shall be compelled to pay compensation equivalent to double the normal air carriage fare for passengers or goods transported in violation of these restrictions.

### **Article (171): Suspension or withdrawal of permit in case of conviction of a criminal offence**

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The Authority may temporarily suspend or permanently withdraw an aviation permit or any other permit issued or approved thereby if the permit holder is convicted of a criminal offence or an offence impinging on honor.

### **Article (172): Judicial jurisdiction**

---

1. The Board of Grievances shall have jurisdiction to decide all offences committed in violation of the provisions of this Law or its regulations, decisions or instructions issued in relation thereto, if such offences are committed within the territory of the Kingdom, on board aircrafts registered in the Kingdom or operated by a Saudi national over the high seas or areas not subject to the sovereignty of any country.

2. A criminal lawsuit shall, in all cases, be filed upon the request of the Authority.

### **Article (173): Aircraft confiscation**

---

An aircraft may be confiscated pursuant to a judicial judgment in the following cases:

1. Displaying incorrect nationality or registration marks, or not displaying any such marks without approval.
2. The aircraft owner or operator's transporting weapons, ammunition or articles, the transportation of which is prohibited, with the intention of smuggling or committing an offence undermining the Kingdom's security.

### **Article (174): Committee formation**

---

- a- Without prejudice to the provisions of Articles (131), (151) and (172) of this Law, a committee shall be formed, pursuant to a decision by the Board, of five members, one of whom at least shall have a degree in law to serve as chairman. Said committee shall have the power to decide all violations of the provisions of this Law and its Regulations. Its decisions shall be issued by majority vote and shall be approved by the Board's Chairman or his delegate. Said decisions may be appealed before the Board of Grievances within sixty days from the date of notification of the parties concerned.
- b- If the committee provided for in paragraph (a) of this Article determines that the violation warrants the penalty of imprisonment, confiscation or closing down the activity, it shall be initially referred to the Board of Grievances for decision.

## **Chapter Thirteen Military Aircrafts**

### **Article (175): Application of law**

---

1. Provisions of Articles (37), (89) and (90) of this Law shall apply to all national and foreign military aircrafts during flight in air ways or using civil aerodromes within the territory of the Kingdom.
2. Subject to the provision of paragraph (1) of this Article, the provisions of Articles (6), (7) and (12) of this Law shall apply to foreign military aircrafts during take-off and landing in the territory of the Kingdom.

### **Article (176): Flying of foreign military aircraft**

---

A foreign military aircraft may not fly or land within the territory of the Kingdom unless under an international agreement to which the Kingdom is party or a bilateral agreement concluded with the state to which the aircraft belongs. In all cases, a special authorization shall be obtained from the Authority after coordination with competent authorities, provided that said aircraft clearly displays its distinctive marks.

## **Chapter Fourteen Concluding Provisions**

### **Article (177): Other air vehicles**

---

The provisions of this Law shall apply to all types of air

vehicles other than aircrafts currently in use, unless such provisions are impossible to apply due to the nature or technical structure of said vehicles. The Regulations shall specify conditions and controls for the application of this Article.

### **Article (178): Repeal of civil aviation laws**

---

This Law shall, once it comes into effect, repeal the Law of Landing and Passage of Foreign Military and Governmental Aircrafts, and Diplomatic Aircrafts within the Territory of the Kingdom of Saudi Arabia and Exemption From Duties, issued by Royal Decree No. 7/7/15/2559 dated 1/4/1372H, the Law of Aerodromes Establishment Inside the Kingdom of Saudi Arabia issued by Royal Decree No. 7/7/1/3456 in the month of Ramadan of the year 1372H, and the Aviation Law issued by Royal Decree No. 17/2/22/3481 dated 24/9/1372H.

### **Article (179): Implementing Regulations**

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The Board of Directors shall issue the Implementing Regulations and decisions necessary for the implementation of the provisions of this Law.

### **Article (180): Law publication and implementation**

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This Law shall be published in the Official Gazette and shall come into effect one hundred eighty days from its publication date; it shall repeal all provisions conflicting therewith<sup>(1)</sup>.

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(1) Published in Umm al-Qura Gazette, issue No. 4068 dated 25/9/1426H.