



CIVIL AVIATION RULES, 1994 (AMENDED UP TO DATE)

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PART II

Statutory Notifications (S.R.O.)

Government of Pakistan

MINISTRY OF DEFENCE

(Defence Division)

AVIATION WING

NOTIFICATION

Rawalpindi, the 3rd October, 1994

S.R.O. 961(I)/94.- In exercise of the powers conferred by section 4, 5, 7 and 8 of the Civil Aviation Ordinance, 1960 (XXXII of 1960), section 26 of the Pakistan Civil Aviation Authority Ordinance, 1982 (XXX of 1982), section 10 of the Aircraft (Removal of Danger to Safety) Ordinance, 1965 (XII of 1965) and section 4 of the Telegraph Act, 1885 (XIII of 1885), the Federal Government is pleased to make the following rules, the same having been previously published as required by sub-section (2) of section 15 of the Civil Aviation Ordinance, 1960 (XXXII of 1960).

[No.AT.23(19)/85]

Sd/-
SOHAIL RAZA QIZILBASH,
Deputy Secretary.

**CIVIL AVIATION RULES
PART I - PRELIMINARY**

1. * **Short title, commencement and application**
 - (1) These rules may be called the Civil Aviation Rules, 1994.
 - (2) They shall come into force at once.
 - + (3) These rules shall apply to flight operations within Pakistan by aircrafts other than military aircrafts and, except where otherwise prescribed, to flight operations by aircrafts registered, acquired or operating under these rules, wherever they may be.

2. **Definitions:** (1) In these Rules, unless there is anything repugnant in the subject or context,
 - (i) "acrobatic flight" means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed;
 - (ii) "aerial work aircraft" means an aircraft engaged in aerial work operations;
 - (iii) "aerial work operations" means flight operations other than charter, or regular public transport, or private operations, for which hire or reward is given or promised to the pilot, the owner, or the operator of the aircraft in respect of the flight or the purpose of the flight, and any reference to "aerial work" has a corresponding meaning;
 - (iv) "aerodrome control service" means an air traffic control service for aerodrome traffic;
 - (v) "aerodrome operating minima" means the cloud ceiling and visibility, or runway visual range, for take-off; and the decision height, or altitude, or minimum descent height, or altitude, and visibility, or runway visual range, and visual reference, for landing; specified by an operator in his operations manual as being the minima for take-off and landing by an aircraft at an aerodrome;

* Substituted vide SRO No. 72(KE)/2001, dated 13th April, 2001.

+ Added, *ibid*.

(vi) "aerodrome traffic" means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome;

(vii) "aeronautical Information publication" means the publication published under these rules;

(viii) "aeronautical mobile radio service" means a radio service between aircraft radio stations and land stations and between two or more aircraft radio stations;

(ix) "aeroplane" means a power-driven heavier than air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

(x) "agricultural operations" means the broadcasting of chemicals, seeds, fertilizers and other substances from aircraft for agricultural purposes, including purposes of pest and disease control;

(xi) "aircraft component" means any part or equipment for an aircraft, being a part or equipment that, when fitted to, or provided in an aircraft, may, if it is not sound or not functioning correctly, affect the safety of the aircraft or cause the aircraft to become a danger to person or property, but does not include a part or equipment of a kind that the Director-General may direct not to be an aircraft component for the purposes of these rules;

(xii) "aircraft maintenance engineer licence" means an aircraft maintenance engineer licence issued under rule 51;

(xiii) "aircraft material" means a material (including a fluid) for use in the maintenance, servicing or operation of an aircraft or of an aircraft component, but does not include an aircraft component;

(xiv) "Air Navigation Orders" means orders issued by the Director-General under these rules;

- (xv) "Air Operator Certificate" means a certificate granted under rule *54 or 187;
- (xvi) "air route" means the navigable airspace between two points and the terrain beneath such airspace identified, to the extent necessary, for application of flight rules;
- (xvii) "air route facilities" means facilities provided to permit safe navigation of aircraft within the airspace of an air route, and includes navigation aids along the route, visual and non-visual aids to approach and landing at aerodromes, communication services, meteorological services and air traffic service, and facilities;
- (xviii) "airship" means a power driven lighter-than-air aircraft;
- (xix) "air traffic" means all aircraft in flight or operating on the manoeuvring area of an aerodrome;
- (xx) "air traffic advisory service" means a service provided along advisory routes to ensure separation, in so far as possible, between aircraft which are operating on IFR flight plans;
- (xxi) "air traffic control clearance" means an authorization given to an aircraft to proceed under conditions specified by an air traffic control unit;
- (xxii) "air control traffic service" means a service provided for the purpose of preventing collisions between aircraft, and between aircraft and obstructions; and for the purpose of expediting and maintaining an orderly flow of air traffic;
- (xxiii) "Air Traffic Control Unit" means an area control centre, an approach control office or aerodrome control tower;
- (xxiv) "Air Traffic Services" means variously, flight information services, alerting services, air traffic advisory services, Air Traffic Control Services, area control services, approach control services, or aerodrome control services established under rule 66;

*Inserted, *ibid.*

(xxv) "Air Traffic Services route" means a specified route designed for channeling the flow of traffic as necessary for the provision of air traffic services and designated in the Aeronautical Information Publication;

(xxvi) "Air Traffic Services instructions" means instructions issued by air traffic services by inclusion in the Aeronautical Information Publication, or by means of radio, telephony, or by visual signals;

(xxvii) "Air Traffic Services Unit" means an air traffic control unit, flight information centre or air traffic services reporting office;

(xxviii) "airway" means an area designated by the Director-General as an airway under rule 67 and which is a control area in the form of a corridor equipped with radio navigational aids;

(xxix) "airway facilities" means all facilities provided to permit safe navigation of aircraft within the airspace of an airway and includes navigation aids along the airway, visual and non-visual aids to approach and landing at aerodromes, communication services, meteorological services and air traffic services and facilities;

*(xxx) "Airworthiness notice or circulars" means a notice issued by the Director-General under these rules and shall include air safety circulars;

(xxxi) "alerting service" means a service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required;

(xxxii) "alternate aerodrome" means an aerodrome specified in a flight plan to which a flight may proceed when it becomes inadvisable to land at the aerodrome of intended landing;

(xxxiii) "altitude" means the vertical distance in feet of a level or a point, or an object considered as a point, measured from mean sea level;

* amended, *ibid.*

- (xxxiv) "approach control service" means an Air Traffic Control Service for arriving or departing flights of aircraft;
- (xxxv) "approval" means approval by the Director-General;
- (xxxvi) "apron" means that part of an aerodrome to be used—
- (a) for the purpose of enabling passengers to board, or disembark from, aircraft;
 - (b) for loading cargo on to, or unloading cargo from, aircraft; or
 - (c) for refueling, parking or carrying out maintenance on aircraft;
- (xxxvii) "area control service" means an Air Traffic Control Service for flights of aircraft in control areas;
- * (xxxviii) ["assembled" means an object made of pieces fitted together;]
- (xxxix) "Authority" means the Civil Aviation Authority established under Section 3 of the Pakistan Civil Aviation Authority Ordinance, 1982;
- (xl) "authorized person" means for the purpose of rule 91, a person authorized by the Director-General or by the Manager;
- (xli) "balloon" means a non-power-driven lighter-than-air aircraft;
- + (xlii) "cabin crew member" means a crew member who performs, in the interest of safety of passengers, duties assigned by the operator or the pilot-in-command of the aircraft but who shall not act as a flight crew member;
- (xliii) "cargo" means things other than passengers carried in aircraft;
- (xliv) "Certificate of Airworthiness" means a certificate of airworthiness issued or in force under rule 18;
- (xlv) "certificate of approval" means a certificate of approval granted under rule 23 and rule 25;
- (xlvi) "charter operations" means flight operations in which an aircraft is used for the carriage of passengers or cargo for

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ *Substituted for existing clause, *ibid.**

hire or reward; any reference to “charter” has a corresponding meaning:

- (a) to and from any place but not in accordance with fixed schedules to and from fixed terminals; or
- (b) in accordance with fixed schedules to and from fixed terminals in circumstances in which the accommodation in the aircraft is not available for use by members of the public;
- (xlv) “charter aircraft” means an aircraft engaged on charter operations;
- (xlvi) “cloud ceiling” means the vertical distance from the elevation of an aerodrome to the lowest part of the cloud which obscures more than half the sky above the aerodrome;
- (xlvii) “commercial flight operation” means a flight operation other than a private operation;
- * (xlviii) [“constructed” means an object built, made or formed by putting different things together.]
- (xlviii) “Contracting State” means a country other than Pakistan, that is a Party to the Convention;
- (xlix) “control area” means an area designated by the Director-General as a control area under rule 67 and which is an airspace extending upwards from a specified limit above the earth within which an Air Traffic Control service is provided;
- (l) “control zone” means an area designated as a control zone by the Director-General under rule 67 and which is an airspace extending upwards from the surface of the earth to a specified upper limit within which an Air Traffic Control Service is provided;
- (li) “controlled aerodrome” means an aerodrome designated as a controlled aerodrome by the Director-General under rule 67 at which an aerodrome control service is provided to aerodrome traffic;
- (lii) “controlled airspace” means a control area or a control zone;

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

- (liii) “Convention” means the Convention on International Civil Aviation concluded at Chicago on the seventh day of December, 1944, and includes the international standards and recommended practices and procedures adopted by the International Civil Aviation organization in pursuance of Article 37 of the Convention;
- (liv) “co-pilot means a pilot serving in any piloting capacity other than the pilot-in-command;
- (lv) “Council” means the Council of the International Civil Aviation organization;
- (lvi) “crew member” means a person assigned by an operator for duty on an aircraft during flight time, and any reference to “crew” has a corresponding meaning;
- (lvii) “cruising level”, in relation to an aircraft in flight, means the height above ground or water, or above an atmospheric datum, at which the aircraft flies when it is not climbing or descending;
- (lviii) “current flight plan” means the flight plan, with any changes brought about by subsequent air traffic control clearance and air traffic services instructions;
- (lix) “danger area” means an area designated by the Director-General under rule 67 as a danger area;
- (lx) “decision height” means the minimum height specified by an operator in his operations manual at which an approach to landing utilizing an Instrument Landing System or Precision Approach Radar must be discontinued if the required visual reference to continue the approach has not been established;
- (lxi) “Director-General” means Director General of the Authority;
- (lxii) “examination” means a medical examination or an examination by way of a test of theoretical knowledge or a practical test of knowledge and skill;
- * (lxiiia) [“exposition” means presentation of orderly statement of facts and principal theme.]
- (lxiii) “flight” means
 - (a) in the case of a heavier-than-air aircraft, the operation of the aircraft from the moment at which

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

the aircraft first moves under its own power for the purpose of taking-off until the moment at which it comes to rest after being airborne; and

- (b) in the case of a lighter-than-air aircraft, the operation of the aircraft from the moment when it becomes detached from the surface of the earth until the moment when it becomes again attached to the surface of the earth or a fixed object on the surface of the earth;
- (lxiv) “flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during flight times and any reference to “flight crew” has a corresponding meaning;
- (lxv) “flight duty time” means the period of time from the moment at which a crew member commences any duties associated with his employment before making a flight or series of flights until the moment at which he is finally relieved of all such duties after the termination of the flight or flights and includes a period, if any, during which a crew member is required by an operator to hold himself available at an aerodrome for the performance of any such duties;
- (lxvi) “Flight Information Region” means an airspace designated as a flight information region by the Director-General under rule 67 and which is an airspace in which flight information and alerting services are available;
- (lxvii) “Flight Information Service” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;
- (lxviii) “flight level” means a surface of constant atmospheric pressure which is related to a pressure datum of 1013.2 hectopascals or millibars;
- (lxix) “Flight manual” means a manual or other documents issued by the manufacturer of an aircraft and approved by the Director-General stating the limitations within which the aircraft is considered airworthy as defined by the appropriate airworthiness requirements and additional

instructions and information necessary for the safe operation of the aircraft;

- (lxx) “flight operations” means operation involving aircraft in flight;
- (lxxi) “flight plan” means specified information, provided to an Air Traffic Services Unit relative to the intended flight of an aircraft;
- (lxxii) “flight time” means the period of time from the moment at which an aircraft moves under its own power preparatory to take-off until the moment at which it comes to rest after landing;
- (lxxiii) “flight visibility” means the visibility forward from the cockpit of an aircraft in flight;
- (lxxiv) “glider” means a non-power driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reaction on surfaces which remain fixed under given conditions of flight;
- (lxxv) “heading” means the direction in which the longitudinal axis of an aircraft is pointed, expressed in degrees from North;
- (lxxvi) “heavier-than-air aircraft” means an aircraft deriving its lift in flight chiefly from aerodynamic forces;
- (lxxvii) “helicopter” means a heavier-than-air aircraft supported in flight ***[chiefly]** by the reaction of the air on one or more normally power driven rotors on substantially vertical axis.
- (lxxviii) “holder”, in relation to a licence or a certificate granted or issued under these rules, means a person to whom the licence or the certificate has been granted or issued;
- (lxxix) “Instrument approach procedure” means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix or, where applicable, from the beginning of defined arrival route, to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or enroute obstacle clearance criteria apply;

* Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

- (lxxx) “Instrument Meteorological Conditions” means meteorological conditions in terms of visibility and cloud amount worse than those that will permit compliance with the Visual Flight Rules;
- (lxxxii) “international air service” means an air service which passes through the airspace over the territory of more than one country;
- * (lxxxia) [“International Conventions” means, but not limited to, the Conventions as mentioned in clauses (a), (b), (c) & (d) of section 4 of the Civil Aviation Ordinance, 1960 (XXXII of 1960) and defined in clause (liii) and includes Warsaw Convention, 1929 as amended by the Hague Protocol / Convention 1955; Guadalajara Convention, 1961 and Montreal Convention, 1999“;]
- (lxxxii) “kite” means a glider normally moored to the ground;
- (lxxxiii) “licensed” means licensed under these rules;
- (lxxxiv) “lighter-than-air aircraft” means an aircraft an aircraft supported chiefly by its buoyancy in the air;
- + (lxxxv) [“maintenance” means, in relation to an aircraft or an aircraft component, the performance of tasks required to ensure the continuing airworthiness of an aircraft or an aircraft component, including any one or combination of overhaul, inspection, replacement, defect rectification and the embodiment of a modification or repair.]
- (lxxxvi) “maintenance documents” in relation to an aircraft, means any of the following documents:
- (a) documents issued by the Director-General for the purposes of the maintenance of the aircraft; and
 - (b) documents issued by a person other than the Director-General and approved by the Director-General for use for the purposes of the maintenance of the aircraft;

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ *Substituted for existing clause, *ibid.**

- (lxxxvii) “major damage”, in relation to an aircraft, means damage of such a kind that it may affect the safety of the aircraft or cause the aircraft to become a danger to person or property;
- *(lxxxviii)* [“major defect” means a defect of such nature that reduces the safety of the aircraft or its occupants and includes defects discovered as a result of the occurrence of any emergency or in the course of normal operation or maintenance;]
- (lxxxix) “Manager” means the Manager appointed by the Director-General or any person performing the duties of Manager at an aerodrome or at an airport or designated as being the manager or in charge of an aerodrome or of an airport;
- (xc) “manoeuvring area” means the part of an aerodrome to be used for the take-off and landing of aircraft and for the movement of aircraft associated with take-off and landing, excluding aprons;
- (xci) “meteorological information” means all classes of meteorological reports, analysis, forecasts, warnings, advices and revisions or amendments thereto which may be required in connection with the operation of air routes;
- (xcii) “meteorological observations” means the qualitative or quantitative evaluation by instrumental or visual means of one or more meteorological elements at a place at a given time;
- (xciii) “military aircraft” in relation to Pakistan aircraft, means the aircraft of any part of the Defence Forces, and includes any aircraft commanded by a member of those Forces who is detailed for the purpose, and any aircraft being constructed for any part of the Defence Forces;
- (xciv) “minimum descent height or altitude” means the minimum height or altitude specified by an operator in his operations manual at which an approach to landing which has been carried out by means of a non-precision approach aid must

** Substituted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

- be discontinued if the required visual reference to continue the approach has not been established;
- (xcv) “minimum equipment list” means list, contained in an aircraft flight manual or equivalent certification document, which specifies the minimum scale of equipment in an aircraft which must be serviceable for the aircraft to carry out specified operations;
- (xcvi) “movement area” means that part of an aerodrome to be used for the surface movement of aircraft,. Including manoeuvring areas and aprons;
- (xcvii) “night flight” means flight during night;
- (xcviii) “Notice to Airmen” means notices to airmen published under these rules;
- (xcix) “operator” means a person, organization, or enterprise engaged in, or offering to engage in, an aircraft operation;
- (c) “private operations” means flight operations, other than aerial work, charter or regular public transport, in which no remuneration, hire, or reward is given to*[...] the owner, or the operator of the aircraft in respect of that flight or the purpose of that flight.
- (ci) “prohibited area” means an area designated by the Director-General under rule 67 to be a prohibited area;
- (cii) “public transport service” means a service for the carriage of persons or cargo for hire or reward;
- (ciii) “regular public transport operations” means flight operations in which an aircraft is used for the carriage or passengers or cargo for hire or reward in accordance with fixed schedules to and from fixed terminals over specific routes with or without intermediate stopping places between terminals, and any reference to “regular public transport” has a corresponding meaning;
- (civ) “regular public transport aircraft” means an aircraft engaged on regular public transport operations;
- (cv) “registered aircraft” means an aircraft registered under these rules;

* Omitted the words “the pilot” and comma vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

- (cvi) “reporting point” means a specified geographical location in relation to which the position of an aircraft can be reported;
- (cvii) “rest period” means a period of time on the ground during which a crew member is relieved of all duties by the operator;
- (cviii) “restricted area” means an area designated by the Director-General under rule 67 to be a restricted area;
- (cix) “runway” means a defined rectangular area on an aerodrome prepared for the landing and take-off of aircraft;
- (cx) “runway visual range” means the distance that the pilot of an aircraft on the centre line of a runway can see the markings or the lights delineating the runway, and in the case of an aircraft in flight, the distance communicated to the pilot-in-command of that aircraft by the Air Traffic Services unit at an aerodrome shall be taken to be the runway visual range at that aerodrome;
- (cxi) “servicing”, in relation to an aircraft, means preparing the aircraft for flight, and includes providing the aircraft with fuel and other fluids that are necessary for its operation, but does not include any work that is maintenance;
- (cxii) “signal area” means a selected part of an aerodrome used for the display of ground signals so that they will be visible to aircraft in the air;
- *(cxiiia) [“special and experimental certificate of airworthiness” means a certificate of airworthiness issued to an aircraft which does not meet the requirements of an applicable comprehensive and detailed airworthiness code as required for standard category aircraft;]
- (cxiii) “Special Visual Flight Rules” means an authorization by an air traffic control unit for a controlled flight to operate within a control zone, in meteorological conditions which preclude compliance with the Visual Flight Rules, other than in compliance with the Instrument Flight Rules;
- (cxiv) “taxiing” means movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing, but including, in the case of helicopters, operation over the surface of an aerodrome within a height band associated with ground effect and at speeds associated with taxiing;
- (cxv) “taxiway” means a defined path on an aerodrome established for the taxiing of aircraft and intended to

* Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

provide a link between one part of the aerodrome and another;

- (cxvi) “track” means the projection on the earth’s surface of the path of an aircraft the direction of which at any point is expressed in degrees from North; and
- (cxvii) “visibility” means the ability, as determined by atmospheric conditions and expressed in units of distance, to see and identify prominent unlighted objects by day and lighted objects by night.

(2) The terms defined in the Civil Aviation Ordinance, 1960 (XXXII of 1960), and used in these rules shall have the same meaning as assigned to them under the ordinance.

(3) **Interpretation** – (1) Unless the contrary intention appears, any reference in these rules to the classification of a particular aircraft shall be read as a reference to the classification of the aircraft according to function, as a private aircraft, aerial work aircraft, charter aircraft or regular public transport aircraft, as the case may be, and any reference to a division of aircraft into classes shall have a corresponding meaning.

(2) Any reference in these rules to the owner of an aircraft, except in rules 8, 10, 21, 33, 270 or 333, shall, where under a contract of hire or charter agreement, the control, maintenance and operation of the aircraft is vested in the hirer, be read as a reference to the hirer.

(3) A reference in these rules to height shall be read as a reference to:

(a) the vertical distance of a level or a point or, if an object is specified, that object considered as a point, measured from the datum specified in connection with the reference, or where no datum is specified, measured from the ground or water; or

(b) the vertical dimension of the object; as the case requires.

(4) For the purpose of these rules, any reference to endorsement in a licence or other document shall be read as a reference to endorsement on the document, and matter shall be deemed to be endorsed on a document if it is written on any part of the document.

(5) A provision in these rules that requires, prohibits or authorizes the doing by an aircraft or a person of an act or thing at night or by night shall be read as a provision that requires, prohibits or authorizes as the case may be, the doing by the aircraft or the person of the act or thing when the aircraft or person is at or over a place:

- (a) if a period has been determined in accordance with rule 364 in respect of the area in which the place is, at any time in that period; or
- (b) in any other case, at any time after evening civil twilight has ended and before morning civil twilight at that place next commences.

PART – II
ADMINISTRATION

4. Duties and Powers of the Director General.- (1) The Director-General shall, subject to the directions of the Federal Government, be charged with the administration of these rules, and shall exercise and perform all the powers, and functions conferred on the Director-General by these rules.

(2) Without prejudice to the generality of sub rule (1) for the purpose of exercising his powers, or implementing these rules, the Director-General may:

- (a) at all reasonable times enter any place to which access is necessary;
- (b) at all times during working hours enter that portion of any factory or place in which aircraft, or parts of aircraft, or aero engines, or parts of aero engines, are being manufactured, overhauled, repaired or assembled, and inspect any such factory or place, aircraft, aero engine, or parts or documents relating thereto;
- (c) at any time inspect any aircraft which is required by these rules to be certified as airworthy, or in respect of which a certificate of Airworthiness is in force;
- (d) enter, inspect and search any aircraft registered in Pakistan, or in a contracting State, for the purpose of securing compliance with any of these rules;
- (e) at any time conduct or direct such examination or test of the holder of a licence as may be considered necessary to establish the continued medical fitness or the proficiency of the licence holder in the capacity authorized by the licence;
- (f) require the production of any document, licence permit or log book related to the operation of an

aircraft if in the opinion of the Director-General, or the authorized person, it is necessary for the purpose of inspecting the same;*[...]

- (g) subject to the provisions of rule 236, board any aircraft registered in Pakistan, prior to its departure, if his purpose is a flight inspection of the operation of that aircraft, or of the performance of its crew +; and
- (h) @[...] issue Operating Regulations to meet requirements of the \$[Convention and Annex thereto, as amended from time to time, comprising] Standards, Recommended Practices and Procedures;#

^α [Provided that the Director General shall keep the Federal Government posted on all operating regulations issued by him relating to national or public interest and shall comply with such instructions of the Federal Government as it may deem necessary in this regard.]

(3) Wherever, the Director General is empowered or required under these rules to issue any direction, or to give any permission approval or authority, he may unless the contrary intention appears in the rule conferring the power or function, or imposing the obligation or duty, issue the direction, or give the permission, approval or authority by writing under his hand or by inclusion in Air Navigation Orders or Airworthiness Notices or ^β[air safety circulars] and at any time that he deems it necessary to publish Information relating to conditions or requirements under these rules ^x[or under the Convention and Annex thereto, as amended from time to time, comprising Standards, Recommended Practices and Procedures,] he may do so, by including such information in the Air Navigation Orders or in Aeronautical Information Publication or in Notice to Airmen or in Aeronautical Information Circulars, or in Airworthiness Notices or [∞][air safety circulars] or in Civil Aviation Authority Publications, or by writing under his own hand, as he considers appropriate.

* Omitted the word "and" vide S.R.O.139 (KE)/2001, dated 5th October, 2001.

+ Substituted "semicolon" and the word "and" for the "full stop", *ibid*.

@ Omitted the words and comma "the Director General may, with the approval of the Federal Government" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

\$ Substituted for the words "International Civil Aviation Organization"; *ibid*.

Substituted a semicolon for the full-stop, *ibid*.

^α Inserted *ibid*.

^β Inserted vide S.R.O. 72 (KE)/2001, dated 13th April, 2001.

^x Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

[∞] Inserted vide S.R.O. 72 (KE)/2001, dated 13th April, 2001.

*[(4) The Director-General may impose such conditions, as deemed necessary, to ensure observance of safety oversight while exercising any powers under sub-rule (2) or issuing any instruments under sub-rule (3) and such conditions shall be binding on all persons or operators who are governed thereunder.]

+(5) The Director-General shall maintain close liaison with Pakistan Air Force in matters of common interest.

5. **Delegation of Powers**– The Federal Government or the Authority or the Director-General may be order in writing direct that any power or function conferred upon, or entrusted to, it, under these rules shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or performed by:

- (a) any officer or authority subordinate to it or him, or
- (b) any other person.

* *Inserted as sub-rule (4) vide S.R.O.93 (KE)/2013, dated 31st October, 2013.*
+ *Re-numbered as sub-rule (5), ibid.*

PART - III
REGISTRATION AND MARKING OF AIRCRAFT

Section 1 - REGISTRATION OF AIRCRAFT

6. Pakistan Aircraft Register.- (1) The Director-General shall maintain a register of aircraft which shall be called the Pakistan Aircraft Register and which shall be kept in such form as the Director-General may determine.

(2) The Pakistan Aircraft Register shall be made available for inspection at such times and subject to such conditions as the Director-General may specify.

7. Unregistered aircraft not to fly.- An aircraft other than a military aircraft shall not fly in Pakistan unless it has been included in the Pakistan Aircraft Register or has been registered in a contracting State.

8. Application for registration of an aircraft.- (1) An application for the inclusion of an aircraft in the Pakistan Aircraft Register and for the issue of a certificate of registration shall contain:

- (a) the name of the manufacturer;
- (b) the manufacturer's designation of the aircraft;
- (c) the serial number of the aircraft;
- (d) the name and addresses of all persons or organizations who have a legal interest as owners of the aircraft;
- (e) if the aircraft is the subject of a hire purchase or leasing agreement, the name and address of the person or persons or organization purchasing or leasing the aircraft; and
- (f) a declaration as to the truth of the statement set out in the application.

(2) An application made by two or more persons or organizations who hold joint interest as owner, hire purchasers or lessors of the aircraft shall in the application nominate one of them as the person or organization to whom the certificate of registration may be issued.

(3) The holder of the certificate of registration of an aircraft registered in Pakistan shall notify the Director-General of any change in the particulars given in the application for registration within fourteen days of the change.

(4) Any transfer of ownership of an aircraft registered in Pakistan shall be notified to the Director-General by the person or persons acquiring ownership within fourteen days of the transfer.

(5) Any person or persons acquiring an interest in an aircraft registered in Pakistan under a hire purchase or leasing agreement shall notify the Director-General within fourteen days of such acquisition.

(6) A certificate of registration of an aircraft shall be returned to the Director-General by the holder when notifying a change in the registration particulars, or when the holder ceases to have an interest in the aircraft.

(7) On receipt of an application for registration of an aircraft, or notification of a change in the particulars given in an application for registration of an aircraft, the Director-General shall, when he is satisfied of the accuracy of the information given in the application, or notification, enter the relevant details in the Pakistan Aircraft Register and issue a certificate of registration to the owner of the aircraft, or to the person nominated in the application or notification as the person to whom such a certificate may be issued.

**(8) No registered aircraft, whether its certificate of registration is in force or not, shall be leased outside Pakistan nor shall there be any change, partial or otherwise in the ownership, possession or use of the aircraft otherwise transferred to any person, company or corporation, without the prior permission in writing of the Director-General.*

9. Aircraft not eligible for registration.- An aircraft which is not intended for use as a flying machine shall not be eligible for inclusion in the Pakistan Aircraft Register.

** Added vide SRO No. 72(KE)/2001, dated 13th April, 2001.*

10. Cancellation of registration.- (1) The person, or persons, or organization named in Pakistan Aircraft Register as the owner, or owners of that aircraft shall inform the Director-General:

- (a) if the aircraft suffers destruction;
- (b) if it is permanently withdrawn from use; or
- (c) if it is transferred to the aircraft register of another State.

(2) In each case the certificate of registration shall be deemed to be cancelled, and if it is in the possession of the owner or owners, it shall be forwarded to the Director-General.

**(3)* The holder of a certificate of registration in respect of a registered aircraft may, at any time, apply to the Director-General for the cancellation of the registration of the aircraft and the Director-General may cancel the registration and the holder shall surrender such certificate to the Director-General.

11. Aircraft not to have dual registration.- An aircraft registered in Pakistan shall not at the same time be registered in another State.

12. Aircraft to carry certificate of registration.- The certificate of registration issued by the Director-General in respect of an aircraft registered in Pakistan shall be carried in that aircraft at all times.

Section 2 - MARKING OF AIRCRAFT

13. Nationality and registration marks.- (1) The nationality mark of an aircraft registered in Pakistan shall be the letters "AP".

(2) The registration mark of an aircraft registered in Pakistan shall be the group of three letters assigned to the aircraft and included in its certificate of registration.

(3) The nationality and registration marks allocated to an aircraft shall be painted on its structure or affixed by any other means giving a similar degree of permanence and shall be clean and visible at all times.

** Added, ibid.*

(4) An aircraft registered in Pakistan shall carry an identification plate inscribed with its nationality and registration marks. The plate shall be made of fireproof material and shall be secured to the aircraft in a prominent position near the main entrance.

14. Position and size of marks.- (1) The nationality and registration marks on aircraft registered in Pakistan shall comply with this rule.

(2) On an airship, the marks shall be located on the hull or on the stabilizer surfaces; if the marks are located on the hull they shall be placed lengthwise on each side of the hull and also on its upper surface on the line of symmetry. If the marks are located on the stabilizer surfaces they shall be positioned on the horizontal and on the vertical stabilizers; the marks on the horizontal stabilizer shall be located on the right half of the upper surface and on the left half of the lower surface with the tops of the letters towards the leading edge; the marks on the vertical stabilizer shall be located on each side of the bottom half of the stabilizer, with the letters placed horizontally. The marks shall be at least fifty cms in height.

(3) On a spherical balloon other than an unmanned free balloon, the marks shall be located in two places diametrically opposite each other and near the maximum horizontal circumference of the balloon; the marks shall be visible from the sides and from the ground and shall be at least fifty cms in height.

(4) On a non-spherical balloon, other than an unmanned free balloon, the marks shall be located on each side near the maximum cross section of the balloon immediately above the rigging band, or immediately above the points of attachment of the basket suspension cables; the marks shall be visible from the sides and from the ground and shall be at least fifty cms in height.

(5) On an aircraft which is heavier-than-air the marks shall be located on the left half of the lower surface of the wing structure, or extending across the whole of the lower surface of the wing structure. The marks shall be equidistant from the leading and trailing edges of the wings or as close to this position as possible, with the tops of the letters towards the leading edge of the wing. Marks shall be located on each side of the fuselage, or equivalent structure, between the wings and the tail surface, or shall have the marks on each side of the upper half of the vertical tail surface and if the vertical tail unit has multiple surfaces, the marks shall be positioned on the outboard sides of the outer surfaces. The marks on the wings shall be at least fifty cms in height, and on the fuselage or equivalent structure, or on the vertical tail surfaces, they shall be at least thirty cms in height.

(6) The type of letters for nationality and registration marks and their dimensions shall be as follows:

- (a) the letters shall be capital letters in Roman characters without ornamentation;
- (b) the letters in each separate group of marks shall be of equal height;
- (c) except for the letter "I", the width of each letter and the length of a hyphen shall be two-thirds of the height of a letter;
- (d) the letters and hyphens shall be formed by solid lines, the thickness of which shall be one-sixth of the height of a letter and shall be of a colour contrasting clearly with the background;
- (e) each letter shall be separated from that which it immediately precedes or follows by a space of not less than one quarter of the width of a letter and for this purpose a hyphen shall be regarded as a letter.

(7) If an aircraft does not possess structures corresponding with those mentioned in the applicable part of this rule the nationality and registration marks shall appear on the aircraft in such position and of such size as the Director-General shall determine.

15. Aircraft not to carry emblems or signs.- An aircraft registered in Pakistan shall not have on its exterior surface any emblem, sign or lettering which would interfere with the easy recognition of its nationality and registration marks, and shall not display any advertisement on its exterior surface without the permission in writing of the Director-General.

PART IV

AIRWORTHINESS REQUIREMENTS

Section 1

CERTIFICATE OF AIRWORTHINESS

16. Aircraft to have a certificate of Airworthiness.— An aircraft registered in Pakistan shall not fly unless there is, relating to that aircraft, a current certificate of Airworthiness issued or validated by the Director General, except that:

- (a) an aircraft that has previously been given a certificate of Airworthiness may fly, subject to approval by the Director-General for the purpose of qualifying the aircraft for the re-issue of the certificate, or if the aircraft has suffered damage, to position the aircraft at an aerodrome at which the repairs necessary to restore it to an airworthy condition can be carried out, provided that in each case it has been certified as fit to fly by a person authorized to do so under these rules and it does not carry passengers or cargo, or any persons other than those required to perform duties in the aircraft related to qualifying it for the re-issue of the certificate of Airworthiness or to positioning it at another aerodrome;*
- (b) an aircraft that has been constructed in Pakistan may fly, subject to the issue of a permit to fly by the Director-General, for the purpose of qualifying the aircraft for the issue of a certificate of Airworthiness provided that it has been certified as fit to fly by a person duly authorized by the Director-General and it does not carry passengers or cargo, or any persons other than those related to qualifying it for the issue of a certificate of Airworthiness+; and

* Substituted "semicolon" by the word "and", *ibid.*

+ Substituted "semicolon" and word "and" by the "full stop", *ibid.*

- * (c) Where an aircraft is to be exported from Pakistan, the Director-General may issue an expert certificate of airworthiness in such form as he may prescribe in the circumstances of the case in respect of the aircraft. An export certificate of airworthiness is not a certificate of airworthiness for the purpose of these rules+; and
- @ (d) where an aircraft is constructed or assembled in Pakistan as an Amateur Built Aircraft, Light Sport Aircraft, kit-built and like aircraft, the Director General may prescribe such requirements for issuance of a Special and Experimental Certificate of Airworthiness as deemed necessary or appropriate.

17. Foreign aircraft to have a certificate of airworthiness— An aircraft registered in a State other than Pakistan unless here is relating to that aircraft, a current certificate of airworthiness issued or validated by the State of registry of aircraft.

18. Issuance of Certificate of airworthiness—(1) The Director General shall issue or validate a certificate of airworthiness subject to such conditions as he see fit when he is satisfied that:

- (a) there has been issued by the appropriate authority of the State from which the aircraft has been exported to Pakistan, a certificate with respect to the airworthiness of the aircraft that is acceptable to the Director-General; or
 - (b) the aircraft was manufactured by the holder of a certificate of approval issued by the Director-General with respect to that manufacture.
- (2) A certificate of airworthiness issued or validated under this rule shall be valid for such period as the Director-General may determine not exceeding twelve months from the date of issue.

\$ 18A. Issuance of design standards—(1) The Director-General may issue a design standard in respect of a type of aircraft or aircraft component, provided that—

- (a) a person applies under rule 18B for approval of the drawing and specification of a type of aircraft or aircraft component; or
- (b) a person applies under clause (b) of rule 19 or clause (b) of rule 27 for giving approval relating to a type of aircraft or component, in respect of which an appropriate design standard is not in force under this rule.

* Added vide SRO No. 72(KE)/2001, dated 13th April, 2001.
 + Inserted a "semi-colon" and the word "and" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.
 @ Inserted, *ibid*.
 \$ Added vide SRO No. 72(KE)/2001, dated 13th April, 2001.

(2) The design standard shall set out the specifications with which the Director-General considers an aircraft, or aircraft component of the type to which the design standard relates, shall conform if the aircraft, or any aircraft in which the aircraft component is fitted, is capable of being flown with safety in normal operations in accordance with these rules.

***18B. Issuance, suspension or cancellation of type**

approval certificate:- (1) A person may apply to the Director-General for a certificate of type approval in respect of a type of aircraft or aircraft component, if he furnishes to the Director-General the drawings and specifications of the type of aircraft, or aircraft component, to which the application relates and such other documents or other evidence as the Director General may require relating to the suitability for aeronautical purposes of an aircraft or aircraft component of that type,

(2) If the Director-General is satisfied that an aircraft, component of that type conforms with any design standards in force under rule 18A, in respect of the type and is suitable for aeronautical purposes, he shall—

(a) if the drawings and specifications of the type of aircraft, or aircraft component furnished to him have not been marked as approved by an authorized person, approve those drawing and specifications and mark them as having been approved by the Director-General; and

(b) issue to the applicant a certificate of type approval for the type of aircraft or aircraft component.

(3) The Director-General may, from time to time, direct the holder of a certificate of type approval, by notice in writing to furnish such documents or other evidence as he may require relating to the suitability for aeronautical purposes of an aircraft or aircraft component of the type to which the certificate relates.

(4) If the holder of a certificate fails to comply with any of the requirements of sub-rule (2) or the Director-General is satisfied that there is evidence to show that there is a defect in the design of the aircraft component of the aircraft or to make such aircraft a

* *Added, ibid.*

danger to person or property, the Director-General may, subject to rule 341, by order in writing suspend the certificate of type approval and cancel the aforesaid certificate with the prior approval of the Federal Government.

***18C. Certificate of type approval to remain in force.-** The Director General may, by Air Navigation Orders, direct that before a certificate of Airworthiness is issued in respect of an aircraft of a type specified in the direction or in respect of an aircraft in which is fitted an aircraft component of a type specified in the direction, a certificate of type approval, issued under rule 18(B), in respect of the type of aircraft or aircraft component, as the case may be, shall remain in force.

+18D. Inspection and flight tests.- (1) During the course of construction, the aircraft shall be inspected in accordance with a system of inspection as approved by the Director-General to determine that it conforms in all essential respects with the approved design and that its construction and assembly are satisfactory.

(2) The aircraft shall be subjected to such flight tests as are deemed necessary by Director-General to ensure compliance with the airworthiness requirements.

19. Conditions of validity of certificates of Airworthiness.- A certificate of Airworthiness issued by the Director-General in respect of an aircraft shall cease to be current:

- (a) after the date of expiry included in the certificate;
- (b) if the aircraft, or any of its equipment which is essential to the continued Airworthiness of the aircraft, is overhauled or repaired, or such equipment is removed or replaced, other than in a manner which complies with the maintenance and repair procedures issued by the aircraft manufacturer and any maintenance schedule issued by the State of manufacture of the aircraft and approved by the Director-General;
- (c) if any inspection of the aircraft, or of the aforementioned essential equipment, required by the approved maintenance procedure or schedules is not carried out;

* *Added, ibid*

+ *Inserted vide S.R.O. 139 (KE)/2001, dated 5th October, 2001.*

- (d) if any modification specified by the State of manufacture, or by the Director-General, as essential for the continued Airworthiness of the aircraft is not carried out;
- (e) if any modification is carried out, or equipment installed, other than as approved by the Director-General;
- (f) if any Airworthiness directive issued by the State of manufacture, or a directive issued by the Director General, is not complied with; or
- (g) if the aircraft has sustained damage of such a nature that in the opinion of a maintenance engineer licensed under these rules, or employed by a maintenance organization approved under these rules, it is no longer fit to fly.

20. Certificate of Airworthiness to be subject to conditions.-

A certificate of Airworthiness issued by the Director-General shall be subject to such conditions as may be attached to it, or to any conditions included in the Flight Manual or other certification document for the aircraft, or to any conditions specified in air navigation orders from time to time.

21. Aircraft not airworthy.- (1) If the Director-General has reason to believe that an aircraft registered in Pakistan is not airworthy, he may direct that the aircraft shall not fly and may suspend or, with the prior approval of the Federal Government, cancel the certificate of Airworthiness in respect of that aircraft.

(2) When an owner or operator of an aircraft has been directed under sub-rule (1) that aircraft is forbidden to fly or that the certificate of Airworthiness has been suspended or cancelled, he shall take all actions within his power to ensure that this information is brought to the attention of any person who is likely to fly the aircraft or to issue certificate of maintenance or a certificate of release of service in respect of the aircraft.

22. Renewal of certificate of Airworthiness.- The renewal of a certificate of Airworthiness in respect of an aircraft registered in Pakistan shall be dependent on compliance with the conditions and requirements related to the inspection and maintenance procedures for that aircraft as may be specified by the Director-General.

SECTION – 2**APPROVAL OF AIRCRAFT CONSTRUCTORS, SUPPLIERS,
STOCKISTS AND DISTRIBUTORS OF AIRCRAFT
COMPONENTS*****], AIRCRAFT MAINTENANCE TRAINING ORGANIZATIONS,
AIRCRAFT DESIGN ORGANIZATIONS] AND +[AIRCRAFT]
MAINTENANCE ORGANIZATIONS**

23. Approval of persons or organizations – (1) An aircraft shall not be constructed nor any part of an aircraft or equipment to be installed in an aircraft be manufactured in Pakistan except in conformity with the airworthiness design standards specified by the Director-General.

(2) A person or organization within Pakistan shall not act as an aircraft constructor, or @[aircraft maintenance training organization, or aircraft design organization], or as a supplier, or stockiest, or distributor of aircraft components to be \$used in the construction, maintenance or operation of aircraft unless that person or organization has the approval of the Director-General to perform that function.

(3) Applicants for an approval under this rule shall comply with such requirements as the Director-General may specify and any approval shall be subject to such conditions as the Director-General may attach to it.

(4) An approval given under this rule shall be valid for such period as the Director-General may specify not exceeding one year.

(24). Suspension or cancellation of approval– If the Director-General has reason to believe that a person or organization holding an approval as an aircraft constructor, or as a supplier, or stockiest, or distributor of aircraft components has ceased to comply with the conditions for approval, he may subject to the provisions of rule 341, suspend such approval for such period as he sees deems fit, or may cancel it.

25. Approval of maintenance organizations – (1) Maintenance or inspection of aircraft registered in Pakistan shall not be carried out other than by an approved maintenance organization or by persons, licensed or otherwise authorized to do so under these rules.

(2) An aircraft maintenance organization within Pakistan shall obtain the approval of the Director-General and shall comply with such directions as he may give before commencing operation.

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ *Inserted, ibid.*

@ *Inserted, ibid.*

\$ *Substituted for the word "issued", ibid.*

(3) Applicants for an approval under this rule shall comply with such requirements as the Director-General may specify and any approval shall be subject to such conditions as the Director-General may attach to it.

(4) Aircraft registered in Pakistan shall not be maintained or modified, or repaired by an organization outside Pakistan except with the approval of the Director-General.

(5) An approval given under this rule shall be valid for such period as the Director General may specify, not exceeding one year.

***(6) An operator shall provide for the proper and periodic instruction of all maintenance personnel and the training programme shall be subject to the approval of the Director-General.

26. Suspension or cancellation of approval of a maintenance organization.- If the Director-General has reason to believe that a maintenance organization has ceased to comply with the conditions for approval, he may, subject to the provisions of rule 341, suspend such approval for such period as he deems fit, or may cancel it.

Section 3 -- MAINTENANCE OF AIRWORTHINESS

27. Maintenance, inspection and servicing of aircraft.- An aircraft registered in Pakistan shall not fly unless;

- (a) the aircraft, including its engines, equipment and radios, has been maintained and periodically inspected in accordance with the maintenance procedures approved in respect of that aircraft by the Director-General; and
- (b) any repairs, replacements or modifications have been carried out in a manner approved by the Director-General; and
- (c) all modifications and inspections deemed mandatory by the Director-General have been carried out within the prescribed time periods, or within such extended periods as may have been authorized by the Director-General;

** Added vide S.R.O. No. 72 (KE)/2001, dated 13th April, 2001.*

- (d) all defects entered in the aircraft technical log have been rectified, or have been deferred in accordance with procedures approved by the Director-General; and
- (e) the aircraft has been serviced and replenished in accordance with the procedures specified in the flight manual or maintenance documents, using the substances or materials specified therein, or as may be specified by the Director-General in Air Navigation Orders, or by other means; and
- (f) in the case of aircraft in respect of which a certificate of airworthiness in the private category has been issued, a certificate of maintenance has been completed and signed by a person authorized to do so by the Director-General, to certify that all maintenance work has been completed satisfactorily and in accordance with the approved maintenance procedures and schedules; or
- (g) in the case of aircraft in respect of which a certificate of airworthiness in the public transport category or aerial work category, has been issued:
 - (i) a certificate of release to service has been completed and signed by a person authorized to do so by the Director-General, being a certificate issued after overhauls, repairs, replacements, modifications and mandatory inspections have been carried out on that aircraft; and
 - (ii) a certificate of maintenance review has been completed and signed by a person authorized to do so by the Director-General, certifying that all maintenance specified in the approved maintenance schedule has been carried out within the time period specified therein, or within such extended period as may have been authorized by the Director-General.

***27A. Directions for maintaining system certification. – (1)** The Director-General may give directions;

- (a) to the holder of a certificate of approval;

* *Inserted, ibid.*

- (b) to the holder of an aircraft maintenance engineer licence (other than person acting in the course of his employment with an employer): or
 - (c) to a person authorized to carry out maintenance of an aircraft, aircraft component or aircraft material, to submit to the Director-General or system of certification of the completion of stages of the activities to which his certificate, licence or authority relates, and any other activities to which an aircraft maintenance licence, held by an employee, relates.
- (2) Where a person submits the system of certification under sub-rule (4), the Director-General may approve the proposed system, with or without modifications, and direct the person to institute the system so approved.
- (3) The Director General may give directions to a person referred to in sub-rule (1) requiring him in carrying out any activities to which his certificate, licence or authority relates and any other activities to which an aircraft maintenance engineer licence held by an employee relates, to institute such system of certification of the completion of stages of these activities as he may specify in the direction.
- (4) A person to whom any direction under sub-rule (3) has been given shall—
- (a) comply with the requirements of a system of certificate instituted by him in accordance with the direction, in so far as these requirements apply to him; or
 - (b) take all steps reasonably required to ensure that persons in his employment, working under an arrangement with him, comply with the requirements of the system instituted by him in accordance with the direction, in so far as those requirements apply in relation to them.

***27B. Issuance of Maintenance release.—** (1) Maintenance release in respect of a registered aircraft shall be issued only by authorized persons and in such a manner, and in accordance with such form, as the Director General may direct.

* *Inserted, ibid.*

(2) The Director-General may give directions specifying the information to be entered on a maintenance release before its issue.

(3) Where a person is appointed as an authorized person for the purposes of this rules, the Director-General shall specify in the instrument of appointment the conditions that any maintenance release issued by such person shall be signed and where such release is issued on behalf of the authorized person by a specified person or by a person included in a specified class of persons.

(4) The Director-General may give direction with respect to the retention and transfer of maintenance release, and copies thereof, issued under this rule.

(5) The Director-General may give directions specifying the period during which a maintenance release shall remain in force.

(6) Unless the Director-General otherwise approves, a maintenance release shall not be issued in respect of an aircraft unless there is in force a certificate of Airworthiness in respect of the aircraft.

(7) A maintenance release shall not be issued in respect of an aircraft unless—

(a) all maintenance in respect of the aircraft required to be carried out to comply with the requirements or conditions imposed under these rules have been certified in accordance with a system of certification instituted under rule 27A or in a manner acceptable to the Director General for the purposes of sub-rule (1) of rule 28 to have been completed; or

(b) in case of maintenance release in respect of flight for which exemption has been given under rule 363 and in respect of which directions regarding the maintenance of the aircraft given under clause (b) of rule 16 and rule 31 are required to be carried out shall comply with that direction as certified to have been carried out in accordance with the system of certification instituted under rule 27A to have been completed.

(8) For the purpose of clause (a) of sub-rule (7), the existence of an earlier maintenance release issued in respect of an aircraft may, in the absence of evidence to the contrary may be accepted by an authorized person as proof that all maintenance required to be carried out on the aircraft before the date of issue of the earlier maintenance release and certified to have been completed as required by the said sub-rule.

(9) A maintenance release shall bear an endorsement that the release is issued subject to conditions, set out in the endorsement, imposed for the purpose of ensuring the safety of air navigation.

(10) Where an aircraft has a permissible unserviceability, a maintenance release issued in respect of the aircraft, or other document approved for use as alternative to the maintenance release for the purposes of this sub-rule shall bear an endorsement---

- (a) setting out each permissible unserviceability that exists with respect to the aircraft;
- (b) setting out such conditions, if any, with respect to the use of an aircraft with permissible unserviceabilities set out in any direction given under clause(a) of rule 16 and rule 31, in relation to those unserviceabilities as are not set out in any operations manual issued in respect to the aircraft or in relevant Air Navigation Orders; and
- (c) stating that the maintenance release is issued subject to such conditions, whether set out in the maintenance release or other document or otherwise as may be specified.

(11) A person shall not issue a maintenance release in contravention of this rule:

Provided that nothing in this sub-rule shall apply in relation to a person by reason only that he has issued a maintenance release in contravention of the direction under this rule unless the direction has been served on such person by post or otherwise.

(12) A person shall not sign a maintenance release to be issued in pursuance of clause (a) of sub-rule (7) in respect of an aircraft if-

- (i) the aircraft is in a damaged or defective condition;

- (ii) the damage or defect is a major damage or defect, as the case may be; and
 - (iii) the damage or defect is not a permissible unserviceability;
 - (iv) he considers that maintenance carried out on the aircraft may have adversely affected the safety of the aircraft, the flight characteristics or the operating characteristics of any aircraft component, or any system of aircraft component installed in the aircraft;
 - (v) he is aware that certain maintenance required to be carried out on the aircraft has not been certified in accordance with a system of certification instituted under rules 27, 28 and 29 or in a manner acceptable to the Director-General; or
 - (vi) the information entered on the maintenance release is incorrect or does not contain all the information that is required under these rules.
- (13) Nothing in clause (a) of sub-rule (7) and clause (v) of sub-rule (12) shall apply in relation to approved maintenance carried out by the pilot in command of the aircraft.
- (14) Where a maintenance release is issued under this rule, or recommenced in force by virtue of rule 27C in respect of an aircraft, any other release in force in respect of the aircraft immediately before that issue or that commencement, as the case may be, shall cease to be in force.

***27C. Condition in a direction to apply maintenance release.-**

The Director-General may, for the purpose of ensuring safety of air navigation, give directions that a condition set out therein apply to every maintenance release in force in respect of an aircraft of a kind specified in the direction on or after the date so mentioned.

+27D. Suspension of maintenance release, etc.- (1) Where the Director-General is satisfied that a condition set out, or applying in relation to, a maintenance release has not been complied with, he may suspend or cancel the maintenance release.

* *Inserted, ibid.*

+ *Inserted, ibid.*

(2) A suspension or cancellation of a maintenance release under these rules shall not have effect in relation to a person until a notice of suspension or cancellation has been delivered by post on the person or the fact of suspension or cancellation has otherwise been brought to his notice.

*** 27E. Duty of the owner of operator in case of suspension or cancellation of maintenance release.-** Where directions setting out conditions that are applied in relation to a maintenance release of an aircraft given under rule 27C or a notice of suspension or cancellation of endorsement of release of an aircraft given under rule 27D has been delivered by post to the owner or operator of the aircraft or has otherwise been brought to his notice, the owner or operator shall use his best endeavors to ensure that the directions or the fact that maintenance release has been suspended or cancelled, as the case may be, is brought to the notice of any person who is likely to fly, or likely to issue a maintenance release for, the aircraft.

+ 27F. Maintenance release to cease in force in certain cases.-

(1) Where the owner, operator, flight crew member or an authorized person engaged (whether as an employee or on his own behalf), in the maintenance release in force, considers that :-

- (a) (i) a requirement or condition imposed under these rules in respect of the maintenance of the aircraft has not been complied with;
- (ii) the aircraft has suffered major damage or has developed a major defect other than damage or defect that is a permissible unserviceability; that is a permissible unserviceability;
- (iii) abnormal flight or ground loads have been imposed on the aircraft; and
- (iv) maintenance carried out on the aircraft may have adversely affected, to such an extent as to affect the safety of the aircraft, the flight characteristics of any aircraft component, or any system of aircraft component installed in the aircraft; and

* *Inserted, ibid.*

+ *Inserted, ibid.*

- (b) there is a likelihood that the aircraft shall be flown before—
- (i) the requirements or conditions referred to in clause (1) have been complied with;
 - (ii) the damage or defect referred to in sub-clause (ii) of clause (a) has been remedied;
 - (iv) any damage caused by the imposition of the abnormal loads referred to in sub-clause (iii) of clause (a) has been remedied; and
 - (v) the characteristics referred to in sub-clause (iv) of clause (a) has been corrected, he shall sub-subset to clause (b), enter on the maintenance release, or other documents approved for use an endorsement signed by him setting out the facts of the situation and stating that the aircraft is unairworthy and the maintenance release shall cease to be in force.
- (2) A person is not required under sub-rule (1) to enter an endorsement on maintenance release, or other document approved, for use as an alternative to a maintenance release if—
- (a) the maintenance release was issued under clause (b) of sub-rule (7) of rule 27B; and
 - (b) the person considers that the ground for entering the endorsement existed at the time when the maintenance release was issued and was known to the person who issued the maintenance release or to a responsible employee of the person.
- (3) Where the owner, operator, pilot in command, or an authorized person engaged (whether as an employee or on his own behalf) in the maintenance of, an aircraft, in respect of which a maintenance release is in force, becomes aware that the certificate of Airworthiness has been suspended or cancelled, he shall enter on the maintenance release an endorsement signed by him setting out the facts of the situation and stating that the aircraft is unairworthy and thereupon the maintenance release shall cease to be in force.

(4) Where an authorized person carries out maintenance on an aircraft in pursuance of an authorization under sub-rule (1) of rule 28 with a view to the aircraft being tested and there is in force a maintenance release issued under clause (a) of sub-rule (7) of rule 27B, the authorized person shall enter on the maintenance release setting out that he has carried out maintenance authorized under the relevant provision and that the aircraft requires testing and therefore, the maintenance release shall cease to be in force.

***27G. Re-commencement of maintenance release in certain cases.-** (1) Where a maintenance release in respect of an aircraft ceases to be in force by virtue of endorsement made under sub-rule (1) of rule 27F, the maintenance release shall again commence if the endorsement refers to :-

- (a) requirements or conditions of the aircraft not having been complied with, and there is entered on the maintenance release or other document on which endorsement was made, and certification under rule 27A that the requirements or condition has been completed;
- (b) to the aircraft having suffered major damage or having developed a major defect that is entered on the maintenance release or other document on which the endorsement was made a certification under rule 27A, that the maintenance required to remedy the damage or the defect, as the case may be, has been completed;
- (c) to the aircraft having imposed on it abnormal flight or ground loads, there is entered on the maintenance release or other document on which the endorsement was made a certification in accordance the system of certification under rule 27A that the maintenance required to be carried out to check whether that the imposition has caused any damage to the aircraft, and to remedy any damage so caused, has been completed; or
- (d) to the flight or the operating characteristics or system of aircraft component, installed in the aircraft there is entered in the maintenance release or other document on which the endorsement was made a certification instituted under rule 27A that the maintenance required to correct the flight or operating characteristics, as the case may be, has been completed.

* *Inserted, ibid.*

(2) Where a maintenance release in respect of an aircraft ceases to be in force under rule 27F the maintenance release shall again commence to be in force if there is entered on the maintenance release or other document on which the endorsement was made a further endorsement signed by an authorized person canceling the first mentioned endorsement.

(3) An authorized person shall not make an endorsement under sub rule (2) unless he is satisfied that there is no reason why the endorsement to be cancelled should continue in force.

(4) A maintenance release that has ceased to be in force due to endorsement made under rule 27F shall not re-commence in force except by an endorsement made under this rule.

(5) This rule shall not have effect in relation to a maintenance release issued in respect of an aircraft if—

- (a) the period during the maintenance release is expressed to remain in force has expired; or
- (b) a subsequent maintenance release has been issued in respect of the aircraft under clause(a) of sub-rule(7) of rule 27B.

28. Maintenance of commercial aircraft.- (1) All work carried out on a regular public transport aircraft, a charter aircraft, or an aerial work aircraft in respect of overhaul, repair, installation of equipment, or inspection shall be carried out by, or under the supervision of the holder of an appropriate licence, except that if the overhaul, repair, installation of equipment, or inspection is carried out by a maintenance organization approved under this Part such work may be carried out by, or under the supervision of a person or persons, approved by the Director-General for that purpose.

(2) A person, other than an authorized person employed by a maintenance organization approved under this Part shall not sign a certificate of release to service or a certificate of maintenance review in respect of a regular public transport aircraft, a charter aircraft, or an aerial work aircraft unless he is the holder of an appropriate licence.

(3) For the purpose of this rule, an appropriate licence shall be an aircraft maintenance engineer licence, issued or recognized as valid by the Director-General, authorizing the holder to carry out, or to supervise the overhaul, the repair, the installation of equipment, or the modification of such aircraft, or such part, or components, or equipment of aircraft as are included in the licence, and to certify as airworthy an aircraft or parts of an aircraft or components, or equipment as appropriate, following such overhauls, repairs, or modifications and to sign the appropriate certificate or release to service or certificate of maintenance review.

29. Maintenance of private aircraft – (1) A person shall not carry out work in respect of the maintenance, repair, installation of equipment or inspection of a private aircraft registered in Pakistan unless he is the holder of an appropriate aircraft maintenance engineer licence, or is an authorized person employed by a maintenance organization approved under this Part except that the owner or the pilot-in-command of a private aircraft may carry out work to the extent authorized by the Director-General from time to time.

(2) For the purpose of this rule, an appropriate licence shall be an aircraft maintenance engineer licence issued or recognized as valid by the Director-General, authorizing the holder to carry out, or to supervise the overhaul, the repair, the installation of equipment, or the modification of such aircraft, or such part, or components, or equipment or aircraft as are included in the licence, and to certify as airworthy an aircraft, or parts of an aircraft, or components, or equipment, as appropriate, following such overhauls, repairs or modifications and to sign the appropriate certificate of maintenance.

30. *Exposition Manuals– The operator of an aircraft, other than a private aircraft, registered in Pakistan shall provide for the use and guidance of the personnel or organization engaged in the repair, overhaul or maintenance of his aircraft, an +exposition manual approved by the Director-General which contains at least the following:

- (a) procedures for servicing and maintenance;
- (b) the frequency of each check, overhaul or inspection;

* Substituted the word "Exposition" for the word "maintenance" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

+ Substituted the word "exposition" for the word "maintenance", *ibid*.

- (c) the responsibilities of the various classes of skilled maintenance personnel;
- (d) the servicing and maintenance methods;
- (e) the procedure for preparing the certificate of maintenance review and the certificate of release to service, the circumstances under which these certificates are to be issued and the personnel authorized to sign them.

31. Minimum Equipment List.- A regular public transport aircraft, or charter aircraft registered in Pakistan shall not fly unless all the items of equipment which are included in the minimum equipment list in the approved flight manual, or other certification document for the aircraft, as being required to be serviceable for the particular operation, are serviceable. No amendment shall be made to a minimum equipment list except with the approval of the Director-General.

32. Recording and reporting of defects.- (1) Any person concerned with the maintenance or operation of an aircraft registered in Pakistan who becomes aware of a defect in that aircraft shall take such action as may be necessary to record the defect in the appropriate maintenance document.

(2) An owner or operator of an aircraft registered in Pakistan which develops a defect, shall cause an investigation of the defect to be carried out and, if it is a major defect, shall make a report of* the investigation as the Director-General may specify.

Section – 4

RECORDS OF MAINTENANCE

33. Operators to keep records.- (1) The operator of an aircraft registered in Pakistan shall ensure that a current maintenance record is kept which shall contain in respect of the entire aircraft:

- (a) the empty mass and the location of the centre of gravity;
- (c) a record of the addition or removal of equipment;

* Added vide SRO No. 72(KE)/2001, dated 13th April, 2001.

- (c) details of the type and extent of maintenance work or modification or repair, the time in service and the date that the work was carried out; and
 - (d) a chronological list of compliance with Airworthiness directives together with the method of compliance.
- (2) In the case of a regular public transport aircraft, a charter aircraft, or an aerial work aircraft, the record kept under this rule shall include:
- (a) in respect of the whole aircraft, the total time in service;
 - (b) in respect of the major components of the aircraft, the total time in service, the date of the last overhaul, and the date of the last inspection; and
 - (c) in respect of those instruments and equipments which are limited to a specified period in service, a record of their time in service which will enable their serviceability to be determined and the remaining part of their operating life to be computed, together with the date of last inspection.
- (3) In the case of a private aircraft, the record kept under this rule shall include in respect of the whole aircraft and the major components;
- (a) the total time in service;
 - (b) the date of the last overhaul;
 - (c) the time in service since the last overhaul, and
 - (d) the date of the last inspection. In respect of the instruments and equipment, the record shall contain:-
 - (i) such records of the time in service as may be necessary to determine the serviceability or to compute their operating life; and
 - (ii) the date of the last inspection.
- (4) The owner or operator of an aircraft shall take such action as is necessary to ensure that records with respect to the aircraft are kept retained and transferred in accordance with any direction made by the Director-General.

(5) The maintenance record kept under this rule shall be retained for a period of not less than ninety days after the end of the operating life of the unit to which they refer.

(6) The owner or operator of an aircraft in respect of which entries under this rule are made in a record carried in the aircraft, shall copy such entries in a form approved by the Director-General and shall arrange for such a copy to be kept in a safe place on the ground.

Section – 5
RADIO EQUIPMENT IN AIRCRAFT

34. Radio equipment to be licensed and approved.–

Radio equipment shall not be installed in an aircraft registered in Pakistan unless:

- (a) there is in respect of such radio equipment a licence issued by the Federal Government;
- (b) the installation in the aircraft has been approved by the Director-General; and
- (c) the equipment is of a type approved by the Director-General and complies with such directions issued by him in respect of airworthiness requirements.

PART – V
PERSONNEL LICENCES

Section 1 - FLIGHT CREW LICENCES

35. Flight crew members to hold licences.- (1) A person shall not act as a member of the flight crew of an aircraft registered in Pakistan or operate a radio telephone on board such an aircraft unless he is the holder of an appropriate licence issued, or validated by the Director-General.

(2) Within Pakistan a person shall not act as a member of the flight crew of an aircraft registered in another State or operate the radio telephone on board such an aircraft unless he is the holder of an appropriate licence issued or validated by the State of Registry of the aircraft.

(3) For the purpose of this rule an appropriate licence shall be a licence which entitles the holder to perform the functions which he undertakes in the aircraft concerned, on the flight on which it is engaged.

36. Issue of licences.- The Director-General shall issue licences and ratings under this Part, subject to such conditions as he thinks fit in the interest of flight safety, authorizing the holder to act as a member of a flight crew of an aircraft registered in Pakistan, when he is satisfied that the applicant for a licence or rating is a fit person to hold the licence or rating and is qualified by reason of his knowledge, experience, competence, skill, physical and mental fitness to act in the capacity authorized by the licence or rating; for that purpose the applicant shall furnish such evidence and undergo such examinations and tests as the Director-General may require of him as may be specified in Air Navigation Orders.

37. Flight crew licences.- (1) Licences granted under this part shall be one of the following:

(i) A student pilot licence being a licence authorizing the holder to receive practical flight instruction, and to fly solo, within the territorial boundaries of Pakistan for the purpose of qualifying for the issue of a higher category of licence.

- (ii) A private pilot licence being a licence authorizing the holder to fly as pilot-in-command or as co-pilot of a private aircraft, provided that the appropriate aircraft, *class or type rating is included in the licence, or to fly an aerial work aircraft for the purpose of receiving practical flight instruction.
- (iii) A commercial pilot licence being a licence authorizing the holder to act as pilot-in-command in any private aircraft or to act as pilot-in-command in any aerial work or charter aircraft having a maximum certificated take-off mass of 5,700 kgs or less; to act, subject to the approval of the Director-General and on other than international operations, as pilot-in-command of a regular public transport aircraft having a maximum certificated all up mass of 5,700 kgs or less; to act as co-pilot of a private, aerial work or charter aircraft, or with the approval of the Director-General, of a regular public transport aircraft provided that in each case the appropriate aircraft, +class or type rating is included in the licence.
- (iv) @[...]
- (v) An airline transport pilot licence being a licence authorizing the pilot to act as pilot-in-command or as co-pilot, in any private, or aerial work, or charter, or regular public transport aircraft provided that in each case, the appropriate aircraft, \$class or type rating is included in the licence.
- (vi) A Glider Pilot Licence being a licence authorizing the holder to act as pilot-in-command of any glider provided that the appropriate glider rating is included in the licence.

* Inserted "comma" and words "class or", *ibid.*

+ Inserted, *ibid.*

@ Omitted, *ibid.*

\$ Inserted "comma" and words "class or", *ibid.*

- (vii) A Free Balloon Pilot Licence being a licence authorizing the holder to act as pilot-in-command of a free balloon provided that the appropriate balloon rating is included in the licence.
 - (viii) A flight engineer licence being a licence authorizing the holder to act as flight engineer in any aircraft; provided that the appropriate aircraft type rating is included in the licence.
 - (ix) A flight navigator licence authorising the holder to act as flight navigator in any aircraft.
 - (x) A flight radio telephone operator licence being a licence authorizing the holder to operate the radio telephone equipment in any aircraft in which he is authorized to act as a member of the flight crew.
- (2) The holder of a licence granted under this Part other than a student pilot licence shall not exercise the privileges of that licence unless it contains a valid certificate of examination or a valid certificate of experience as may be specified by the Director-General in Air Navigation Orders.
- *(3) The holder of a pilot licence except Free Balloon Pilot licence and Glider Pilot licence may exercise the privileges of the licences for a further period as specified in these rules or Air Navigation Orders unless the higher licence is suspended or cancelled under these rules.*

38. Validity of Licences.- In addition to such conditions and limitations as imposed under these Rules, licences issued under this Part, other than Aircraft Maintenance Engineer Licence, shall become valid on the day of issue and shall remain valid **+**for periods as may be specified thereafter, subject to periodical medical assessments, professional examinations and requirements of experience as may be specified by the Director-General **@**in Air Navigation Order.

39. Requirement to hold an appropriate rating.- (1) A person holding a licence issued or validated by the Director-General shall not exercise the privileges of his licence by:

* *Added, Ibid.*

+ *Substituted the words "valid" by the words "for periods as may be specified", Ibid.*

@ *Added, Ibid.*

- (a) acting as pilot, or as a flight engineer on an aircraft unless a rating appropriate to the *class or type of aircraft is included in his licence;
 - (b) acting as the pilot of an aircraft engaged in agricultural operations unless an agricultural rating is included in his licence;
 - (c) acting as the pilot-in-command of an aircraft under Instrument Flight Rules unless an instrument rating is included in his licence;
 - (d) giving flight instruction required for the issue of a pilot licence or for the issue of a rating unless he holds a flight instructor rating endorsed on his licence and in the case of flight instruction for the issue or renewal of an instrument rating, also holds an instrument rating; or
 - (e) acting as pilot-in-command of an aircraft whilst towing a light glider unless he holds a towing rating endorsed in his licence.
- (2) A rating for a specific +class or type of aircraft shall entitle the holder of a pilot licence to act as pilot-in-command, or as co-pilot whichever is authorized by the rating, in that class or type of aircraft.
- (3) A type rating for a specific type of aircraft shall entitle the holder of a flight engineer licence to act as a flight engineer in that type of aircraft.
- (4) Notwithstanding the provision of this rule a pilot may with the permission of the Director-General fly a single seat aircraft without a rating for that aircraft provided that the flight is for the purpose of qualifying for the issue of that rating.

@40. Requirement to hold a medical assessment.- (1) A person holding a licence issued authorizing him to act as a member of flight crew shall not do so, unless he holds a current medical assessment of an appropriate class. A medical assessment shall become current on the date it is issued and shall remain valid as determined in sub-rule (3) and subject to standards determined by the Director-General.

* Inserted the words "class or" before the word "type", *ibid.*

+ Inserted, *ibid.*

@ Substituted, *ibid.*

(2) There shall be established the following two classes of medical assessment, namely:-

(a) Class I medical assessment shall apply to applicants for, and holders of, –

- (i) Commercial pilot licence;
- (ii) Airline transport pilot licence;
- (iii) Flight navigator licence; and
- (iv) Flight engineer licence; and

(b) Class II medical assessment shall apply to applicants for, and holders of, –

- (i) Student pilot licence;
- (ii) Private pilot licence;
- (iii) Glider pilot licence; and
- (iv) Free balloon pilot licence.

(3) A medical assessment shall be valid for the period not exceeding:

- (a) twenty four months for student and private pilot licences;
- (b) twelve months for commercial and airline transport pilot licences;
- (c) twenty four months for glider and free balloon pilot licences; and
- (d) twelve months for flight engineer and flight navigator licences.

(4) When the holders of airline transport pilot, commercial pilot, flight engineer and flight navigator licences have passed their fortieth birthday, the twelve months' validity period, or in case of private, glider and free balloon pilot licence the twenty four months medical assessment validity period shall be reduced to six and twelve months, respectively.

(5) Licence holder shall not exercise the privileges of their licences and related rating at any time when they are aware of any decrease in their medical fitness which might render them unable to safely exercise these privileges.

(6) Where an applicant for the grant of a licence under this sub-rule fails to meet the medical standards, the Director-General may grant the licence subject to the following conditions, namely:-

- (a) an Accredited Medical conclusion indicates that in special circumstances the applicant's failure to meet any requirement, numerical or otherwise, is such that exercise of the privileges of the licence applied for is not likely to jeopardize flight safety;
- (b) relevant ability, skills and experience of applicant and operational conditions have been given due consideration; and
- (c) the licence is endorsed with any special limitation or limitations when the safe performance of the licence holder's duties is dependent on compliance with such limitation or limitations.

(7) The Director-General may in his discretion determine standards and specify instructions and conditions in the Air Navigation Orders;

41. Temporary unfitness.- (1) A person holding a licence issued under this Part, which includes a current medical assessment, who:

- (a) suffers any personal injury affecting his capacity to function as a member of a flight crew;
- (b) suffers any illness affecting his capacity to function as a member of a flight crew throughout a period of twenty days or more; or
- (c) is a woman who becomes pregnant; shall inform the Director General as soon as possible.

(2) The medical assessment shall be deemed to be suspended on the occurrence of such an injury, illness or pregnancy referred to in sub-rule (1) and shall not again become current until the holder has undergone such medical examination as the Director-General may specify.

(3) The holder of a medical assessment issued under this Part shall not exercise the privileges of his licence if he is aware that his capacity to efficiently perform his duties is likely to be impaired by a decrease in his medical fitness, or by a period of fasting.

42. Recent experience requirements– The holder of a licence issued under this Part shall not exercise the privileges of his licence by acting as a pilot, flight engineer or flight navigator unless he has satisfied the requirements for recent experience in accordance with the requirements specified by the Director-General in Air Navigation Orders.

43. Validated licences – experience requirements– A validation by the Director-General of a licence issued by another contracting State shall not continue to be valid unless the holder complies with the requirements of these rule in respect of recent experience and competence or unless he can demonstrate to the satisfaction of the Director-General that he has complied with equivalent requirement-in the State of issue of his licence.

44. Age limit for pilots– *(1) The holder of a commercial pilot licence, or a +[multi-crew] pilot licence, or an airline transport pilot licence who has attained his @[sixty fifth] birthday shall not act as pilot-in-command, or as co-pilot of:

- (a) a regular public transport aircraft on any flight, or
- (b) a charter aircraft on an international flight.

\$(2) The Director-General may determine standards and prescribe instructions, requirements and conditions for implementation of sub-rule (1) in the Air Navigation Orders”.]

* Renumbered as Sub-rule (1) vide S.R.O. 29 (KE)/2007, dated 5th April, 2007.

+ Substituted the words” multi-crew” for the words “senior commercial” vide S.R.O. 50 (KE)/2008, dated 9th May, 2008.

@The word “sixtieth” was first substituted with the words “sixty-second” vide S.R.O. 29(KE)/2007, dated 5th April, 2007 and later substituted with the words “sixty-fifth” vide S.R.O. 50 (KE)/2008, dated 09th May, 2008.

\$ Sub-rule (2) added vide S.R.O. 29 (KE)/2007, dated 5th April, 2007.

SECTION – 2
LICENSING OF PERSONNEL
OTHER THAN FLIGHT CREW MEMBERS

45. Flight operations officer licences.- The Director-General shall grant licences under this Part, subject to such conditions as he thinks fit, authorising the holder to act as a flight operations officer upon his being satisfied that the applicant is a fit person to hold the licence and is qualified by reason of his knowledge, experience, competence, skill, physical and mental fitness to act in the capacity to which the licence relates and for that purpose the applicant shall furnish such evidence and undertake such examinations and tests as the Director-General may specify in Air Navigation Orders.

46. Requirement to hold flight operations officer licence.- A person shall not be employed by the holder of an air operator certificate for operational control duties, other than as an assistant, unless he holds a flight operations officer licence issued or validated by the Director General authorizing him to undertake such duties.

47. Flight Operations Officer - recent experience.- The holder of a flight operations officer licence shall not exercise the privileges of the licence unless he holds a certificate of his competence, issued in accordance with such requirements as the Director-General may specify in Air Navigation Orders.

48. Air Traffic Controllers to be authorized.- A person shall not act as an Air Traffic Controller in an Air Traffic services unit in Pakistan unless he is the holder of an *appropriate licence or authorization issued by the Director-General +and the terms and conditions for the grant of such licence or authorization shall be determined by the Director-General in Air Navigation Order.

49. Air Traffic Controller's medical assessments.- (1) The holder of an @appropriate licence or authorization to act as an Air Traffic Controller shall not exercise the privileges of that authorization unless he holds a current medical assessment

* Inserted the words "appropriate licence or" before the words "authorization" vide SRO No. 72 (KE)/2001, dated 13th April, 2001.

+ Added, *ibid*.

@ Inserted, the words "appropriate" licence or", *ibid*.

*class 3, and unless he has satisfactorily completed such periodic tests of his competence as may be specified by the Director-General
+in Air Navigation Order.

(2) A medical assessment @class 3 issued under this rule shall become current on the date that it is issued and shall remain current for a period not exceeding twelve months.

50. Air Traffic Controller's temporary unfitness.- \$(1) A person holding an #appropriate licence or authorization to act as an Air Traffic Controller shall not exercise the privileges of that α appropriate licence or authorization if he is aware that his capacity to efficiently perform his duties is likely to be impaired by a decrease in his medical fitness or by a period of fasting.

β (2) Whenever the Director-General considers it necessary, in the interest of safety of air navigation, for the holder of an Air Traffic Controller Licence or authorization to demonstrate his continued fitness or proficiency in the capacity for which licence or authorize or any rating endorsed on the licence is held. The Director-General may require the holder of licence to undergo medical or other such examination.

51. Aircraft maintenance engineer licences. – (1) The Director-General shall grant aircraft maintenance engineer licences under this Part, subject to such conditions as he thinks fit, when he is satisfied that the applicant for such a licence is a fit person and is qualified by reason of his knowledge, experience, competence χ , skill $^{\infty}$, physical and mental fitness to act in the capacity authorized by the licence; for that purpose the applicant shall furnish such evidence, undergo such examinations and tests as the Director-General may specify in Airworthiness Notices ϵ and Air Safety Circulars.

* Inserted the words "class 3", *ibid.*

+ Inserted, the words "in the Air Navigation Order", *ibid.*

@ Inserted, *ibid.*

\$ Renumbered as sub-rule(1), *ibid.*

Inserted the words "appropriate licence or", *ibid.*

α Inserted, *ibid.*

β Added, *ibid.*

χ Substituted "comma" by the word "and", *ibid.*

$^{\infty}$ Inserted "comma" and words "physical and mental fitness", *ibid.*

ϵ Inserted, *ibid.*

(2) The holder of an aircraft maintenance engineer licence shall be authorized to carry out, or to supervise, such overhauls, authorized repairs, or authorized modifications of such aircraft, or parts, or components, or equipment of aircraft as may be permitted by the licence, and to certify as airworthy such aircraft, or parts of an aircraft or components, or equipment as appropriate, following such overhauls, repairs, or modifications, and to sign a certificate of maintenance review or a certificate of release to service in respect of the aircraft included in the licence, within the limitations of the licence.

(3) Aircraft maintenance engineer licences issued under this Part shall become valid on the date of issue and shall remain valid for a period not greater than two years.

(4) Renewal of such licences shall be dependent on compliance with such requirements as may be specified by the Director-General in Airworthiness Notices.

PART – VI**FLYING TRAINING****Section 1 - FLYING SCHOOLS**

52. Flying Schools to be licenced.- A person or an organization shall not give, or offer to give, instruction for the purpose of qualifying a candidate for the issue of a flight crew licence, or the endorsement of a rating thereon, under Part V, unless that person, or organization, holds an appropriate licence *and Air Operators Certificate granted by the Director-General.

53. Flying and ground school licences.- For the purpose of this Part, an appropriate licence shall be:

- (a) a flying school licence class 1 (PPL), being a licence authorizing the holder to carry out flying training and ground instruction to enable candidates to qualify for the issue of a private pilot licence and to qualify for the endorsement of aircraft ratings on such a licence;
- (b) a flying school licence class 2 (CPL) being a licence authorizing a person or organization to carry out flying training and ground instruction to enable candidates to qualify for the issue of a private pilot licence, or a commercial pilot licence and to qualify for the endorsement of ratings on such licences;
- (c) a ground school licence being a licence authorizing a person or organization to carry out ground instruction to enable candidates to undertake examinations in the theoretical subjects required to be passed for the issue of flight crew licences and the endorsement of ratings thereon.

* *Inserted the words "and Air Operators Certificate", ibid.*

***54. Issue of licence and Air Operators Certificate.– (1)**

The Director-General shall issue or renew a flying school licence, or a ground school licence, if he is satisfied that an applicant has complied with the requirements specified by him.

(2) On satisfactory demonstration by the applicant that his equipments organization, personnel, maintenance and other arrangements are adequate for carrying out the training authorized by the licence, the Director-General shall issue an Air Operator Certificate. For this purpose an applicant shall comply with such requirements as the Director-General may specify from time to time, in accordance with these rules.

55. Period of validity. – A licence issued or renewed under this Part shall be valid for a period of one year from the date of issue or renewal unless suspended or revoked by the Director-General.

56. Compliance with conditions of licence +and Air Operators Certificate.– The holder of a licence granted under this Part shall comply with all the conditions attached to licence @or Air Operators Certificate and shall conduct his operations at least to the standard required to qualify for the issue of \$an Air Operator Certificate. Non-compliance with such conditions or failure to maintain an adequate standard shall subject to the provisions of rule 341 result in the suspension or cancellation of the licence by the Director-General.

SECTION – 2

TRAINING BY HOLDERS OF AIR OPERATOR CERTIFICATE

57. Exemption for holders of Air Operator Certificate.–

Notwithstanding the provisions of this Part, the holder of an Air Operator Certificate issued under these rules shall be entitled to impart flying training or ground training to enable the holder of a flight crew licence, granted under Part V to qualify for the endorsement of an additional aircraft rating on his licence, or for the

* *Substituted, ibid.*

+ *Added words "and Air Operators Certificate", ibid.*

@ *Substituted the words "an Air Operators Certificate", ibid.*

\$ *Inserted, ibid.*

renewal of an instrument rating or to satisfy a requirement for recent experience provided that during flying training no persons are carried in the aircraft other than those essential for the operation, and provided that the person giving the flight instruction holds a valid flight Instructor, *[...] rating endorsed in his licence +or a person so approved by the Director-General.

* Omitted the words "or Assistant Flight Instructor", *ibid.*

+ Added words "or a person so approved by the Director-General", *ibid.*

PART – VII
PERSONAL FLYING LOG BOOKS

58. Flight crew members to maintain log books.- (1) The holder of a flight crew licence issued or validated by the Director-General shall maintain a personal flying log book containing a record of his flight time while acting as a member of a flight crew.

(2) A personal flying log book shall contain:

- (a) the full name, address and date of birth of the licence holder;
- (b) details of the licence, or licences, held including the number, or numbers of such licences;
- (c) a record of each flight made by the licence holder including identification of the function performed;
- (d) the total flight time as a member of a flight crew.

(3) A personal flying log book maintained under this rule shall be in such form and kept in such manner as the Director-General may specify, in Air Navigation Orders and shall be retained until such time as the licence holder is permanently disqualified from holding his licence.

PART – VIII**AERODROMES, FACILITIES AND SERVICES****Section 1 - AERODROMES AND FACILITIES****59. The Authority to provide aerodromes and facilities.- (1)**

The Authority:

- (a) shall establish, provide, maintain and operate aerodromes, air routes, and airway facilities:
*Provided that the Authority shall obtain prior approval of the Federal Government for establishment of any new air route;
- (b) may alter, abolish, remove or add to any such aerodromes and airway facilities;
- (c) may vary the character of any air route or airway facilities so established and provided, or of the signals or assistance given thereby. +[...]

(2) Aerodromes, air route and airway facilities, established or provided under this rule shall be under the control and management of the Director-General who shall, subject to these rules, determine the conditions of their use, and who may, with the prior approval of the Authority and of the Federal Government, designate air routes and airways and determine the conditions of their use.

(3) The Director-General shall, with the approval of the Authority, determine whether any aerodrome established under this rule, shall be open to public use.

(4) Users of aerodromes, air route and airway facilities shall pay such air route navigation charges, and landing and housing charges as may be laid down by the Authority.

* Substituted the "colon" by "semi-colon" at the end, added the proviso, *ibid.*

+ Substituted the "full stop" by "colon" and omitted the proviso "provided that the authority shall obtain the approval of the Federal Government before exercising its powers in respect of air routes", *ibid.*

60. Licensing of aerodromes – (1) Upon application by the proprietor of any place, the Director-General may issue to him an aerodrome licence authorizing the use of the place as an aerodrome other than as an aerodrome described under clause (a) of sub-rule (1) of rule 59.

(2) An aerodrome licence shall be issued subject to such conditions as the Director-General may consider necessary to ensure compliance with the convention and the safety of aircraft using the aerodrome.

(3) An aerodrome licence may be granted for a period not exceeding twelve months and may be renewed for any period not exceeding twelve months.

(4) An tariff of charges for landing and length of stay at aerodromes licensed under this rule which are open to public use by aircraft shall be determined by the Authority on the recommendation of the Director-General.

(5) The movement area of an aerodrome licensed under this rule shall not be enlarged or reduced in size, or altered in any other manner except with the written approval of the Director-General.

(6) Subject to these rules, the Director-General may authorized the use of any place as an aerodrome for the purpose of landing and take-off of such types of aircraft, engaged in such classes of operations and subject to such conditions as the Director-General may specify.

***[60-A. Certification of aerodromes**– Certification of aerodromes shall be done subject to such conditions as may be prescribed by the Director-General to meet the requirements of the International Civil Aviation Organization's Standards, Recommended Practices and Procedures.]

61. Aircraft in Government Service to have access to aerodrome – Notwithstanding anything contained in this Part, all aircraft belonging to or employed in the service of the Federal Government shall have access at all times to any licensed aerodrome.

62. Availability of aerodromes – (1) Aerodromes established or licensed under this Part and open to public use shall be available for use, together with all navigation facilities, including radio and meteorological services which are provided for public use for the safety and expedition of flight operations, by any aircraft registered in Pakistan or registered in a contracting State, at all times that the aerodrome is notified as available for use.

* Inserted vide S.R.O.39 (KE)/2004, dated 17th February, 2004.

(2) Except in an emergency an aircraft shall not land at any aerodrome during any period when that aerodrome is not available for use, or land during the period between dusk and dawn at any aerodrome which has not been specified by the Director-General in the Aeronautical Information Publication as usable for night operations. An aircraft which lands during such a period in an emergency shall not take-off during that period.

(3) Notwithstanding the provisions of sub rule (1) except in an emergency an aerodrome shall not be used for take-off and landing by regular public transport aircraft, or charter aircraft unless authorization for such use has been given by the Director-General and any conditions attached to such authorization are obeyed.

(4) Nothing in this Part shall be construed as conferring on any aircraft as against the owner of any land, or any person interested therein, the right to alight on that land, or as prejudicing the rights or remedies of any person in respect of any injury to persons or property caused by the aircraft.

63. Aircraft not to take-off or land except at an aerodrome. Subject to these rules, an aircraft shall not land at, or take-off from any place unless the place is an aerodrome established, or licensed, or authorized as such under this Part.

64. Aircraft on international flights to use specified aerodromes.- Aircraft arriving in, or departing from, Pakistan on an international flight shall not land at, or take-off from an aerodrome unless that aerodrome has been designated for that purpose, by the Director-General, in the Pakistan Aeronautical Information Publication.

65. Aircraft on international flights landing at other than specified aerodromes.- The pilot-in-command of an aircraft arriving in Pakistan which, for reasons beyond the pilot's control, has been landed elsewhere than at an aerodrome designated for the purpose shall ensure that the landing is reported to the Director-General as soon as may be practicable and shall not take-off with the intention of leaving Pakistan except with the permission of the Director-General.

SECTION 2 - AIR TRAFFIC SERVICES

66. The Authority to provide air traffic services.- (1) The Authority shall provide, maintain and operate a service which shall be called the Air Traffic Services. The services shall be under the management and control of the Director-General.

- (2) The functions of the Air Traffic Services shall be:
- (a) the prevention of collisions between aircraft;
 - (b) the prevention of collisions between aircraft on a maneuvering area and obstructions on that area;
 - (c) the maintenance of an expeditious and orderly flow of air traffic;
 - (d) the provision of such advice and information as may be useful for safe and efficient conduct of flights; and
 - (e) the initiation and co-ordination of search and rescue activities.

67. Designation of aerodromes and airspace.- (1) The Director-General may designate:

- (a) an aerodrome at which aerodrome control service is provided as a controlled aerodrome;
- (b) an airspace that is within defined horizontal and vertical limits as an airway, a control area, or a control zone;
- (c) an airspace in respect of which flight information and alerting services are available as a flight information region;
- (d) an airspace within which activities dangerous to aircraft may exist as a danger area;
- (e) an airspace within which the flight of aircraft is restricted as a restricted area; and
- (f) an airspace within which the flight of aircraft is prohibited, as a prohibited area.

(2) An aerodrome or airspace designated under this rule may be notified by inclusion in the Aeronautical Information Publication, or by any other means as may be considered appropriate by the Director-General.

(3) Air traffic in areas or zones which are designated as airways, control zones or aerodrome traffic zones, shall be subject to control by the Air Traffic Services.

SECTION 3 - SAFE-GUARDING AT AERODROMES

68. Limitation of obstructions.- (1) No person shall erect any temporary or permanent structure, nor position a vehicle or other mobile object on or in the vicinity of an aerodrome to which these rules are applicable, that will be within the clearance area, or will protrude through an obstacle limitation surface, at that aerodrome.

(2) For the purpose of this rule:

(a) a clearance area at an aerodrome:

(i) in respect of a runway, is an area 457 meters wide located symmetrically about the runway and extending the full length of the runway and for a distance of 274 meters beyond each end, plus an area at each end with a length of 914 meters and widening over its length from 457 meters to a width of 646 meters;

(ii) in respect of a taxiway, is an area 137 meters wide, centered on the taxiway and extending the full length of the taxiway;

(iii) in respect of an apron, is an area enclosing an apron with a perimeter which is 38 meters outside its edges;

(b) an obstacle limitation surface at an aerodrome is:

(i) a funnel area being a sloping surface at each end of a runway, which originates at the end of the runway clearance area at the elevation of the runway threshold,

- located symmetrically about the produced center line of the runway and rising 1 meter vertically in each 50 meters horizontally over its length of 2773 meters, to a height of 55 meters, and with a width of 457 meters adjacent to the clearance area, widening to 1219 meters at its far end; and
- (ii) an area of restricted height being a horizontal surface 55 meters above the elevation of the runway at the end of each funnel area, located symmetrically above the produced center line of the runway, having a width of 1229 meters and a length of 4572 meters; and
 - (iii) an inner horizontal surface being a surface 45.7 meters above the aerodrome elevation within a radius of 3962 meters from the aerodrome reference point; and
 - (iv) an inner conical surface being a surface extending outwards and upwards from the periphery of the inner horizontal surface, and from the edges of the funnel area and the area of restricted height, with a gradient rising 1 meter vertically in 20 meters horizontally measured radially from the aerodrome reference point, to a height of 151 meters above the aerodrome elevation; and
 - (v) an outer horizontal surface being a surface 151 meters above the aerodrome elevation within a radius of 15,240 meters from the aerodrome reference point; and
 - (vi) a transition surface being a surface extending outwards and upwards from the runway clearance area and the funnel area with a gradient rising 1 meter vertically in 7 meters horizontally, measured at right angles to the runway axis, until it intersects the inner horizontal surface, and extending outwards and upwards from the edges of the area of restricted height with a gradient rising 1 meter vertically in 7 meters horizontally until it intersects the inner conical surface and the outer horizontal surface, the gradient being measured from the sides of the area at right angles to the runway axis, and parallel to the axis at the end.

(3) Notwithstanding the provisions of this rule, the Director-General may specify in Air Navigation Orders or by other means other dimensions of clearance areas and obstacle limitation surfaces for particular aerodromes.

(4) In the event that a person erects a structure, or positions a vehicle or other mobile object in contravention of this rule, the Director-General shall take such action as he considers fit to cause the infringing object to be removed, and shall not be liable for damage so caused. Any costs incurred by the Director-General in taking such action shall be borne by the person causing the infringement.

69. Limitations of lights.- (1) No person shall operate a light in the vicinity of an aerodrome which because of its glare is liable to dazzle pilots of aircraft taking off from or landing at that aerodrome; or which can be mistaken for an aeronautical ground light.

(2) If such a light is operated it shall be extinguished or satisfactorily screened immediately upon notice being given to the person or persons operating the light, by the Director-General or by the Manager or by a person authorized by him.

70. Interference with communications or navigational aids.- No person or persons shall operate a radio station or electrical equipment in the vicinity of an aerodrome or of a radio aid to navigation serving an airway or an air route in Pakistan which is liable to cause interference with radio communications between aircraft and an Air Traffic Services Unit, or which is liable to disturb the signal from a navigational radio aid.

71. Measures to avoid attraction of birds *and hazards to flights safety.- (1) No person shall leave waste foodstuffs on, or bring waste foodstuffs onto, an area of land to which this rule applies.

(2) The Director-General may, by notice in writing, require the owner of land on which waste foodstuffs are, being land within an area of land to which this rule applies, to remove, within a time specified in the notice the waste foodstuffs from his land to a place outside an area of land to which this rule applies or to deal within a time and in a manner, specified in the notice, with the waste foodstuffs.

* Added the words "and hazards to flights safety" vide SRO No. 72(KE)/2001, dated 13th April, 2001.

- (3) A notice under sub-rule (2) may be served personally or by post.
- (4) A person shall not fail to comply with the requirements of a notice served on him under sub-rule (2).
- (5) Whoever contravenes the provisions of this rule shall be punishable with imprisonment for a term which may extend to six months, or a fine not exceeding ten thousand rupees, or, both.
- (6) If a person on whom a notice is served under sub-rule (2) fails to comply with the requirements of the notice, an officer authorized for the purpose by the Director-General may, with such assistance as he requires, enter upon the land and remove or deal with the waste foodstuffs.
- (7) For the purpose of this rule:
- (a) "area of land" means the area of land lying within a radius of 8 kms from either end of a runway at an aerodrome; and
- (b) "waste foodstuffs" includes other waste substances attractive to birds.
- *(8) The provisions of this Section shall apply, so far as practicable, to any smoke producing apparatus which may endanger the safety of aircraft in the vicinity of the airport and the Director-General may specify such restrictions, or issue instructions, in the Air Navigation Orders, as he may deem appropriate.

SECTION – 4
POWER TO PREVENT AN
AIRCRAFT FLYING OR TO MOVE AN AIRCRAFT

72. Power of Director-General to ground an aircraft.- (1) If the Director-General has reason to believe that an intended flight of an aircraft would be in contravention of any provision of these rules, related to the safety of flight operations, he shall have the authority to direct the operator or the pilot-in-command of the aircraft that the aircraft is not to fly until such time as the Director-General is satisfied that action has been taken to avoid the contravention.

* *Added, ibid.*

(2) The Federal Government may in its discretion prevent any aircraft which is not registered in Pakistan from leaving Pakistan.

73. Removal of aircraft from a maneuvering area.- (1) The pilot-in-command of an aircraft which is immobilized or disabled on the maneuvering area of an aerodrome, shall forthwith report the fact to the nearest Air Traffic Service Unit and to the Manager.

(2) In the event that an aircraft becomes immobilized or disabled on an aerodrome in a position in which, in the opinion of the Director-General or the Manager it constitutes a hazard to other aircraft, or an impediment to their expeditious operation, it shall be the responsibility of the pilot-in-command of that aircraft, and the person in charge, and the owner to remove it from that position as instructed by the Director-General or the Manager. If, in the opinion of the Director-General, or the Manager, such an aircraft has not been removed within a reasonable time, he may take such action to remove it as he considers appropriate and shall not be liable for damage, if any, caused to the aircraft by such action. The cost of such action shall be recoverable from the owner or operator of the aircraft.

SECTION – 5 **METEOROLOGICAL SERVICES**

74. Provision of meteorological information.- (1) The Director-General shall make arrangements with the Director General of Meteorology for the provision of meteorological information in such form and in such manner and at such places as the Director-General may consider necessary to ensure the safe, economic and regular operation of aircraft and to give effect to the Convention.

(2) To the extent, if any, to which the Director-General of meteorology is unable to furnish the meteorological information considered necessary by the Director-General for the purpose specified in sub-rule (1) of this rule, the Director-General may make such other arrangements as are necessary for that purpose.

75. Weather reporting.- Weather reports of actual or forecasted meteorological conditions shall not be used in the planning, conduct and control of flights unless the meteorological observations, forecasts and reports were made with the authority of the Director-General of Meteorology or by a person or persons approved for the purpose by the Director General.

76. Provision of a search and rescue service.- The Authority may make arrangements for the establishment, maintenance and operation of a search and rescue service for the purpose of assisting aircraft which may be in need of search and rescue assistance.

77. Search and rescue service to operate in compliance with the convention.- A search and rescue organization established in pursuance of rule 76 shall be operated in accordance with the requirements of the Conventions.

78. Requisition for search and rescue.- The Director-General may requisition aircraft, land vehicles, or water craft and may engage persons to operate those craft or vehicles for the purpose of search and rescue operations in connection with search for a missing aircraft or rescue of its crew and passengers.

79. Payment for search and rescue operations.- (1) The amount of any loss suffered whether of revenue or otherwise, and of any expense incurred by the owner of an aircraft, water craft or land vehicle requisitioned in pursuance of rule 78 may be recovered from the Authority.

(2) A person engaged in pursuance of rule 78 may recover from the Federal Government reasonable remuneration and the amount of any expenses incurred by him.

(3) The expense of a search and rescue operation resulting from improper or negligent operation of an aircraft shall be borne by the owner or the operator of the aircraft.

SECTION – 7
FIRE FIGHTING AND RESCUE SERVICES

80. Provision of fire fighting and rescue services.- The Authority shall maintain and operate a fire fighting and rescue service at the aerodromes under the control of the authority. The service shall be under the control of the Director-General.

81. Functions of the service.- A fire fighting and rescue service established and maintaining under this Part is responsible for all operations in connection with:

- (a) the rescuing of persons and property from an aircraft that has crashed, has caught fire or has otherwise been involved in an accident on, or in the vicinity of, an aerodrome; and
- (b) the control and extinguishing of, and the protection of persons and property threatened by:
 - (i) a fire at an aerodrome, whether in an aircraft or elsewhere on the aerodrome; or
 - (ii) a fire in the vicinity of an aerodrome, being a fire that is in, or that originated in an aircraft;
- (c) investigation of the cause of a fire on an aerodrome, other than one originating in an aircraft.

82. Power to take charge.- (1) The officer-in-charge of a fire fighting and rescue service at an aerodrome shall take charge of any operation for which the service is responsible under this Section.

(2) Where the officer-in-charge of a fire fighting and rescue service has taken charge of an operation in accordance with sub-rule (1), he:

- (a) shall give such directions as he thinks proper for the purpose of carrying out the operation to:
 - (i) members of the fire fighting and rescue service;
 - (ii) members of a fire brigade who are taking part in the operation; or

(iii) persons who have voluntarily placed their services at his disposal; and

(b) shall take such measures as he thinks proper for the purpose of carrying out the operation.

(3) Without prejudice to the generality of clause (b) of sub-rule (2), the officer-in-charge of a fire fighting and rescue service who has taken charge of an operation in accordance with sub-rule (1) may, for the purpose of carrying out the operation:

(a) by force or otherwise, enter, take possession of use, pull down, sink, damage, remove or destroy premises, aircraft or other property;

(b) close to traffic a street, road or other thoroughfare;

(c) use, without payment, any convenient supply of water and shut off water from a main or pipe to obtain a greater pressure or supply of water;

(d) shut off or disconnect the supply of electricity to any premises;

(e) remove from any land, premises or aircraft any inflammable, explosive or dangerous material;

(f) order a person to leave any land, premises or aircraft;

(g) remove to such place as he thinks proper, a person or thing, the presence of whom or which is, in his opinion, interfering with, or threatening to interfere with the operation;

(h) take a fire engine or other fire appliance through, over or upon any land or premises;

(j) shore up, pull down or destroy a wall or building that, in his opinion, is damaged or made insecure or may be dangerous to persons or property; and

(k) direct or authorize the doing by:

(i) a member of the fire fighting and rescue service;

- (ii) a member of a fire brigade who is taking part in the operation; or
 - (iii) a person who has voluntarily placed his services at the disposal of the officer-in-charge, of any action or thing that the officer-in-charge is under this rule empowered to do.
- (4) Where:
- (a) a member of a fire fighting and rescue service or a member of a fire brigade taking part in an operation is of the opinion that, for the purpose of carrying out the operation, it is necessary or desirable to do an act or thing set out in clause (a), (b), (c), (d), (e), (f) or (h) of sub-rule (3); and
 - (b) it is not practicable for the member to request authority under clause (k) of that sub-rule for the doing of that act or thing; the member may do that act or thing without that authority.

83. Damage to Property.- Where damage is caused, whether directly or indirectly to property by reason of the exercise of a power under this Part in relation to a fire, the damage shall, for the purposes of any policy of insurance against fire covering the property damaged, be deemed to be damage by fire, and shall be so deemed notwithstanding a provision to the contrary in the policy.

SECTION – 8

AERONAUTICAL MOBILE RADIO SERVICE

84. Conditions of operation.- (1) A land station shall not engage in the aeronautical mobile radio service without the permission of the Director-General.

(2) A person shall not be employed at a land station as a radio operator engaged in the aeronautical mobile radio service unless:

- (a) he has such qualifications and experience relative to the duties to be performed as the Director-General may direct; and
- (b) the Director-General approves of his being so employed.

SECTION – 9**GROUND OPERATIONS INVOLVING AIRCRAFT**

85. Fuelling of aircraft – (1) An aircraft shall not be refueled or defueled at an aerodrome:

- (a) within 15 meters of a building; or
- (b) at a time when passengers are embarking, or disembarking, or are on board, unless there are qualified personnel in the aircraft who are ready to initiate and direct an evacuation of the aircraft by the most practical and expeditious means available, and who are in two-way communication with the ground crew supervising the refueling.

(2) Refueling or defueling of an aircraft shall be supervised by a person appointed by the owner or operator of the aircraft, or by a member of the flight crew, or by a supervisor appointed by the fuel supplier; the person supervising shall ensure that the aircraft is bonded to the fuelling hose and to the fuelling unit and that both are earthed, and that no source of flame or sparks is in the vicinity of the aircraft. During refueling or defueling no electrical switch shall be operated in the aircraft.

86. Taxying of aircraft – An aircraft shall not be taxied on the movement area of an aerodrome unless the person operating the controls of the aircraft is a pilot licensed on that aircraft, or is a person not less than seventeen years of age who is fully competent to taxi the aircraft; has been properly authorized by the operator of the aircraft, or his agent; has received instruction from the Manager or his representative in respect of the layout of the aerodrome, taxiing routes and taxiway signals; and complies with instructions if any, related to taxiing issued by the Air Traffic Services Unit at that aerodrome where such a unit exists. The person operating the aircraft controls while taxiing, or another person on the flight deck who is in communication with the person at the controls, shall be qualified and licensed to use radio telephone.

87. Compliance with noise abatement procedure – Pilots-in-command of aircraft taking-off and landing and persons responsible for ground running aircraft engines at aerodromes shall comply with the procedures, if any, authorized by the Director-General as a noise abatement measure except where in the opinion of the pilot-in- it would be unsafe to do so.

***[87A. Compliance with noise and emission requirements–**
An aircraft taking off and landing in the territory of Pakistan shall ensure compliance with such noise and emission-standards as prescribed by the Federal Government.]

88. Driving on a movement area – A person shall not operate a vehicle which is authorized under this Part to be driven on the movement area of an aerodrome, unless that person has been authorized to operate that vehicle by the Director-General or the Manager.

89. Parking of aircraft – (1) An aircraft shall not be parked in any position on an aerodrome other than as prescribed by the Manager or the officer on duty in the Air Traffic Services Unit at the aerodrome.

(2) Except with the permission in writing of the Director-General, an aircraft shall not be parked on the movement area of an aerodrome for a period exceeding twelve weeks if the certificate of airworthiness issued in respect of that aircraft is no longer valid.

(3) In the case of an aircraft which is parked in contravention of this rule, the owner shall remove it in compliance with such instructions as may be issued by the Director-General. Where the owner fails to comply within a reasonable period of time with such an instruction, the Director-General, or an authorized representative may take such steps as may be necessary to remove the aircraft in compliance with the instruction.

90. Engines to be run by qualified personnel – (1) A person shall not start the engine or engines of an aircraft on the ground, nor operate the controls of an aircraft engine which is running, unless that person is a pilot or flight engineer, licenced to fly that aircraft, or is a licenced aircraft maintenance engineer or a member of an approved maintenance organization authorized to ground run the engines of that aircraft.

(2) The engine or engines of an aircraft shall not be started unless chocks are in position in front of the main wheels, or the aircraft brakes, if any are on.

** Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

Section – 10**CONDUCT OF PERSONS AT AN AERODROME**

91. Applicability.- (1) The rules in this Section shall apply to persons on any part of an aerodrome.

(2) For the purpose of this Section, an aerodrome shall include all facilities, buildings and other structures, access roads and pedestrian areas provided for the use of passengers intending to travel or having traveled by air.

(3) Any person who is guilty of a breach of any rule in this Section, or of failure to comply with any direction issued under the rules by the Director-General or the Manager, may be removed or ejected from the aerodrome by the Manager or by an authorized person and may, in addition to any other penalty to which that person may be liable under these rules and any other legislation in force, be deprived by the Manager of the further use of the aerodrome and its facilities for such time as may be necessary to ensure the safety of the aerodrome and the public.

92. Unauthorized persons and vehicles not to enter aerodromes.- No person shall enter and no vehicle shall be driven on a maneuvering area on an aerodrome except with the express permission of, and in compliance with instructions issued by an officer on duty in an Air Traffic Service Unit at that aerodrome, or in the absence of such a unit without the express permission of the Manager of that aerodrome.

93. Persons not to smoke or create a fire hazard.- No person shall smoke or generate a naked flame in any area on an aerodrome which is designated as a 'no smoking' area by the Manager or do any act likely to create a fire hazard in any area on an aerodrome.

94. Trading etc at an aerodrome.- (1) No person shall carry on any trade or business at an aerodrome except with the approval of the Director-General and under such terms and conditions as he may direct.

(2) No person at an aerodrome shall solicit any person for any purpose except with the permission of the Manager.

(3) No person shall operate for hire at an aerodrome any taxi cab, or omnibus, or other vehicle carrying passengers except with the permission of the Director-General or Manager and on such terms as he may direct.

(4) No person at an aerodrome shall distribute, or display, or affix anywhere, any printed or written matter, including signs, advertisements and circulars except with the permission of the Director General or the Manager and in such manner as he may direct.

95. Restriction of photography.- A person shall not take any kind of photograph or make a cinematograph film, or operate a video recording camera, on an aerodrome except with the permission of the Director-General and in accordance with such terms as may be specified in the permission and subject to any general or special laws or regulations in force which may be relevant.

96. Regulation of road traffic.- (1) No person shall operate any motor vehicle at an aerodrome other than in accordance with any regulations or directions issued by the Manager concerning motor vehicles and road traffic at that aerodrome.

(2) No person shall operate a motor or other vehicle at an aerodrome contrary to any sign erected or displayed for the control of vehicles by the Manager.

(3) No person shall park any motor or other vehicle at an aerodrome other than as authorized by the Manager.

(4) No person shall load or disembark passengers from a vehicle at an aerodrome other than at places designated for that purpose by the Manager.

(5) No person shall operate a motor or other vehicle at an aerodrome while under the influence of alcohol liquor or drugs to an extent that his ability to operate the vehicle is impaired.

(6) No person shall operate a motor or other vehicle at an aerodrome other than on the roads, paths or places provided for the use of the particular type or class of vehicle, or occupy such roads or paths or places in such a manner as to hinder or obstruct the proper use of them.

(7) Motor or other vehicles shall give way to pedestrians in areas at an aerodrome which are areas designated for use by pedestrians.

Explanation.- For the purpose of this rule, "at an aerodrome" shall mean all areas within an aerodrome to which the public has vehicular access.

97. Reporting of accidents.- Any person who is involved in any accident at an aerodrome and all witnesses to any accident shall report the accident without delay to the Manager or to the police at the aerodrome.

98. Articles lost and found.- Any person finding a lost article shall deposit it with the Manager. Such articles which are unclaimed within thirty days, or in the case of perishable foodstuffs twelve hours, shall be disposed of in such manner as may be directed from time to time by the Director-General.

99. Keeping of animals.- No person shall keep any domestic or other animal at an aerodrome except with the permission of and in accordance with such restrictions and conditions as may be imposed by the Manager.

100. Animals constituting a danger.- Any kite, vulture, stray dog or other bird or animal constituting a danger to aircraft, or to the public at an aerodrome, may be shot by the Manager or under his direction by any other person.

101. Firearms and offensive weapons.- (1) A person shall not enter an aerodrome while in possession of any firearms, explosives, offensive weapons or other munitions of war unless that person is a duly authorized member of the Armed Forces of Pakistan, or is a passenger intending to surrender such firearms or other weapons prior to carriage by air, or is a person authorized by the Director-General to carry firearms or other weapons.

(2) A person other than a duly authorized person in possession of firearms, explosives, offensive weapons or other munitions of war shall surrender them to the Airport Security Force at that aerodrome for the period of time that person is on that aerodrome, or if a passenger, shall surrender them to the person in charge of loading the aircraft on which that passenger intends to travel, before boarding the aircraft.

102. Damage to aerodrome property.- No person shall destroy, injure or deface any building, sign, equipment, marker or other structure, tree, lawn or other property at an aerodrome, or damage by trespass on planted areas.

103. Dumping of rubbish etc.- (1) No person shall dispose of garbage, nor deposit refuse or any other object at an aerodrome except by placing it in the receptacle provided for the purpose.

(2) No person shall abandon any property or other thing at an aerodrome.

104. Prohibition of gambling.- No person shall engage in gambling, or operate a gambling device, at an aerodrome.

105. Disorderly conduct.- No person shall commit any nuisance or any disorderly act at an aerodrome, or use a sanitary convenience in a disorderly manner.

106. Prevention of fire.- (1) Combustible liquids shall not be stored at an aerodrome unless they are stored in such places and subject to such conditions as may be specified by the Director-General or the Manager, except that this shall not apply to fuel contained in the fuel tank of an aircraft, a motor vehicle, or other motor powered appliance.

(2) No person shall keep any oiled waste, waste oil, cleaning rags, or substances liable to suffer spontaneous combustion, or which are otherwise inflammable, on or near to aircraft on the ground, near any fueling unit, hanger, or workshop, or other building or installation in which any inflammable material is stored. Waste substance such as those referred to in this sub-rule shall be disposed of daily in such manner as may be specified by the Director-General or the Manager.

(3) An owner, tenant, or occupant of any premises at an aerodrome, other than premises occupied by or on behalf of the Pakistan air Force shall:

(a) provide on those premises, and maintain in good working order, fire fighting appliances and equipment to a standard approved by the Director-General or Manager; and

(b) during working hours, have available on the premises sufficient personnel trained in the use of such appliances and equipment.

(4) No owner, occupant or tenant of any building at an aerodrome shall install or cause to be installed for use in that building, any engine or electrical apparatus of any kind, or make or cause to be made, any alteration or addition to existing electrical installations in any building without the approval in writing of the Director-General or the Manager.

(5) Facilities for battery charging shall not be installed without the approval in writing of the Director-General or Manager, and if installed shall not be left unattended unless the power supply has been switched off and the battery leads disconnected.

(6) In the event of a fire occurring in any premises, hanger, or workshop, or in any other place at an aerodrome, a report in writing giving all the circumstances shall be submitted to the Manager within twenty four hours by the person occupying, or responsible for, the place of the occurrence.

107. Danger from stock or equipment.- No occupant of any hanger, or premises at an aerodrome utilized for commercial purposes shall store or stock, or permit to be stored or stocked, any material or equipment in such a manner as to constitute a danger to persons or property.

108. Provision of first aid kits.- All tenants or lessees of hangars, workshops, or other premises utilized for commercial purposes at an aerodrome shall provide first aid kits of a type approved by the Director-General or the Manager, located in such hangars, workshops or premises at a conveniently accessible place.

109. Prohibition of entry.- No person shall enter any Air Traffic Service Unit, any hangar, any customs area, any communications centre, any movement area or manoeuvring area, or passenger arrival and departure area, except;

- (a) persons lawfully assigned to duty therein;
- (b) persons authorized to enter by the Director-General, or the Manager, and the Airport Security Force;
- (c) passengers entering the maneuvering area and the arrival or departure lounge for the purpose of disembarking or embarking; or

- (d) persons authorized by the Collector of Customs or the Commissioner of Excise with the permission of the Director-General, or the Manager, and the Airports Security Force.

110. Aerodrome restricted areas.- No person shall enter any area designated by the Director-General or the Manager as an aerodrome restricted area except with the permission of the Director-General or the Manager, and on such terms as may be included in the permission.

PART – X
CONDUCT OF PERSONS ON
BOARD AN AIRCRAFT

111. Restriction of aerial photography – (1) A person shall not take aerial photographs of any area of the territory of Pakistan except with the permission of the Federal Government.

(2) Where the Federal Government has given permission, aerial photographs shall be taken in such manner and subject to such conditions as the Director-General may specify.

112. Persons not to stow away on aircraft – A person shall not:

- (a) secrete himself on an aircraft; or
- (b) travel in an aircraft without the consent of the pilot-in-command or the operator of the aircraft.

113. Behaviour of persons in an aircraft – A person shall not, while in an aircraft:

- (a) interfere with a crew member;
- (b) behave in a disorderly or offensive manner;
- (c) do any act that threatens the safety of the aircraft or of persons on board the aircraft; ***[...]**
- +[d)** commit, an act of physical violence against a person of sexual assault or child molestation;
- (e) assault, intimidate, threaten whether physically or verbally to another person;
- (f) intentionally cause damage to or destruction of property;
- (g) consume alcoholic beverages or drugs resulting in intoxication;
- (h) smoke in a lavatory or elsewhere in any manner, except as and when permitted;
- (i) tamper with a smoke detector or any other safety related device, or
- (j) operate a portable electronics device which is prohibited.]

114. Persons not to carry weapons – No person on board an aircraft shall carry or have in his charge any weapon except that a weapon which is not designed for use in warfare, or against the person, may be carried as passengers' baggage; provided it is stowed so as to be inaccessible to passengers during flight, and if it is a firearm, is unloaded.

115. Restriction of smoking in aircraft – A person shall not smoke when on board an aircraft registered in Pakistan:

* Omitted the word "or" vide S.R.O. 39 (KE)/2004, dated 4th March, 2004.

+ Inserted clauses (d) to (j), *ibid*.

- (a) in those areas in the aircraft designated as non-smoking areas; and
- (b) at any time when the cabin crew or flight crew of the aircraft indicate either verbally or by means of signs that smoking is prohibited.

116. Consumption of intoxicating liquor or drugs.- (1) No person shall enter an aircraft while under the influence of intoxicating liquor, or drugs, nor shall any person consume intoxicating liquor in an aircraft registered in Pakistan.

(2) No person shall administer drugs during flight so as to become intoxicated except in the case of a person under qualified medical supervision.

117. Carriage of drugs.- Narcotic drugs, mood changing or hallucinogenic drugs, depressant or stimulant drugs, or marijuana, shall not be carried in an aircraft except as a medicament prescribed for the individual use of a passenger by a qualified medical practitioner, or as part of the approved emergency medical kit approved by the Director-General.

118. Powers of the Pilot-in-Command.- The pilot-in-command of an aircraft, with such assistance as he requires, may:

- (a) take such action, including the removal of a person from the aircraft or the placing of a person under restraint or in custody, by force, as he considers reasonably necessary to ensure compliance with these rules in or in relation to the aircraft; and
- (b) detain the passengers, crew and cargo for such period as he considers reasonably necessary to ensure compliance with these rules in or in relation to the aircraft.

PART – X**RULES OF THE AIR****SECTION 1 – GENERAL RULES**

119. Applicability of Rules of the Air.- (1) This Part shall be known as the Rules of the Air and shall apply to aircraft other than military aircraft, engaged in flight operations in Pakistan and to aircraft registered in Pakistan wherever they may be except where they conflict with the Rules of the Air published by the State having jurisdiction over the territory over flown.

(2) The pilot-in-command of an aircraft shall be responsible for the operation of the aircraft in accordance with the Rules of the Air and for obeying all instructions of the Air Traffic Services except when compliance with these rules and such instructions would hazard the safety of the operation.

(3) Nothing in these rules relating to right of way, or action to be taken by a pilot-in-command of an aircraft shall exonerate a pilot from the consequences of any neglect to maintain a proper look out or neglect of any precaution required by the practice of good airmanship.

120. Aircraft not to be operated in a negligent or reckless manner.- An aircraft shall not be operated or caused to be operated in a negligent or reckless manner so as to endanger life or so as to cause damage to the property of others.

121. Restriction on towing.- An aircraft in flight shall not tow any article, not pick up or raise any person, animal or article by means external to the aircraft unless authorized to do so by the Director-General.

122. Aircraft not to drop articles or to spray so as to cause damage.- An article or substance shall not be dropped or sprayed from an aircraft in flight so as to endanger persons on the surface of the earth or water, or to cause damage to property.

123. Agricultural aircraft to comply with instructions.- The pilot-in-command of an aircraft which is being operated for the purpose of dropping substances for the purposes of agriculture, horticulture, forestry or pest control, shall comply with such conditions as may be set by the Director-General and shall comply with any instructions or clearance given by an Air Traffic Services Unit.

124. Restriction on dropping by Parachute.- A person, or an animal or an article shall not be dropped from an aircraft by parachute except with the express permission of the Director-General and in compliance with any conditions he may specify.

125. Restriction on simulation of instrument meteorological condition.- (1) An aircraft shall not be flown when the field of vision or range of visibility of the pilot handling the controls is reduced by optical or mechanical devices, or by adjustment of the seat position as a simulation of instrument meteorological conditions, unless the aircraft is equipped with fully functioning dual controls and a qualified pilot occupies the second control seat to act as a safety pilot. The safety pilot shall have adequate vision forward and to each side of the aircraft, or if he does not, a competent observer shall be carried in the aircraft in communication with the safety pilot and in a position from which his field of vision adequately supplements that of the safety pilot.

(2) A pilot occupying the control seat of an aircraft in flight shall not wear a head dress, or article of apparel, or any adornment that restricts the field of view of that pilot.

(3) The operator and the flight crew of an aircraft shall take all practicable steps to ensure that when the aircraft is in flight, or is being maneuvered on the ground or water, all windows, windscreens and side screens used by the flight crew for forwards or sideways vision, are maintained in such condition as not to obscure their view.

126. Acrobatic flights.- An aircraft shall not be flown in acrobatic flight:

- (a) unless the certificate of Airworthiness or the flight manual for the aircraft authorizes such maneuvers;
- (b) in controlled airspace except in compliance with instructions and clearance from the appropriate Air Traffic Services Unit;

- (c) over congested areas of a city, town, or any congested area of a settlement;
- (d) over an open air assembly of persons except with the permission of the Director-General;
- (e) by night; or
- (f) in conditions other than visual meteorological conditions.

127. Flight crew not to be intoxicated.- A person shall not act as a member of a flight crew of an aircraft while under the influence of intoxicating liquor or narcotics, or drugs, or medication.

128. Aircraft to be flown at adequate height over towns.- Notwithstanding the provisions of rule 155, an aircraft shall not be flown over congested areas of cities, towns, or settlements or over an open air assembly of persons, except by permission of the Director-General, unless it is at such height as will permit, in the event of an emergency, a landing to be made without undue hazard to persons on the ground, and except when it is taking off or landing, shall not be flown closer than 500 ft to any person, vessel, vehicle or structure.

129. Radio failure in an aircraft.- The pilot-in-command of an aircraft that suffers radio failure in flight shall comply with the procedures notified in the Aeronautical Information Publication for use in such circumstances.

130. Pilots to Avoid Collisions.- The pilot-in-command of an aircraft shall take all possible measures to ensure that his aircraft does not collide with any other aircraft.

131. Restriction on Formation Flying.- An aircraft shall not be flown in such proximity to other aircraft as to create a collision hazard and shall not be flown in formation with one or more other aircraft except by pre-arrangement between the pilots-in-command of the aircraft.

132. Aircraft that has Right of Way to Maintain Course, Speed & Height.— (1) The pilot-in-command of an aircraft that has the right of way as defined by this Part shall maintain its heading and speed except when such action would result in a collision with another

aircraft when he shall take all possible measures to ensure that a collision does not occur.

(2) The pilot-in-command of an aircraft who is required by these rules to keep out of the way of another aircraft shall not do so by climbing to pass over, or by diving to pass under, and shall not cross ahead of the other aircraft unless crossing well clear.

133. Rights of Way.- The pilot-in-command of an aircraft which is converging on another aircraft at approximately the same height and which has the other aircraft on its right shall give way by turning to the right and passing behind the other aircraft except that:

- (a) power driven heavier-than-air aircraft shall give way to airships, gliders and balloons;
- (b) airships shall give way to balloons;
- (c) gliders shall give way to balloons; and
- (d) power driven aircraft shall give way to aircraft that are seen to be towing other aircraft or objects.

134. Aircraft Approaching Head-on.- The pilots-in-command of aircraft which are approaching each other head-on, or approximately so, while in flight so as to result in danger of a collision, shall each alter the heading of his aircraft by turning to the right.

135. Overtaking Aircraft.- (1) An aircraft which is being overtaken by another aircraft has right of way and the pilot-in-command of the overtaking aircraft shall keep out of the way of the aircraft to be overtaken by altering heading to the right and passing well clear.

(2) For the purpose of this Rule an overtaking aircraft is an aircraft which is approaching another aircraft from a position to the rear of a line through the aircraft being overtaken, at right angles to its line of flight, and shall continue to be an overtaking aircraft until it is well clear of the aircraft being overtaken.

136. Aircraft on Landing Approach.- The pilot-in-command of an aircraft which is landing or which is on a final approach to land shall have the right of way over other aircraft in flight, or on the ground or water, and in the case of two or more aircraft making an approach

to land, an aircraft at a lower level shall have the right of way over aircraft at a higher level except that the pilot-in-command of an aircraft who is carrying out an emergency landing shall have right of way over all other aircraft, and an aircraft which is at a higher level but which is in the final stages of an approach to landing, shall have right of way over an aircraft which is at a lower level if that aircraft has not commenced a turn on to the final stages of an approach to landing, or if it is to the rear of the aircraft at a higher level.

137. Taxiing Aircraft Approaching Head-on.— The pilots-in-command of aircraft which are taxiing on the maneuvering area of an aerodrome and which are approaching each other head on, or approximately so, shall each stop or, where practicable, each alter the heading of his aircraft to the right so as to pass well clear.

138. Taxiing Aircraft-Rights of Way. — The pilot-in-command of aircraft taxiing on the manoeuvring area of an aerodrome:

- (a) which is converging on another taxiing aircraft shall give way if the other aircraft is on his right;
- (b) which is overtaking another taxiing aircraft shall give way to the other aircraft and shall keep well clear until the other aircraft has been passed;
- (c) shall give way to aircraft taking off or about to take off.

139. Aircraft on or in the Vicinity of an Aerodrome.— The pilot-in-command of an aircraft operating on or in the vicinity of an aerodrome shall:

- (a) observe other aerodrome traffic for the purpose of avoiding collisions;
- (b) conform to, or avoid, the traffic pattern formed by other aircraft in operation;
- (c) make all turns to the left when approaching for a landing, and after taking off, unless otherwise directed by instructions received from an Air Traffic Service Unit, or indicated by visual signals, or notified by the Aeronautical Information Publication;

- (d) take off and land in the direction indicated by the ground signals or by the Air Traffic Services unit, or if no such indication is available, take off and land into the wind unless good aviation practice demands otherwise;
- (e) comply with all instructions and obey all signals given by an Air Traffic Services Unit; and except when taking off or landing or conforming to the traffic patterns, shall not fly below a height of 2000 ft above the aerodrome; or
- (f) if an Air Traffic Control Service is provided at that aerodrome obtain prior authorization for any manoeuvre preparatory to, or associated with taxiing, landing, or taking off.

140. Balloons and Kites.- A captive balloon or a kite shall not be flown at a height above 200 ft within 6 kms of an aerodrome, and a free balloon shall not be flown at any place, except with the express permission of the Director-General and in compliance with the conditions attached to such permission.

141. Use of Anti-collision Lights.- An aircraft fitted with anti-collision lights which are intended to attract attention to the aircraft, shall display such lights at all times that the engines are running when it is on the movement area of an aerodrome.

142. Use of Navigation Lights.- (1) Between the hours of sunset and sunrise and in conditions of poor visibility an aircraft which is in flight or on the movement area of an aerodrome shall display navigation lights and anti-collision lights as specified by the Director-General in Air Navigation Orders and in the case of an aircraft on the movement area of an aerodrome, if such navigation lights are not positioned on the wing tips and on the rearmost part of the aircraft, shall display lights intended to mark these extremities or shall illuminate them by other means.

(2) An aircraft which is parked on or adjacent to a movement area shall display navigation lights required by this rule unless the aircraft is clearly illuminated by other means, or the area it occupies is delineated by obstruction lights.

143. Power to Switch off Dazzling Lights.- Other rules notwithstanding the pilot-in-command of an aircraft shall be permitted to switch off or reduce the intensity of any flashing lights if they adversely affect the satisfactory performance of his duties or subject an outside observer to harmful dazzle.

144. Pilots to Comply with Air Traffic Service Instructions.- The pilot-in-command of an aircraft in flight in Pakistan airspace shall comply with such Air Traffic Services Instructions in the Aeronautical Information Publication as may be applicable, and with such instructions would hazard the safety of the aircraft.

145. Pilotless Aircraft not to be flown.- An aircraft, other than a scale model of an aircraft, which is capable of being flown without a pilot, shall not be flown without a pilot except with the authorization of the Director-General and in compliance with such conditions as he may specify.

146. Aircraft not to fly in Notified Areas.- (1) An aircraft shall not be flown in an area of Pakistan which is notified as:

- (a) a prohibited area;
- (b) a restricted area except in accordance with the conditions specified in the notifications of such a restricted area; or
- (c) a danger area which has also been notified as an active.

(2) For the purpose of this rule, notified shall mean published in the Aeronautical Information Publication, or in a Notice to Airmen, or communicated by an Air Traffic Service unit by other means.

(3) If the pilot-in-command of an aircraft finds that the aircraft is in a prohibited area, or is in a restricted area in contravention of the applicable conditions, he shall:

- (a) immediately cause the aircraft to be flown out of the area;
- (b) as soon as possible report the circumstances to the nearest Air Traffic Service unit; and
- (c) obey any instructions given by the Air Traffic Service Unit.

147. Pilots to Comply with Visual Signals.- (1) The pilot-in-command of an aircraft upon observing or receiving any signals

relating to distress or urgency, or to interception by another aircraft, or to flight into restricted, prohibited or danger areas, or to aerodrome traffic, or to the marshalling of aircraft, shall take such action as may be required by such signals.

(2) For the purpose of this rule, observed signals shall have the meaning attributed to them in the Aeronautical Information Publication.

148. Pilots to Report Violations.- The pilot-in-command of an aircraft who, in an emergency situation, has taken action which involves a violation of the rules in this Part, shall report it in writing without delay to the Director-General.

149. Use of Universal Co-ordinated Time.- Universal Co-ordinated Time (UTC) shall be used in all flight operations and expressed in hours and minutes. A time check shall be obtained prior to operating a flight under Air Traffic Control and at such other times during a flight as may be necessary.

150. Aircraft to be Flown in Compliance with VFR or IFR.- An aircraft in flight shall be operated in accordance with the Visual Flight Rules, or the Instrument Flight Rules.

SECTION 2 - APPLICATION OF VISUAL FLIGHT RULES

151. Visual Flight Rules.- The Visual Flight rules shall be as follows:

- (a) the pilot-in-command of an aircraft in flight outside controlled airspace when at or below 3000 ft above mean sea level, or 1000 ft above the ground, whichever is higher, shall remain clear of clouds, in sight of the ground or water, and shall fly so as to maintain a flight visibility of 1500 meters or more except that helicopters may fly with a flight visibility less than 1500 meters if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstructions in time to avoid collision.

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- (b) The pilot-in-command of an aircraft in flight outside controlled airspace when higher than 3000 ft above mean sea level, or 1000 ft above the ground, whichever is higher, or at any height within controlled airspace shall maintain a distance of not less than 1500 meters horizontally and 1000 ft vertically from clouds and shall fly so as to maintain a flight visibility of 8 kms or more.

152. Aircraft to be Flown at Appropriate Flight Level.- The pilot-in-command of an aircraft complying with Visual Flight Rules in level cruising flight at a height more than 3000 ft above the ground or water shall fly at a flight level appropriate to the track as notified in the Aeronautical Information Publication except that he may fly at another flight level if this is made necessary by the flight conditions encountered.

153. Limitation on Flights by VFR.- Unless specifically authorized by the Director-General, Flights shall not be conducted in compliance with Visual Flight Rules:

- (a) between the time of sunset and sunrise;
- (b) over the sea, where more than 16 kms from land for more than 1 hour;
- (c) at levels above flight level 150; or
- (d) at transonic or supersonic speeds.

154. Flight in controlled airspace.- The pilot-in-command of an aircraft intending to fly in compliance with Visual Flight Rules shall not take-off or land at an aerodrome with a control zone, or enter the aerodrome traffic zone or traffic pattern, without a clearance from an Air Traffic Services Unit.

155. Aircraft not to be flown below 2000 ft over towns.- The pilot-in-command of an aircraft complying with Visual Flight Rules shall not fly over the congested areas of cities, towns or settlements, or over an open air assembly of persons, or in the vicinity of an aerodrome, at a height less than 2000 ft above the highest terrain or obstacle within a radius of 1 kilometer from the aircraft, and shall not fly elsewhere at a height less than 500 ft above the ground or water, except that this rule shall not apply:

- (a) if the aircraft is being flown in conformity with take-off or landing procedures; or
- (b) the aircraft is engaged upon aerial work of a nature which necessitates low flying and which has been approved by the Director-General.

156. Take-off limitation of VFR flights.- The pilot-in-command of an aircraft shall not commence a flight which is to be conducted in accordance with Visual Flight Rules unless current meteorological reports or a combination of current reports and forecasts indicate that the meteorological conditions along the route to be flown under Visual Flight Rules will at the appropriate time, be such as to make compliance with the rules possible.

SECTION 3 - INSTRUMENT FLIGHT RULES

157. Aircraft to be equipped for IFR Flight and pilots to hold instrument ratings.- Flights shall not be conducted in accordance with Instrument Flight Rules unless:

- (a) the aircraft is equipped with instrument and navigation equipment specified by the Director-General in Air Navigation Orders as suitable for the route to be flown; and
- (b) each pilot occupying a control seat in the aircraft has a current instrument rating included in his licence except that this shall not apply to a pilot undergoing flight instruction in order to qualify for the issue of an instrument rating.

158. Aircraft to fly at or above minimum flight altitude.- (1) The pilot-in-command of an aircraft to which this Part applies, flying in compliance with Instrument Flight Rules shall not fly below the minimum flight altitude notified in the Aeronautical Information Publication, as applicable to the part of the route on which the aircraft is flying, except when it is necessary for taking off and landing.

(2) Where no minimum flight altitude has been established, the minimum shall be 1000 ft above the highest obstacle within 8 kms of

the estimated position of the aircraft; if the flight is over high terrain or mountainous area, the minimum shall be 2000 ft above the highest obstacle within 8 kms of the estimated position of the aircraft.

(3) When complying with this rule the pilot-in-command of an aircraft shall fly at a flight level which is specified in the Aeronautical Information Publication as appropriate to the magnetic track of the aircraft.

159. Pilots to fly at specified levels.- The pilot-in-command of an aircraft flying, or intending to fly in controlled airspace in compliance with Instrument Flight Rules shall fly at such heights or levels as are specified in an Air Traffic Services clearance except where compliance with such a clearance would result in collision with obstacles or terrain.

160. Flights in instrument meteorological condition to be by Instrument Flight Rules.- Flight conditions which prevent compliance with Visual Flight Rules shall be conducted in accordance with Instrument Flight Rules except that flights within a control zone which are given an air traffic control clearance by the appropriate Air Traffic Service Unit may be conducted in accordance with such special Visual Flight Rules as may be determined by the Air Traffic Service Unit.

161. Pilots to comply with instrument departures and approach procedures.- (1) The pilot-in command of an aircraft on a flight conducted in compliance with Instrument Flight Rules shall comply with such instrument departure procedures as may be specified by the Air Traffic Service Unit serving the departure aerodrome or notified in the Aeronautical Information Publication.

(2) The pilot-in-command of an aircraft carrying out an approach to landing by flying solely by reference to instruments shall not descend below the specified minimum safety altitude for that stage of the flight except in compliance with an instrument approach procedure which is approved by the Director-General for use at that aerodrome.

162. Pilots unable to maintain an appropriate flight level.- If an aircraft is unable to maintain an appropriate flight level when operating under Instrument Flight Rules, the pilot-in-command shall immediately notify the nearest air Traffic Service Unit and comply with any instructions given by the Air Traffic Service, or, if in visual meteorological conditions, shall comply with Visual Flight Rules.

SECTION – 4

FLIGHT PLAN AND COMMUNICATION REQUIREMENTS

163. Flight plan to be filed –The pilot-in-command ***[or operator]** of an aircraft shall submit a flight plan in such form **+**, content **@****[and by means]** as may be specified by the Director General in the Air Navigation Orders, or in the Aeronautical Information Publication, to the appropriate air traffic services unit **\$****[or each flight prior to operation in Pakistan airspace]****#**.

164. Submission of flight plans – **α****[Flight Plan in respect of]** a flight to be provided with air traffic control service or air traffic advisory service shall **β****[be submitted]** at least thirty minutes before departure, or if such a flight plan is submitted during flight, it shall be at a time which will ensure its receipt by the appropriate Air Traffic Services Unit at least ten minutes before the time at which it is estimated that the aircraft will reach the intended point of entry into controlled or advisory airspace, or the point of crossing an airway or advisory route.

165. Pilots to obtain clearance – The pilot-in-command of an aircraft on a flight which will be provided with Air Traffic Control Service shall obtain air traffic control clearance for the flight.

166. Pilots to adhere to flight plan – The Pilot-in-command of an aircraft in flight under Air Traffic Control Service shall adhere to the flight plan which has been submitted in respect of that flight, or part of that flight and may change it only after a request for such a change has been made to, and clearance received from, the appropriate Air Traffic Control Unit except that in the event of an emergency situation which necessitates immediate action by the pilot-in-command that results in a deviation from the flight plan, he shall as soon as possible notify the appropriate Air Traffic Control Unit of the action taken under emergency.

* *Inserted the words "or operator" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ *Substituted a "comma" for the word "and", ibid.*

@ *Inserted, ibid.*

\$ *Inserted, ibid.*

Substituted a "full stop" for the "semi-colon" and omitted clauses (a), (b) & (c), ibid.

α *Substituted for the words "the pilot-in-command of an aircraft who intends to operate", ibid.*

β *Substituted the words "be submitted" for the words "submit a flight plan", ibid.*

167. Pilots to maintain the center line of an air route.- The pilot-in-command of an aircraft under the control of an Air Traffic Control Unit shall, to the extent that it is practicable, maintain the center line of an established air traffic service route if one is being used, or if on any other route shall operate directly between the navigation facilities and or points defining the route unless authorized or directed by the appropriate air traffic control unit to do otherwise.

168. Pilots to change VOR guidance.- The pilot-in-command of an aircraft under the control of an Air Traffic Control Unit and flying along an air traffic services route segment defined by reference to VOR, shall, for primary navigation guidance, change over from the VOR behind the aircraft to that ahead of it at the change over point.

169. Pilots to correct or report deviations.- The pilot-in-command of an aircraft which is under the control of an Air Traffic Control Unit shall, if he inadvertently deviates from the current flight plan, so that the aircraft is off track, adjust the aircraft heading so as to regain track as soon as practicable, and shall inform the appropriate Air Traffic Control Unit if there is a variation in the average true airspeed between reporting points of 5% or more from that given in the flight plan, or if there is an error in excess of three minutes in the estimated time of arrival at the next applicable reporting point, flight information region boundary, as defined in the Aeronautical Information Publication or aerodrome of intended landing.

170. Pilots unable to comply with VFR flight plan.- The pilot-in-command of an aircraft under the control of air Traffic Control Unit on a Visual Flight Rules flight plan shall, when it becomes evident that the weather is deteriorating to the extent that adherence to the flight plan will not be practicable:

- (a) request a clearance for a change in the flight plan which will enable the flight to continue in accordance with Visual Flight Rules to an aerodrome for landing;
- (b) notify the appropriate Air Traffic Control Unit and leave controlled or advisory airspace, or land at the nearest suitable aerodrome;
- (c) within a control zone or a control area, request a clearance to operate under Special Visual Flight Rules; or

- (d) if the aircraft is suitably equipped and he is suitably qualified, request a change in the flight plan which will allow the flight to continue in compliance with Instrument flight Rules.

171. Pilots to report Passing reporting Points.- The pilot-in-command of an aircraft under the control of Air Traffic Control Unit shall report to the appropriate Air Traffic Control Unit his flight level and time of passing each designated compulsory reporting point together with any other required information, or shall make position reports at such intervals as may be notified in the Aeronautical Information Publication.

172. Pilots to Notify Cancellation of IFR Flight Plan.- The pilot-in-command of an aircraft in flight complying with Instrument Flight Rules who elects to change the conduct of the flight to compliance with the Visual Flight Rules shall, if a flight plan was submitted in respect of the flight, notify the appropriate Air Traffic Services Unit specifically that the Instrument Flight Rules flight plan is cancelled.

173. Pilots to maintain a listening watch.- The pilot-in-command of an aircraft under the control of an Air Traffic Control Unit shall maintain a continuous listening watch on the appropriate radio frequency of the Air Traffic Control Unit and shall establish two-way communication with that Air Traffic Control Unit, except when specifically authorized by that unit to operate without two-way radio communication at an aerodrome.

174. Pilots to report*– +(1) The pilot-in-command of an aircraft which has been operated in conformity with a flight plan for the whole of the flight or for the part of the flight immediately prior to landing, shall report his arrival to the appropriate Air Traffic Services Unit at the aerodrome of arrival, or when no Air Traffic Services Unit exists at the aerodrome of arrival, to the nearest Air Traffic Services Unit as soon as practicable after landing, by the quickest means available.

- (2) At the termination of each flight, or in any urgent case, @ during the flight, the pilot-in-command shall report, in the manner and to the person specified by the Director-General, all defects in

* Omitted the word "arrival" vide SRO No. 72(KE)/2001, dated 13th April, 2001.

+ Existing rule renumbered as sub-rule (1), *ibid*.

@ Added, *ibid*.

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the aircraft, aerodrome, air routes, air route facilities or airway
facilities which may have come to his notice.

**(3)* Where a defect in the aircraft is reported in accordance with
sub-rule (2), the operator of the aircraft shall take such action in
relation thereto as is required under these rules.

** Added, Ibid.*

PART – XI

**LICENCING AND CERTIFICATION OF
COMMERCIAL AIR OPERATIONS**

SECTION 1 - APPLICABILITY

175. Part to apply to Pakistan operators and aircraft.- The rules in this Part shall apply to Pakistan operators and to operations by regular public transport aircraft, charter aircraft and aerial work aircraft.*

176. Description of an operator.- For the purpose of this Part an operator is a person, organization or enterprise engaged in, or offering to engage in, an aircraft operation and in the case of a Pakistan Operator is one that has a principal place of business in Pakistan or, if there is no such place of business, has a permanent residence in Pakistan.

SECTION 2 - LICENSING OF COMMERCIAL OPERATORS

177. Commercial operations to be licenced.- +(1) An aircraft shall not fly for any type of operation unless the operator of that aircraft holds an appropriate licence granted by the Director-General. The Director-General shall, with the prior approval of the Federal Government, issue the following licences, namely:-

- (a) regular public transport;
- (b) charter, if the service is an international service, or if the aircraft has a maximum permissible take-off mass greater than 5,700 kgs; or
- (c) aerial work, if the service is an international service;

* Omitted the words "registered in Pakistan" vide SRO No. 72 (KE) / 2001, dated 13th April, 2001.

+ Substituted sub-rule (1), *ibid*.

(2) For the purpose of this rule, an appropriate licence means in the case of regular public transport a regular public transport licence, in the case of charter, a charter licence, and in the case of aerial work, an aerial work licence.

(3) The period of validity of such a licence and any conditions attached to it shall be as determined by the *Director-General with the prior approval of Federal Government.

178. Applications for a licence.- +(1) Application for licence under this Section shall be made to the authority competent to approve the licence;

(2) The application shall be made in a form which will be supplied by the Director-General on request, shall be signed by the person applying for the licence, and if made by any corporate body, shall be signed by a person duly authorized by that body.

(3) The application shall contain the following particulars:

- (a) name and address of the applicant;
- (b) nature of the licence applied for;
- (c) the places at which it is desired that aircraft may land for traffic or other purpose;
- (d) the routes to be flown and the frequency of a proposed air charter service;
- (e) the routes to be flown and the frequency of a proposed regular public transport service;
- (f) the nature of the aerial work to be carried out if applicable, with location of such work; and
- (g) the type or types of aircraft to be used.

179. Companies to be registered.- @(1) A company desiring a licence to operate commercial air operations in Pakistan, shall be registered in accordance with the provisions of the Companies

* Inserted the words "Director General with the prior approval of" vide SRO No. 72(KE)/2001, dated 13th April, 2001.

+ Substituted sub-rule (1), *ibid*.

@ Rule 179 renumbered as sub-rule (1) vide S.R.O.139 (KE)/2001, dated 5th October, 2001.

Ordinance, 1984 (XLVII of 1984) and shall have its registered head office in Pakistan and shall be subject to the provisions of the said ordinance and the rules made thereunder.*

+[(2) The minimum paid up capital of the company applying for regular public transport operations shall be in accordance with that prescribed in the National Aviation Policy. The minimum paid-up capital of the company applying for charter and aerial work operations shall be in accordance with that prescribed by the Director General with the approval of the Federal Government. Foreign investment, if any, may be permitted to the extent where the controlling interest (majority shareholding) remains in local hands.

(3) Security deposit amounting to ten per cent of the prescribed paid-up capital and, in case of regular public transport licence only, a bank guarantee of an equivalent amount, from a scheduled bank acceptable to the Authority, shall be submitted before the grant of a licence. Each company so registered in Pakistan and seeking permission to commence commercial flight operations, from, to and within Pakistan shall-

- (a) submit alongwith application for licence a sound business plan, registration documents, like, memorandum association, articles of association, trust deed, bank references and any other documents, to prove to the satisfaction of the Authority, that the company is a legally established body capable of commencing commercial flight operations;
- (b) undertake mandatory investment in maintenance and training infrastructure to support A and B checks or equivalent standards; and
- (c) maintain a comprehensive insurance policy covering aircraft, crew, passengers, cargo and third party risks for flight operations in Pakistan at the level required by applicable International Conventions.]

180. Compliance with conditions of a licence- (1) The holder of a licence issued under this Section shall comply with such conditions as may be attached to the licence and with such regulations and orders as the @authority approving the licence may from time to time specify, \$and shall supply such information as may be required by the #said authority and shall

* Omitted the words "Two copies of the Articles of Association shall be forwarded to the Federal Government with the application for a licence" vide S.R.O. 72(KE)/2001, dated 13th April, 2001.

+ Substituted Sub-rules (2) & (3) for existing Sub-rule (2) vide vide S.R.O. 93(KE)/2013, dated 31st October, 2013.

@ Substituted the words "Federal Government" for the words "authority approving the licence" vide S.R.O. 72(KE)/2001, dated 13th April, 2001.

\$ Inserted the word "and", *ibid*.

#Substituted the word "Government" for the words "said authority", *ibid*

comply with instructions, if any in relation to the licence which may be issued to him, by the *Federal Government.

(2) The holder of a licence shall so conduct his flight operations as not to involve the breach of any obligations imposed upon the Federal Government by an agreement with another Government.

(3) The holder of a licence shall not vary the frequency of a service, or the nature of the aerial work being performed, from that authorized by the licence except with the approval of the +Director-General.

181. Exemption from the need to hold a licence.–

Notwithstanding the provisions of rule 177 and 188, the Director General may, if he considers that the particular circumstances of the case so warrant, exempt a person who holds an Air Operator Certificate-Charter and who proposes to operate a service which would constitute a regular public transport service from the necessity of obtaining a regular public transport licence, provided that no other operator is operating such a service on the proposed route or routes. In granting such an exemption the Director-General may specify such a period for the service and attach such conditions @ [for the observance of aviation safety as he may consider fit].

182. Licences not to be transferable – A licence granted under this Section shall not be transferable, except that in the event of the death, incapacity, bankruptcy, sequestration or liquidation of the holder of the licence, or manager or trustee in relation to the business of the holder, the person for the time being carrying on that business shall be entitled to continue to operate under the terms of the licence, provided that an application for a new licence is made within fourteen days of the above named event. The entitlement to continue to operate shall extend until the application for a new licence is disposed of.

183. Subcontracting of services – Notwithstanding the provisions of rule 182, the holder of a licence granted under this Section may, with the approval of the \$Director-General enter into a contract or arrangement with another person under which that person may operate the service for which the licence is issued, provided that the person who is to operate the service holds or obtains an Air Operator Certificate issued under this Part.

* Substituted the words "Federal Government" for the words and commas "Government and shall comply with the instructions, if any, in relation to the licence which may be issued to him, by the Federal Government, direct or through the Director General", *ibid*.

+Substituted the words "Director-General" for the words "Federal Government", *ibid*.
@ Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

\$ Inserted vide SRO No. 72(KE)/2001, dated 13th April, 2001.

184. No continuance of right to a licence.- Nothing in this Section shall be construed as conferring on the holder of a licence on its expiry, variation, or cancellation any right to the issue of a new licence for the operation of a service on the same route, or on any other route, or for aerial work, or to the continuance of any other benefits arising from the provisions of this Section or any licence granted thereunder.

185. Variation*, suspension and cancellation of licences.-

(1) In the interest of securing more effective development of air transport, or in the general interest of the public, +the Director-General may with the prior approval of the Federal Government, amend the terms of a licence issued under this Section, provided that the holder of that licence shall be given not less than twenty-one days to show cause against such an amendment.

(2) On the application of the holder of a licence for an amendment to be made to that licence, @the Director-General may with the prior approval of the Federal Government, may make that amendment if it finds it unobjectionable.

\$(3) The Director-General may suspend a licence granted under this part for such a period as he deems fit or may, with the approval of the Federal Government, cancel such licence, if:

- (a) the holder of the licence or an aircraft operated has contravened or failed to comply with the provision of the Ordinance or these rules or the terms of the licence; or
- (b) the Director-General is satisfied that it is necessary, in the interest of safety of the aircraft or persons on board the aircraft or public safety, to suspend or cancel the licence, as the case may be Provided that action under this rule shall be taken after providing reasonable opportunity to show cause against the proposed action.

* Substituted the "comma" and words "suspension and cancellation" for the words "in terms", *ibid.*

+ Inserted, *ibid.*

@ Inserted, *ibid.*

\$ Added, *ibid.*

SECTION 3 – AIR OPERATOR CERTIFICATE**186. Operators to hold an Air Operator Certificate.-**

Notwithstanding the provisions of Section 2 of this Part, an aircraft shall not fly for the purpose of:

- (a) regular public transport;
- (b) charter; or
- (c) aerial work; unless the operator of that aircraft holds an air operator certificate issued by the Director-General.

187. Issue of Air Operator Certificates.- (1) The Director-General shall issue or renew air operator certificates under this Part, when he is satisfied that an applicant has demonstrated that his equipment, organization, staffing, maintenance And other arrangements are adequate to secure the safe operation of the types of aircraft to be included in the certificate, on such flights as are to be authorized, and that the applicant can establish and maintain a satisfactory method of supervision of these flight operations. For this purpose an applicant shall supply such information as the Director-General may require.

(2) An air operator certificate issued under this Part shall be subject to such conditions as the Director-General may include in the certificate in the interests of flight safety.

188. Air Operator Certificates.- (1) An air operator certificate issued under this Part shall be:

- (i) an "Air Operator Certificate-airline" which shall authorize the holder to engage in regular public transport operations within the conditions and limitations of that certificate, provided that he has also been granted a licence for such operations by the Federal Government;

- (ii) an "air operator certificate-charter" which shall authorize the holder to engage in charter operations within the conditions and limitations of that certificate, provided that in the case of international charter operations, and of charter operations by aircraft with a maximum permissible take-off mass greater than 5,700 kgs, he has also been granted a licence for such operations by the Federal Government; or
- (iii) an "air operator certificate-aerial work" which shall authorize the holder to engage in aerial work operations within the conditions and limitations, of that certificate, provided that in the case of international aerial work he has also been granted a licence by the Federal Government.

(2) An air Operator Certificate issued under this Part shall be valid for a period of one year from the date of issue or renewal, unless suspended or cancelled by the Director-General.

189. Operators to comply with conditions of an Air Operator Certificate.- The holder of an air operator certificate issued or renewed under this Part shall comply with such rules as are applicable and with all the operating conditions attached to the certificate and shall conduct his operations at least to the standard of flight safety required to qualify for the issue of such a certificate. Non-compliance with such operating conditions or failure to comply with the rules or to maintain an adequate standard of flight safety shall subject to the provisions of rule 341 result in the cancellation of the certificate by the Director-General or suspension of the certificate for such period as he thinks fit.

190. Operators to carry mails.- The holder of an air operator certificate-airline, or an air operator certificate-charter, shall perform all such reasonable services as the Director-General of Posts may require, in regard to the conveyance of mails, with or without officers of the post office in charge thereof, on an air transport service. The remuneration for carriage of mails shall be such as may be determined from time to time by the Director-General. The mails to be carried shall have priority over carriage of passengers and freight and shall be in conformity with any international agreement ratified by the Federal Government. Any dispute arising out of the carriage of mails by an operator shall be decided by the Director-General.

SECTION 4 – RESPONSIBILITIES OF OPERATORS

191. Operators to provide an Operations Manual.- The holder of an air operator certificate issued under this Part shall prepare, and make available to each member of his operating staff, an Operations Manual which shall contain all such information and instructions as are relevant to the flight operations of all the types of aircraft which are operated by that operator. Such an Operations Manual shall be submitted to the Director-General for approval and the operator shall make such amendments or additions as may be required by the Director-General and an aircraft to which such an amendment or addition applies shall not fly for the purpose of commercial operations until such amendment or addition is made effective. The operator shall ensure that all amendments are notified to the Director-General and incorporated in the Operations Manual and made available in the shortest practicable time to each member of his operating staff.

192. Contents of an Operations Manual.- An Operations Manual shall contain such information and instructions as may be specified by the Director-General in Air Navigation Orders, to facilitate the safe and efficient performance of duties by members of flight crews and operating staff. The Manual shall not conflict with any rule, Air Navigation Order, or other direction issued by the Director General and in the case of an operator engaged in international operations, shall also not conflict with the laws, regulations and procedures of the countries into or over which his aircraft are operated.

193. Operators to establish training programmes.- (1) The holder of an air operator certificate issued under this Part shall establish and maintain a ground and flight training programme to ensure that each flight crew member and each flight operations officer employed for operational control duties, is adequately trained to perform his assigned duties. The facilities, and the qualifications of the instructors, and the ground and flight training programmes shall be subject to the approval of the Director-General.

(2) A programme established under this rule shall include such recurrent training as may be specified by the Director-General in Air Navigation Orders and shall also contain the following items which shall be carried out at such intervals as may be specified by the Director-General:

- (a) a check of piloting technique;
- (b) a check of the ability of flight crew to correctly execute emergency procedures; and
- (c) if operations are conducted under instrument flight rules, a check of the ability of pilots to comply with such rules and to carry out instrument approach procedures.

194. Operators to ensure awareness of foreign rules – The holder of an Air Operator Certificate, issued under this Part, who is engaged in international operations, shall ensure that his employees are aware that they must comply with such laws, regulations and procedures as are applicable in those foreign States in which his aircraft are operated, that the flight crew are familiar with the regulations and procedures in force in the area in a foreign State in which the aircraft is to be operated and, in particular, with the regulations and procedures which relates to the aerodromes and air navigation facilities which are to be used by the aircraft in a foreign State.

195. Operators to ensure adequacy of facilities – The holder of an Air Operator Certificate issued under this Part shall not permit an aircraft to fly unless he has ascertained by every reasonable means that the aeronautical radio stations and navigational aids serving an intended route, and any planned diversion are adequate for the safe navigation of the aircraft and the aerodromes which are intended to be used for departure and destination, including any which may be used as an alternate, are suitable for the purpose and are adequately manned, and equipped.

196. Operator to provide cabin *[crew members]– (1) The holder of an Air Operator Certificate-airline, or an Air Operator Certificate charter, shall not permit an aircraft to fly unless it carries at least the minimum number of cabin crew members as may be directed by the Director General.

(2) An operator shall assign to cabin crew members provided under sub-rule (1) such emergency functions as they may be required to carry out to preserve the safety of passengers and shall establish and maintain a training program approved by the Director General to ensure that they are individually and collectively:

**Substituted for the word "attendants" vide S.R.O.93 (KE)/2013, dated 31st October, 2013.*

- *[(a) competent to execute those safety duties and functions which the cabin crew member is assigned to perform in the event of an emergency or in a situation requiring emergency evacuation;
- (b) drilled and capable in the use of emergency and life-saving equipment required to be carried, such as life jackets, life rafts, evacuation slides, emergency exits, portable fire extinguishers, oxygen equipment, first-aid and universal precaution kits and automated external defibrillators;
- (c) when serving on aeroplanes operated above 3,000 meters (10,000 ft), knowledgeable as regards the effect of lack of oxygen and in the case of pressurized aeroplanes, as regards physiological phenomena accompanying a loss of pressurization;
- (d) aware of other crew members' assignments and functions in the event of an emergency so far as is necessary for the fulfillment of the cabin crew member's own duties;
- (e) aware of the types of dangerous goods which may, and may not, be carried in a passenger cabin; and
- (f) knowledgeable about human performance as related to passenger cabin safety duties including flight crew-cabin and crew coordination.]

197. Operators to ensure that flight crew are qualified – (1)
The holder of an Air Operator Certificate issued under this Part shall not permit an aircraft to fly unless:

- (a) the number and composition of the flight crew are not less than the minimum specified in the Operations Manual for that aircraft and the route to be flown;
 - (b) a pilot in the flight crew is designated as pilot-in-command for that flight; and
 - (c) all members of the flight crew are fit to carry out their duties.
- (2) An operator subject to this rule shall not permit an aircraft to fly for other than training purposes unless:
- (a) each member of the flight crew holds a valid licence appropriate to his duties;
 - (b) each member has demonstrated his competence to perform those duties by successfully completing the training programme required under this part; and

* Substituted for the existing clauses "(a) to (e)" vide S.R.O.93 (KE)/2013, dated 31st October, 2013.

- (c) each member of the flight crew is in the regular and full time employment of the holder, or has been authorized by the Director-General to make the flight.

198. Operators to ensure that pilots have recent experience – The holder of an Air Operator Certificate–airline, or an Air Operator Certificate–charter shall not permit a pilot:

- (a) to act as pilot-in-command of an aircraft unless:
 - (i) he has in the preceding ninety days carried out three take-offs and three landings in the same type of aircraft;
 - (ii) he has in the preceding six months, or such greater period as may be agreed by the Director-General, demonstrated his ability to execute the emergency procedures specified in the Operations Manual for use in that aircraft;
 - (iii) he has in the preceding twelve months demonstrated that he has an adequate knowledge of the route to be flown and the aerodromes which are to be used; and
 - (iv) he has in the preceding twelve months made an approach and landing as a member of the flight crew, or as an observer on the flight deck, at each aerodrome of landing on the route, or has qualified in another manner approved by the Director-General; or
- (b) to act as a co-pilot in a public transport aircraft, or a charter aircraft unless he has in the preceding six months, or such greater period as may be agreed by the Director-General, demonstrated his ability to carry out the functions of a co-pilot in the execution of the emergency procedures specified in the operations Manual for use in that aircraft, and in the preceding ninety days he has served as pilot-in-command or as co-pilot at the flight controls of the same type of aircraft.

199. Operators to be insured – The holder of an Air Operator Certificate issued under this part shall arrange for insurance, ***[**in accordance with applicable International Conventions including Rome Convention, 1952,**]** in respect of such claims as may be made relating to injury or death of a person, not being a passenger in his aircraft, or damage to property resulting from any accident or incident involving his aircraft; and, in the case of the holder of an Air Operator Certificate – Airline or an Air Operator Certificate – Charter, shall arrange for insurance within the limits of liability specified in **+****[**applicable International

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ *Inserted, ibid.*

Conventions, including the] Warsaw Convention as amended by the Hague Conventions, in respect of possible claims relating to injury or death of one or more passengers carried in its aircraft as a result of any accident or incident in which his aircraft is involved.

200. Aerodrome operating minima.- (1) The holder of an air operator certificate issued under this Part shall establish aerodrome operating minima for each aerodrome to be used in his operations. Such minima shall contain:

- (a) the minimum conditions in terms of cloud ceiling, and visibility, or runway visual range for take-off in respect of each runway which is to be used for take-off;
- (b) the minimum conditions in terms of minimum descent altitude or height, visibility or runway visual range, and visual reference for an approach and landing at each runway which is to be used and which is served by a non precision approach aid;
- (c) the minimum conditions in terms of decision altitude or height, visibility or runway visual range, and visual reference for an approach and landing at each runway which is to be used and which is served by a precision approach aid; and
- (d) the minimum conditions in terms of circling height, in-flight visibility, and visibility or runway visual range for visual circuit and an approach and landing at each aerodrome which is to be used.

(2) When establishing aerodrome operating minima, an operator shall take account of such requirements as may be specified by the Director-General in Air Navigation Orders.

(3) Aerodrome operating minima established under this rule shall be submitted to the Director-General for his approval.

201. Flight and duty time limitations.- (1) The holder of an air operator certificate issued under this Part shall not permit an aircraft to fly unless he has established a scheme, which is approved by the

Director-General, for the regulation of flight and duty times for every member of the crew of that aircraft, and shall not cause or permit any person to fly as a member of a crew if he knows or has reason to believe that, that person is suffering from fatigue to the extent that the safety of the aircraft would be endangered.

(2) Except with the express authority of the Director-General, the holder of an air operator certificate issued under this Part shall not permit an aircraft to fly if, during the planned flight, any member of the flight crew will accumulate flight time which, when added to the flight time accumulated in the seven days period preceding the flight would be in excess of thirty-five hours, or if added to that accumulated in the thirty days period preceding the flight would be in excess of one hundred hours, or if added to that accumulated in three hundred and sixty five days period preceding the flight would be in excess of one thousand hours.

(3) The holder of an air operator certificate issued under this Part shall not permit an aircraft to fly, nor shall a person act as a member of the crew of an aircraft if during the planned flight the flight and duty time limitations in the approved scheme established by the operator would be exceeded.

202. Provision of rest periods.- (1) The holder of an air operator certificate issued under this Part shall provide each member of a crew of an aircraft with a rest period following each duty period which shall be not less than twice the duration of the flight time in that duty period and not less than eight hours, and shall provide a rest period of not less than twenty-four hours in each period of seven consecutive days or shall provide rest periods as directed by the Director-General.

(2) Any rest period provided under this rule shall not include time spent as a passenger or as supernumerary crew of an aircraft on a flight made for the purpose of positioning for a subsequent period of duty.

203. Operators to provide safety devices.- The holder of an air operator certificate issued under this Part shall provide such facilities and safety devices for the protection of the public at the aerodromes normally used by the operator as the Director-General considers adequate and directs.

***204. Proving test.-** (1) An aircraft of a type, new to an operator, shall not be used on regular public transport operation until it has undergone proving tests under the supervision of, and in accordance with the requirements as the Director-General may specify.

(2) A Regular Public Transport Operator, who seeks to operate on a new route or to a new destination, shall give in writing the details to the Director-General who may, if considers it necessary for reason to be recorded in writing direct the operator to undergo proving tests under the supervision of, and in accordance with the requirement of, the Director-General.

(3) In case of major changes in an aircraft previously in operation on public transport services, or the use of such an aircraft in an operation different to that in which it was previously used, the Director-General may require the aircraft to undergo such proving tests as he considers necessary in the circumstances.

(4) No person, other than those essential to the test required under this rule, shall be carried in the aircraft during such tests but mail or cargo may be carried with the permission of the Director-General.

SECTION 5 – RECORDS TO BE KEPT AND RETURNS TO BE SUBMITTED BY AN OPERATOR

205. Fuel and Oil records.- The holder of an Air Operator Certificate issued under this Part shall record the quantities of fuel and oil which are contained in the tanks of his aircraft at the commencement of each flight, and the quantities remaining in the tanks at the end of each flight. Such records shall be retained for a period of not less than three months and shall be made available for inspection by the Director-General as he may require.

206. Flight time and duty period records.- The holder of an Air Operator Certificate issued under this Part shall maintain current records of the duration of duty periods and of the flight time of each of his flight crew members in a form approved by the Director-General and shall retain such records for inspection by the Director-General for such period as he may require.

* Substituted vide SRO No. 72(KE)/2001, dated 13th April, 2001.

207. Record of emergency and survival equipment carried.-

The holder of an Air Operator Certificate issued under this Part shall record details of the emergency and survival equipment carried by his aircraft on each flight. Such details shall be made immediately available to the Search and Rescue Service as may be required.

***207A. Record of emergency and survival equipment**

carried.- Operator shall, at all times, have available for immediate communication to rescue co-ordination centers, lists containing information on the emergency and survival equipment carried on board any of their aeroplanes engaged in international air navigation. The information shall include as applicable, the number, colour and type of life rafts and pyrotechnics, details of emergency medical supplies, water supplies and the type and frequencies of the emergency portable radio equipment.

208. Record of flight preparation.- The holder of an Air Operator Certificate - airline, or an air operator certificate - charter shall record details of the flight preparation carried out before a flight by a regular public transport aircraft, or by a charter aircraft, and shall retain such records for a period of not less than three months.

209. Record of operational flight plans.- (1) The holder of an Air Operator Certificate issued under this Part shall record:

- (a) the details of the operational flight plan completed for the flight of a regular public transport aircraft, or a charter aircraft; and
- (b) the details of the calculation of the mass and balance of each aircraft for each take-off and landing.

(2) Records made under sub-rule (1) shall be retained for a period of not less than three months.

210. Record of flight crew licences.- The holder of an air operator certificate issued under this Part shall maintain a record containing details of the licences held by each of his flight crew

* Inserted vide, S.R.O. 139 (KE)/2001, dated 5th October, 2001.

members together with details of the ratings and certificates of test or competency included in or associated with those licences. He shall record details of the ground and flight training undertaken by his flight crew members together with the results of any proficiency checks and shall record the route and aerodrome qualifications of pilots-in-command. Such records shall be retained throughout the period of the employment of each flight crew member and for a further period of three months.

211. Aircraft journey log.- The holder of an Air Operator Certificate issued under this Part shall record in an aircraft journey log book the following details relating to each flight by a regular public transport or a charter aircraft, unless this information is contained in one or more alternative documents in a manner acceptable to the Director-General:

- (a) the aircraft nationality and registration;
- (b) the date;
- (c) the name of crew members;
- (d) the duty assignments of crew members;
- (e) the place of departure;
- (f) the place of arrival;
- (g) the time of departure;
- (h) the time of arrival;
- (j) the hours of flight;
- (k) the nature of the flight;
- (l) incidents and observations, if any; and
- (m) the signature of the person in charge.

212. Flight recorders.- The holder of an Air Operator Certificate issued under this Part shall retain the records produced by a flight recorder, required under rule 247 for a period of not less than three months and shall make them available for inspection by the Director General as he may require. The holder shall ensure to the extent possible that the flight recorder records will be preserved in the event that the subject aircraft becomes involved in

an accident and shall keep such records in safe custody until instructed by the Director-General to release them for the purpose of accident investigation.

213. Operators to have audited accounts.- The holder of an Air Operator Certificate issued under this Part shall have properly maintained accounts which shall be audited every year by registered accountants. Two copies of the annual accounts and the auditor's report shall be made available to the Director-General within twenty-one days of their completion.

214. Returns of statistics.- (1) The holder of an Air Operator Certificate issued under this Part shall submit to the Director-General, in such form as he may prescribe;

- (a) monthly returns regarding the operation of his Air Transport Services and other flight operations, such returns to reach the Director-General not later than forty-five days after the expiry of the month of which they refer; and
- (b) annual returns regarding the financial results of such operations during each calendar year, such returns to reach the Director-General not later than three months after the expiry of the year to which the return relates.

(2) No information furnished under clause (b) of sub-rule (1) shall be published or disclosed without the consent in writing of the certificate holder to whom it refers and any person who publishes or discloses any such information without such consent shall be guilty of an offence under these rules.

Provided that nothing in this sub rule shall apply to the publication or disclosure by an authorized person of collective or summarized information relating to air transport services, nor to publication or disclosure of any information for the purposes of any legal proceedings which may be taken in pursuance of this Part, or for the purpose of any report of such proceedings.

PART – XII**COMMERCIAL FLIGHT OPERATIONS****Section 1 - APPLICABILITY**

215. Part to apply to commercial aircraft.- This Part shall apply to regular air transport aircraft, charter aircraft and aerial work aircraft.*

Section 2 - FLIGHT PREPARATION

216. Operational flight plan.- An operational flight plan shall be completed for every intended flight of an aircraft to which this Part applies, which shall be approved and signed by the pilot-in-command and, where applicable, signed by the Flight Operations Officer. A copy shall be retained by the operator or his agent, or if this is not possible, a copy shall be left with the Aerodrome Manager or in a suitable place at the aerodrome of departure.

217. Alternate aerodrome.- If any part of an intended flight of an aircraft to which this Part applies is to be conducted in accordance with Instrument Flight Rules, the operational flight plan shall include at least one alternate aerodrome.

218. Fuel and oil requirements.- The pilot-in-command of an aircraft to which this Part applies shall not commence a flight unless the quantities of fuel and oil carried are not less than the minimum quantities specified in respect of such a flight by the Director-General in Air Navigation Orders.

**Section 3 - RESPONSIBILITIES OF
A PILOT-IN-COMMAND**

219. Pilot not to commence a flight.- The pilot-in-command of an aircraft to which this Part applies, shall not commence a flight unless he is satisfied, and has certified that he is satisfied that:

- (a) the aircraft is airworthy;

* Omitted the words "which are registered in Pakistan" vide S.R.O. No. 72 (KE)/2001, dated 13th April, 2001.

- (b) the instruments and equipment prescribed in his Operations Manual for the particular type of operation to be undertaken are installed and are serviceable;
- (c) a certificate of release to service and a certificate of maintenance review have been issued in respect of the aircraft that will remain valid for the duration of the flight;
- (d) the mass of the aeroplane does not exceed the maximum mass which has been calculated in accordance with the criteria relating to the performance of the aircraft at which the aircraft can safely take off in the space available, maintain the required clearance above obstacles while airborne, and safely land in the space available at the destination aerodrome or at any designated alternate;
- (e) the load carried by the aircraft is properly secured and is so distributed as to achieve a balance within the limits prescribed in the aircraft Flight Manual, or equivalent document;
- (f) an operational flight plan has been properly completed in conformity with the criteria in his Operations Manual; and
- (g) adequate security procedures have been implemented to guard against unlawful interference.

220. Pilot responsible for operation and safety of an aircraft.-

*** (1)** The pilot-in-command of an aircraft to which this Part applies shall be responsible for the operation and safety of the aircraft, for the safety of persons carried and for the conduct and safety of the members of the crew; he shall also be responsible for the disposition of the aircraft while he is in command and for the maintenance of discipline by all persons on board and shall have authority commensurate with these responsibilities.

+ (2) The pilot-in-command of an aircraft shall not commence flight if any of his cock-pit flight crew member appears, or is unable to perform his duties because of any injury, sickness, fatigue, or under the effect of alcohol or drugs suffers from any such incapacitation during flight, he shall land at the nearest airport or aerodrome.

* Renumbered as sub-rule, *ibid.*

+ Added, *ibid.*

221. Passengers to be informed about emergency equipment.- *(1) The pilot-in-command of an aircraft to which this

Part applies shall ensure that all passengers are informed:

- (a) when and how oxygen equipment is to be used if the carriage of oxygen is required;
- (b) as to the location and use of life jackets or equivalent individual flotation devices where their carriage is required;
- (c) as to the location and method of opening emergency exits;
- (d) when seat belts are to be fastened; and
- (e) when smoking is prohibited.

+ (2) All passageways and exist shall be kept free from obstruction and so fastened as to permit their immediate use in an emergency when the aircraft is in flight.

222. Passengers to be instructed in an emergency.- The pilot-in-command of an aircraft to which this Part applies shall in an emergency, inform the passengers of the location and general manner of use of the relevant emergency equipment carried for collective use and shall instruct them to take such emergency action as may be appropriate.

223. Pilots to be strapped in at the controls.- The pilot-in-command of an aircraft to which this Part applies shall ensure that at least one pilot remains at the controls at all times that engines are running, that each member of the flight crew is at his duty station on the flight deck with his safety harness fastened, during take-off and landing and that each member remains there en-route with at least his seat belt fastened except when the absence is necessary for the performance of duties in connection with the operation of the aircraft, or is for physiological reasons, or because the crew member has been replaced by another flight crew member with equivalent qualifications.

224. Flight crew to use check Lists and observe limitations.-

The pilot-in-command of an aircraft to which this Part applies shall ensure that the check lists, the flight deck procedures and other

* *Renumbered as sub-rule, ibid.*

+ *Added, ibid.*

instructions which are included in the Operations Manual for use by the flight crew, and the limitations contained in the aircraft Flight Manual or, equivalent document, are fully complied with at the appropriate times during the flight.

225. Adverse weather conditions.- The pilot-in-command of an aircraft to which this Part applies shall not commence a flight unless:

- (a) he has obtained a forecast of the meteorological conditions along the route to be flown;
- (b) the conditions at the aerodrome of departure are at or above the minimum conditions specified in the Operations Manual for take-off at that aerodrome; and
- (c) the available information indicates that conditions at the aerodrome of intended landing, or at one or more alternate aerodromes will at the expected time of arrival, be at or above the aerodrome operating minima for landing specified in the Operations Manual.

226. Flight in icing conditions.- The pilot-in-command of an aircraft to which this Part applies shall not take-off for the purpose of making a flight, nor continue a flight which has already commenced, into an area where icing conditions are known, or are expected to occur, unless the aircraft has functioning de-icing or anti-icing equipment capable of preventing the impairment through ice formation of the functioning of the controls, means of propulsion, lifting surfaces, windows, or equipment to the extent that would endanger the aircraft.

227. Adverse destination weather.- The pilot-in-command of an aircraft to which this Part applies shall not continue a flight towards the aerodrome of intended landing unless the latest available information indicates that at the expected time of arrival a landing can be made at that aerodrome, or at an alternate aerodrome, with conditions at or above the aerodrome operating minima for landing specified in the Operations Manual.

228. Limitations on approach and landing.- (1) The pilot-in-command of an aircraft to which this Part applies shall not commence an approach to landing by passing the initial approach fix, or continue an approach to landing unless the reported conditions are at or above the aerodrome operating

minima specified in the Operations Manual for landing at that aerodrome except that if a deterioration below the minima is reported after the aircraft has passed the outer marker on a precision approach, the approach may be continued.

(2) The provisions of sub rule (1) notwithstanding, an approach to landing shall not be continued by flying below the minimum descent altitude or minimum descent height, or minimum decision altitude or minimum decision height, whichever is specified in the Operations Manual as applicable to that approach to landing, unless the specified visual reference has been required and is maintained.

229. Limitations on visual circling.- The pilot-in-command of an aircraft to which this Part applies shall not carry out a visual circling procedure at an aerodrome unless the inflight visibility and the reported horizontal visibility on the ground are at or above the minimum values specified in the Operations Manual for such a procedure, and he has acquired and can maintain the specified visual reference, and shall not fly below the minimum circling height specified in the Operations Manual except when making a final approach to landing.

230. Limitations on take-off.- The pilot-in-command of an aircraft to which this Part applies shall not take-off when the conditions at the aerodrome of departure are reported to be below the specified aerodrome operating minima for landing unless there is an aerodrome, at which the conditions are reported to be at or above the aerodrome operating minima specified for landing at that aerodrome, which is within such distance or flight time as may be specified by the Director-General in Air Navigation Orders.

231. Pilots to report weather conditions.- (1) The pilot-in-command of an aircraft to which this Part applies shall report, in the approved form and at such times as may be requested by an Air Traffic Services Unit, the meteorological conditions observed en-route.

(2) When any meteorological condition, hazardous to flight, is encountered en-route, the pilot-in-command shall report the condition as soon as possible giving such details as appear pertinent to the safety of other aircraft.

Section 4 – GENERAL REQUIREMENTS

232. Flight crews to use oxygen – (1) Each member of the flight crew of an aircraft to which sub-rule (1) of rule 249 applies shall use breathing oxygen continuously at all time that the aircraft is flying at an altitude higher than 13000 ft. and shall use breathing oxygen to the extent necessary to maintain full and unimpaired faculties at all times that the aircraft is flying at an altitude higher than 10000 ft. but not higher than 13000 ft.

(2) Each member of the flight crew of an aircraft to which sub-rule (2) of rule 249 applies shall have available at his flight duty station a quick donning type of oxygen mask whenever the aircraft is flown at an altitude higher than 25000 ft and in the event of a loss of, pressurization shall use it to obtain breathing oxygen in compliance with sub rule (1) of this rule.

233. Simulation of emergencies – The flight crew of an aircraft to which this Part applies shall not, when in flight simulate an emergency situation which affects the flight characteristics of that aeroplane at any time that passengers are being carried.

234. Cabin * [crew members] to use seat belts – The cabin + [crew] members @ [...] of an aircraft to which this Part applies shall be seated with seat belts or safety harnesses fastened during take-off and landing and at such other times as directed by the pilot-in-command.

235. Passengers not to be carried – An aircraft to which this Part applies shall not carry passengers at any time when it is being operated:

- (a) to give flight instruction required for the issue of a private pilot licence;
- (b) in order to acquire the experience required for the issue of a private pilot licence;
- (c) to give flight instruction required for the endorsement of a rating in a pilot licence;
- (d) for the purpose of a flight check required for the issue or renewal of a pilot or flight engineer licence, or for the issue

* Substituted for the word "attendants" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

+ Substituted for the word "attendant", *ibid.*

@ Omitted the words "of the crew", *ibid.*

- (e) to flight test the aircraft, or its power plant, or equipment; except that when an aircraft is being operated:
- (i) for the purpose of giving flight instruction, it may carry other persons who have been or who are to be given flight instruction on that flight; or
- (ii) for the purpose of flight testing the aircraft or its components, power plant or equipment, it may carry engineering and maintenance personnel who are required as part of their duties, to be present in the aircraft during the flight for the purpose of flight observation or of maintenance of the aircraft or its components, or equipments.

236. Entry to flight deck.- (1) A person shall not enter the flight crew compartment of an aircraft to which this Part applies when the aircraft is in flight unless he is a member of the crew of the aircraft, or has the permission of the pilot-in-command, or is a person authorized by the Director-General to carry out a flight inspection of the aircraft or flight checks of members of its crew.

(2) A pilot seat or other operating crew position in an aircraft to which this rule applies shall not be occupied by any person other than a member of the operating crew of the aircraft who is licensed and qualified for the duties associated with that seat or position, or by a person authorized by the Director-General to carry out flight inspections or flight checks in that aircraft.

(3) The provisions of this rule notwithstanding, the pilot-in-command of an aircraft shall have the authority to refuse to permit any person to enter the flight crew compartment during flight, or to occupy a pilot seat or other operating crew position, if in his opinion, the presence of that person, or his occupation of a pilot seat or other operating crew position, would endanger the aircraft.

(4) If the person who is refused permission under the provisions of sub rule (3) of this rule is a person authorized by the Director-General to carry out flight inspections or flight checks in that

aircraft, the pilot-in-command shall state the reasons for his refusal to that person and immediately after completion of the flight shall furnish a report in writing to the Director-General.

237. Alcohol not to be consumed.- (1) A person shall not act as a crew member of an aircraft to which this Part applies, or as a Flight Operations Officer on operational control duties, or as an Air Traffic Controller, if he has consumed any alcoholic liquor or partaken of any narcotic substance or drug, during the period of eight hours immediately preceding the start of his duty period.

(2) A person to whom this rule applies shall not consume any alcoholic liquor, nor partake of any narcotic substance or drug during any period when he is on duty.

238. Flight engineer to be carried.- A regular air transport aircraft or a charter aircraft which has a separate station for a flight engineer shall have in the flight crew at least one flight engineer especially assigned to that station unless the flight engineer duties can be satisfactorily carried out by another flight crew member, without interference with his regular duties, who is qualified for such duties.

239. Navigator to be carried.- The flight crew of a regular air transport aircraft or a charter aircraft shall include at least one member who holds a valid flight navigator licence on all flights where the navigation necessary for the safe conduct of the flight cannot be carried out by the pilots while sitting in the pilot seats.

240. Compliance with Operations Manual.- (1) The members of the flight crew of an aircraft to which this Part applies shall comply with all instructions relating to their duties which are contained in their Operations Manual.

(2) The personnel employed by an Operator on operational control duties shall comply with the instructions in the Operations Manual relating to those duties.

PART – XIII
AIRCRAFT REQUIREMENTS

Section 1 - AIRCRAFT LOADING AND PERFORMANCE
OPERATING LIMITATIONS

241. Performance limitations.- (1) An aircraft registered in Pakistan shall not fly for the purpose of regular air transport, or charter, or aerial work unless such requirements as may be prescribed by the Director-General in Air Navigation Orders in respect of its mass and related performance are complied with.

(2) In assessing the ability of an aircraft to comply with this rule, the information in respect of performance contained in the Flight Manual or certification document relating to the aircraft, shall be used.

242. Loading limitations.- An aircraft registered in Pakistan shall not fly for the purpose of regular air transport, charter, or aerial work unless the loading of the aircraft has been carried out in accordance with any instructions and conditions relating to loading and balance which are contained in the Operations Manual and Flight Manual, or equivalent certification document relating to the aircraft and any relevant instructions and conditions specified by the Director-General in Air Navigation Orders, and the load is properly secured.

Section 2 - AIRCRAFT INSTRUMENTS AND EQUIPMENT

243. Emergency locator beacons.- (1) An aircraft which is registered in Pakistan shall not be flown over water at a distance of 93kms or more from land, or over areas where search and rescue would be difficult unless it carries an Emergency Location Beacon-Aircraft which;

- (a) operates automatically in the event of a crash;
- (b) is capable of manual operation by survivors;
- (c) has a power source independent of the aeroplane;
- (d) is water resistant and buoyant; and
- (e) is unlikely to be rendered inoperative in the event of a crash.

(2) An aircraft to which this rule applied shall not be flown over land areas in Pakistan which have been designated by the Director-General as areas in which search and rescue would be especially difficult, or over land areas in other States which have been designated by the State concerned as areas in which search and rescue would be especially difficult unless it is equipped with at least one portable survival radio equipment and with such signaling devices and life saving equipment, including means of sustaining life, as may be appropriate to the area over flown.

244. Navigation equipment.- (1) An aircraft registered in Pakistan shall have navigation equipment which will enable it to proceed in accordance with the operational flight plan or that flight and to comply with the requirements of Air Traffic Services, and on any flight in an area where a minimum navigation performance is specified, it shall have equipment which complies with the specification.

(2) The equipment provided under this rule shall be sufficient for compliance with this rule after the failure of one item.

245. Instrument approach equipment.- An aircraft registered in Pakistan, on flights in which it is intended to carry out an instrument approach procedure, shall be provided with equipment capable of receiving signals providing guidance to a point from which a visual landing can be made while complying with the appropriate instrument approach procedure. Such equipment shall be capable of providing guidance at any aerodrome where it is intended to carry out an instrument approach procedure.

246. In-flight emergency equipment.- An aircraft registered in Pakistan and operated by the holder of an Air Operator Certificate, shall not fly unless it is equipped with:

- (a) adequate medical supplies which are appropriate to the passenger carrying capacity of the aircraft and which are accessible during flights;
- (b) portable fire extinguishers, of a type which will not cause dangerous contamination of the air when they are used inside the aeroplane, located in the pilot's

compartment and in passenger compartments which are separate from the pilot's compartment;

- (c) a seat fitted with a seat belt or a berth fitted with restraining belts for each passenger in the aircraft who is more than two years old;
- (d) a seat fitted with a safety harness for each member of the flight crew and for each cabin *[crew member] who is assigned emergency evacuation duties, and a seat fitted, with a safety belt for each other cabin *[crew member];
- (e) a means of informing passengers when seat belts are to be fastened and when restrictions on smoking apply;
- (f) a means of informing passengers about the location and the use of life jackets and / or flotation devices when these are required to be carried on that flight;
- (g) a means of informing passengers about the location and the method of opening emergency exits;
- (h) a means of informing passengers as to when and how oxygen equipment is to be used if the carriage of oxygen is required on that flight; and
- (j) spare electrical fuses of appropriate ratings for replacement of those which are accessible in flight.

247. Flight recorders – (1) An aircraft registered in Pakistan which has a maximum permissible all up mass over 5700 kgs and which is operated by the holder of an Air Operator Certificate-airline or an Air Operator Certificate-charter, shall not commence a flight unless it is equipped with a serviceable flight data recorder capable of recording time, altitude, airspeed, vertical acceleration and heading.

(2) If an aircraft subject to sub-rule (1) of this rule has a maximum permissible all up mass over 27000 kgs, the flight data recorder shall in addition be capable of recording the attitude, of the aircraft, and the basic forces acting upon it, together with the origin of such forces. The aircraft shall also be equipped with a serviceable, cockpit voice recorder capable of recording the aural environment of the flight deck.

* Substituted for the word "attendant" occurring twice vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

(3) Flight data recorders and cockpit voice recorders which are installed in compliance with this rule shall be so constructed and located as to afford maximum practicable protection to the recorded data.

(4) Flight data recorders shall be capable of retaining the data recorded during at least the last 25 hours operation. Cockpit voice recorders shall be capable of retaining the information recorded during at least the last 30 minutes of operation.

(5) Flight data recorders and cockpit voice recorders shall be switched on at all times during flight.

248. Life saving equipment.- An aircraft registered in Pakistan shall not fly unless it has the life saving and other emergency equipment appropriate to that flight as may be specified by the Director-General in Air Navigation Orders.

249. Oxygen requirements - commercial aircraft.- (1) An aircraft registered in Pakistan which is operated by the holder of an Air Operator Certificate and which is not equipped with a system for maintaining a pressure greater than 700 hectopascals in the flight crew and passenger compartments, shall not fly at an altitude higher than 10000 ft unless it carries sufficient stored breathing oxygen with dispensing apparatus:

(a) to supply all crew members and 10 per cent of the passengers for any period in excess of 30 minutes that the aircraft will be flown at an altitude between 10000 ft and 13000 ft; and

(b) to supply all crew members and all passengers for any period that the aircraft will be flown at an altitude higher than 13000 ft.

(2) An aircraft to which this rule applies which is equipped with a system for maintaining a pressure greater than 700 hectopascals in the flight crew and passenger compartments shall not fly at an altitude higher than 25000 ft unless:

(a) it is equipped with a means of providing a positive warning to the pilot of any dangerous failure of the pressurization system; and

- (b) stored breathing oxygen is carried with dispensing apparatus to supply the crew members and passengers in the event of a loss of pressurization during a descent to a height below 10000 ft, sufficient to supply the crew and passengers in compliance with sub-rule (1) of this rule.

250. Oxygen requirements - private aircraft.- An aircraft registered in Pakistan, other than one to which the preceding rule applies, shall not be operated at heights above 10000 ft unless:

- (a) sufficient breathing oxygen with dispensing apparatus is carried to enable the members of the flight crew to retain full faculties and to prevent harmful effects to passengers; or
- (b) It is equipped with a system for maintaining a pressure greater than 700 hectopascals in the flight crew compartment with a means of warning the pilot of any dangerous loss of pressurization, and it carries sufficient emergency oxygen to enable the members of the flight crew to retain full faculties in the event of loss of pressurization.

251. Dual flight controls and instruments.- (1) An aircraft registered in Pakistan and operated by the holder of an Air Operator Certificate shall not fly on any flight when operational considerations require that two pilots are required in the flight crew unless dual flight controls are installed for use by the second pilot together with equipment for intercommunication between the pilots.

(2) An aircraft to which this rule applies shall not fly unless the instruments that will be used on that flight by any one pilot are positioned so as to permit the pilot to see their indications from his station with the minimum practicable deviation from the position and line of vision which he normally adopts when looking forward along the flight path.

252. Instruments and other equipment.- Other provisions of this Section notwithstanding, an aircraft registered in Pakistan shall not fly unless the items of equipment and the instruments carried on that aircraft comply with the scales specified by the Director-General in Air Navigation Orders as being appropriate to that flight.

253. Documents to be carried – (1) An aircraft registered in Pakistan other than a private aircraft shall not fly unless it carries:

- (a) the certificate of airworthiness issued in relation to that aircraft;
- (b) the certificate of release to service and the certificate of maintenance review issued in relation to that aircraft;
- (c) the aircraft Flight Manual or equivalent certification documents;
- (d) the licences issued in respect of the radio equipment installed in the aircraft;
- (e) if passengers are carried, a list of their names, places of embarkation and intended places of disembarkation;
- (f) if cargo is carried, bills of lading and manifests relating to that cargo;
- (g) the Operations Manual or those parts of it relating to flight operations.

(2) A private aircraft registered in Pakistan shall not fly unless it carries:

- (a) details of the weight and balance for that flight;
- (b) maps and charts required for that flight;
- (c) the certificate of airworthiness issued in respect of that aircraft;
- (d) the certificate of maintenance issued in respect of that aircraft;
- (e) the aircraft Flight Manual or equivalent certification document; ***[...]**
- (f) the licences issued in respect of the radio equipment installed in the aircraft~~+~~; and
- @**(g) in case the aircraft is capable of operation in RVSM, the certificate to this effect.**]**

* Omitted the word "and" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

+ Substituted a semicolon (;) and the word "and" for the "full stop" *ibid*.

@ Inserted *ibid*.

PART – XIV
PRIVATE AIRCRAFT OPERATIONS

SECTION 1 – APPLICABILITY

254. Part to apply to private aircraft – The rules in this Part shall apply to private aircraft ***[...]** and to operations by such aircraft.

+SECTION 1A LICENSING OF PRIVATE AIRCRAFT OPERATIONS

254A. Private operations to be licensed – (1) An aircraft shall not fly any type of private operations unless the operator of that aircraft holds an appropriate licence granted by the Director-General.

(2) A licence under this Section shall be in the approval form and, if the Director-General considers appropriate, he may grant to the operator of more than one service a licence in a consolidated form in respect of those services.

(3) Where a licence is granted in a consolidated form, the provisions of these rules relating to the imposition and variation of conditions shall apply in respect of each separate service authorized under the licence as if the licence in its application to that service were a separate licence.

(4) The holder of a licence issued under this Part shall not exercise privileges of the licence, unless he has satisfied the requirements specified by the Director-General in Air Navigation Orders.

(5) The description, nature or types of private operations and validity of licence shall be determined by the Director-General, which shall be subject to such conditions and requirements as specified by the Director General in Air Navigation Orders or other means.

254B. Application for a license – Application for a licence under this Section, signed by the person applying for the licence, shall be made to the Director-General and shall contain the following particulars, namely:-

- (a) name and address of the applicant;
- (b) type or types of operation to be conducted;
- (c) full particulars of the aircraft including make, model, type, serial number, registration number, etc.;

* Omitted the words "registered in Pakistan vide S.R.O.72/(KE)/2001, dated 13th April, 2001.

+ Inserted Section 1A comprising rules 254A to 254D vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

- (d) source from which aircraft has been acquired and the nature of its acquisition, such as lease, hire-purchase, etc.;
- (e) airworthiness status of the aircraft and arrangements for maintenance and continuing airworthiness of the aircraft; and
- (f) operational base and points of operation of the aircraft.

254C. Compliance with conditions of licence— Aircraft engaged in private operations shall comply with the provisions of these rules and such additional conditions and requirements as the Director-General may, from time to time, impose in the interest of safety through Air Navigation Orders or other means.

254D. Operation by foreign registered and Pakistan registered aircraft – (1) Application for private operation by foreign registered aircraft, to be flown by a foreign national, shall be filed with the Director-General prior to the arrival of the aircraft in Pakistan. The Director-General may grant such permission, with prior approval of the Federal Government. Flight clearance will be issued by the Director-General on individual flight basis subject to the approval of the Federal Government for such operation or operations.

(2) Application for private operation of foreign registered aircraft by a Pakistani national shall be filed with the Director-General prior to the arrival of the aircraft in Pakistan. Flight clearance will be issued by the Director-General on individual flight basis for such operation.

(3) Private operation by Pakistan registered aircraft, piloted by rated Pakistani licence holder, may be conducted subject to submission of flight plan to the concerned ATS unit or units.]

SECTION 2 – FLIGHT PREPARATION

255. Private aircraft not to fly unless facilities are ascertained to be adequate – The pilot-in-command of a private aircraft shall not commence a flight unless he has ascertained by every reasonable means at his disposal that the ground areas and facilities available and directly required for such flight, and for the safe operation of the aeroplane, are adequate.

256. Aircraft to be airworthy and suitably equipped – Before commencing a flight the pilot-in-command of a private aircraft shall satisfy himself that:

- (a) The aircraft is ~~in compliance with all mandatory safety and airworthy requirements~~;
- (b) the instruments and equipment installed in the aircraft are appropriate for the particular type of operation to be undertaken;
- (c) any necessary maintenance has been carried out in accordance with approved maintenance requirements;
- (d) the mass of the aircraft does not exceed the maximum mass which has been calculated in accordance with the criteria relating to performance in the aircraft Flight Manual or equivalent certification document, at which the aircraft can safely take-off in the space available, maintain a safe clearance above obstacles while airborne and safely land in the space available at the destination aerodrome;
- (e) any load carried in the aircraft is properly distributed and safely secured;
- (f) the aircraft operating limitations contained in the aircraft Flight Manual, or equivalent certification document, will not be exceeded; and
- (g) the flight time limitations specified by the Director-General in Air Navigation Orders will not be exceeded by any member of the flight crew during the planned flight.

* Substituted for the word "airworthy" vide S.R.O 93 (KE)/2013, dated 31st October, 2013.

257. Pilot to take account of weather reports.- Before commencing a flight the pilot-in-command of a private aircraft shall familiarize himself with all available information appropriate to the intended operation. For a flight away from the vicinity of the aerodrome and which is to be carried out in compliance with instrument flight rules he shall determine an alternative course of action in the event that the flight cannot be completed as planned and shall make provision for such alternative action when determining the fuel requirements of the flight.

258. Passengers to be informed of emergency equipment and procedures.- Before commencing a flight the pilot-in-command of a private aircraft shall ensure that crew members and passengers are made familiar with location and use for safety harness and/or seat belts, and as appropriate, emergency exits, life jackets, oxygen dispensing equipment, and other emergency equipment provided for individual use. If emergency equipment is carried for collective use, he shall ensure that all person on board the aircraft are aware of the location and the general manner of use.

259. Fuel and oil requirements.- (1) The pilot-in-command of a private aircraft shall not commence a flight to be conducted in compliance with the Visual Flight Rules unless the aircraft carries sufficient fuel and oil to ensure that it can safely complete the flight.

(2) The pilot-in-command of a private aircraft shall not commence a flight to be conducted in compliance with the Instruments Flight Rules unless sufficient fuel and oil is carried to allow the aircraft to fly to the destination aerodrome and then to an alternate aerodrome and thereafter to fly for a period of 45 minutes except that when the destination aerodrome has a standard instrument approach which is promulgated and the current meteorological information available to the pilot indicates that from two hours before the estimated time of arrival to two hours after, there will be a cloud base at least 1000 ft above the minimum decision height or minimum descent height associated with the instrument approach procedure and a visibility of at least 4 kms more than the minimum associated with the procedure, the fuel carried may be that required to fly to the destination aerodrome and thereafter for a period of 45 minutes.

260. Composition of a flight crew.- The pilot-in-command of a private aircraft shall not commence a flight unless the number and composition of the flight crew are not less than that specified in the Certificate of Airworthiness of the aircraft, or in the aircraft Flight Manual, or in other documents associated with the certificate of Airworthiness and shall ensure that the licences of flight crew members are valid, that the appropriate aircraft ratings are included and that each member of the flight crew has maintained the required level of competency and is fit to act as a crew member.

Section 3 - WEATHER CONDITIONS AND AERODROME OPERATING MINIMA

261. Private pilots to establish aerodrome operating minima.- Before commencing a flight in compliance with Instrument Flight Rules, the pilot-in-command of a private aircraft shall establish aerodrome operating minima for his use for take-off and landing and shall not select values lower than any that may be established by the Director-General or lower than those which may be established for an aerodrome outside Pakistan, by the State in which the aerodrome is located.

262. Flights not to be commenced in adverse weather.- The pilot-in-command of a private aircraft shall not commence a flight to be conducted in compliance with the Instrument Flight Rules unless the available current meteorological information indicates that conditions at the destination aerodrome and at any nominated alternate will be at or above the relevant aerodrome operating minima, and shall not continue a flight towards an aerodrome of intended landing unless the latest available meteorological information indicates that conditions at that aerodrome, or at an available alternate will, at the estimated time of arrival, be at or above the relevant aerodrome operating minima.

263. Limitation on an approach to landing – The pilot-in-command of a private aircraft shall not commence or continue a final approach to landing unless the conditions are reported to be at or above the relevant aerodrome operating minima and shall not continue an approach to landing by flying below the minimum descent altitude or minimum descent height, or the decision altitude or decision height in the relevant aerodrome operating minima unless adequate visual reference has been acquired and can be maintained.

SECTION 4 – GENERAL REQUIREMENTS

264. Pilots to comply with laws of other states and to be responsible for operation and safety of the aircraft – The pilot-in-command of a private aircraft shall comply with the relevant laws, regulations and proceedings of the States in which his aircraft is operated and shall be responsible for the operation and safety of the aircraft and for the safety of all persons on board during flight time.

265. Fitness of members of flight crew – The pilot-in-command of a private aircraft shall not commence a flight if any member of the flight crew of the aircraft is unable to carry out his duties because of injury, sickness, fatigue, or the effects of alcohol or drugs and shall land at the nearest suitable aerodrome if any member of the flight crew suffers such incapacity in flight.

266. Flight crew to be at duty stations – The pilot-in-command of a private aircraft shall ensure that each member of the flight crew is at his duty station and has his seat belt fastened or his safety harness fastened where this is provided, during take-off and landing and that each crew member remains at his flight duty station with at least his seat belt fastened except when absence is necessary for physiological reasons.

267. Aircraft to carry oxygen for flight above 10000 ft. – The pilot-in-command of a private aircraft shall ensure that breathing oxygen is available for use as required by members of the flight crew and by passengers during flights at altitudes above 10000 ft.

268. Pilot to ensure that all persons on board are instructed as to the action to take in an emergency – The pilot-in-command of a private aircraft shall ensure that in the event of an emergency, all persons on board are instructed in the appropriate action to be taken

***SECTION 4A – MISCELLANEOUS PROVISIONS**

268A. Applicability of other rules – Such provisions of the rules under PART XVIII relating to imposition of financial penalty and other relevant matters contained therein; and rules under PART XIX regarding withholding, suspension and cancellation of licences shall apply, mutatis mutandis, to the private aircraft operations, as may be deemed necessary or appropriate by the Director General.]

* *Inserted Section 4A comprising rule 268A vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

PART – XV
ACCIDENTS AND INCIDENTS

SECTION 1 – PRILIMINARY

269. Accidents an Incidents – For the purpose of this Part:

- (a) an accident in relation to an aircraft, is an occurrence associated with the operation of the aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which:
 - (i) a person is fatally or seriously injured as a result of being in the aircraft, or of being in direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or of direct exposure to jet blast; except when the injuries are from natural causes, or are self inflicted, by other persons, or when the injuries are to persons secreting themselves outside the areas normally available to the passengers and crew;
 - (ii) the aircraft sustains damage or structural failure which adversely affects the structural strength, the performance, or the flight characteristic of the aircraft , and which would normally require major repair or replacement of the affected component; except when the damage is limited to the engine, it is cowlings or accessories, or when the damage is limited to propellers, wing tips, antennas, tires, brakes, bearings, small dents or puncture holes in the aircraft skin; or
 - (iii) the aircraft is missing or is completely inaccessible;
- (b) an incident in relation to an aircraft is an occurrence other than an accident associated with the operation of an aircraft which affects or could affect the safety of operation and shall include such occurrences as the Director-General may specify in Air Navigation Orders or by other means.

***[269A. Compliance with the Convention**– The Director-General shall ensure, as far as practicable, compliance with provisions of the Convention and Standards, Recommended Practices and Procedures of International Civil Aviation Organization in relation to this PART and, for this purpose, he may specify additional particulars, conditions or requirements in Air Navigation Orders or by other means.]

* *Inserted new rule 269A vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

**SECTION – 2 NOTIFICATION OF
ACCIDENTS AND INCIDENTS**

270. *[Mandatory accident notification and reporting] – (1)

In the event that an accident occurs:

- (a) to an aircraft registered in Pakistan; or
- (b) in Pakistan to an aircraft registered in another State; the pilot-in-command, the operator, the owner, and the hirer (if any) shall each be responsible for ensuring that a notification of the accident is furnished to the Director-General by the quickest available mean immediately after the accident, and by a written report to the Director-General as soon as practicable.

(2) The written report referred to in this rule shall contain the following particulars, except that if they are not all immediately available the report shall so state, and a supplementary report containing those particulars not included in the first report shall be furnished to the Director-General at the earliest possible date:

- (a) the type, model, nationality and registration marks of the aircraft;
- (b) the name of the owner, operator, and hirer if any, of the aircraft;
- (c) the name of the pilot-in-command of the aircraft;
- (d) the date and time of the accident;
- (e) the last point of departure and the point of intended landing of the aircraft and the nature of the flight;
- (f) the position of the aircraft with reference to some easily defined geographical point;
- (g) the number of persons aboard the aircraft, the number killed or seriously injured and the number of others killed or seriously injured;
- (h) the nature of the aircraft as far as is known;

* Substituted for the words "of an accident" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

- (j) the nature and extent of the damage to the aircraft and / or to other property; * [...]
- (k) the physical characteristics of the accident area+;
- @(l) the details of dangerous goods aboard the aircraft.]

\$(3) The written report referred to in this rule shall also contain such other particulars as the Director General may specify, as deemed appropriate, in Air Navigation Orders or by other means.]

271. #Mandatory incident notification and reporting – (1) In the event of the occurrence of an incident involving an aircraft registered in Pakistan, the pilot-in-command, the owner, the operator, and the hirer (if any) shall each be responsible for ensuring that a written notification of the incident is furnished to the Director-General α[as soon as they become aware but not later than] forty-eight hours of the occurrence β[to be to be followed by a formal report].

(2) The written report referred to in this rule shall contain such particulars as the Director-General may specify in Air Navigation orders or by other means.

x[271A. **Voluntary Incidents Reporting System** – (1) A Voluntary Incidents Reporting System shall be established to facilitate the collection of such information that may not be received under the mandatory incident notification and reporting requirements.

(2) A voluntary incidents reporting system established under sub-rule (1) shall be non-punitive and shall also afford protection to the source of such information.]

SECTION 3 – CUSTODY, PROTECTION AND REMOVAL OF AIRCRAFT

272. Custody of an accident aircraft – (1) Where an accident occurs in Pakistan territory to an aircraft registered in Pakistan or in another contracting State, the aircraft shall be deemed to be in the custody of the Director-General and it shall not be removed or otherwise interfered with except with the permission of the Director-General or the Chairman of a Board of Accident Inquiry appointed under Section 6 of this Part or as provided by sub-rule (2) and (3).

(2) Nothing in this rule shall prevent any action necessary for:

- (a) the extrication of persons, animals and mails from the wreckage of an aircraft;

* Omitted the word "and" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.

+ Substituted a "semi colon" for the "full stop", *ibid.*

@ Inserted, *ibid.*

\$ Inserted, *ibid.*

Substituted for the words "of an incident", *ibid.*

α Substituted for the word "within", *ibid.*

β Inserted, *ibid.*

x Inserted rule 271A, *ibid.*

- (b) the protection of the wreckage from destruction by fire or other cause;
- (c) the prevention of danger, or removal of obstruction, to air navigation or other transport or to the public;
- (d) the removal of the aircraft and its contents to a place of safety when the aircraft is wrecked on water; or
- (e) the removal of goods or baggage under the supervision of a constable, but in the case of an aircraft which has come from outside Pakistan territory, the goods or baggage shall not be removed from the vicinity of the aircraft except on a clearance by or with the consent of an officer of customs.

(3) The Director-General may authorize any person, so far as is necessary for the purpose of any investigation or inquiry under this Part:

- (a) to take measure for the preservation of the aircraft;
- (b) to have access to examine, remove or otherwise deal with the aircraft; and
- (c) to make records by photographic or other adequate means of any material evidence which can be removed, effected, lost or destroyed.

(4) When the retention of an aircraft, any parts or the contents thereof is no longer necessary for the purpose of an investigation or an inquiry under this Part, the Director-General shall release custody of the aircraft, parts or contents, as the case may be, to the owner of the aircraft, or, in the case of an aircraft other than a registered aircraft to the person or persons duly designated by the State of registration.

***Section 3A – SAFETY AND INVESTIGATION BOARD**

272A. Provision for Safety and Investigation Board – The Director-General shall make necessary arrangements for establishment, maintenance and operation of an independent and appropriate Safety and Investigation Board consisting of a president, investigators and other technical officials for the purpose of aviation safety and investigation of the aircraft accidents and incidents.

* *Inserted Section 3A comprising rules 272A to 272D vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

272B. Functioning of Investigation Board – The Safety and Investigation Board established in pursuance of rule 272-A shall, as far as possible, function under the directions and instructions of the Director General, in accordance with conditions and requirements of the Convention and Standards, Recommended Practices and Procedures of the International Civil Aviation Organization.

272C. Payment for aircraft accident and incident Investigation – The expenses to be incurred in an aircraft accident and incident investigation conducted by the board shall be borne by operator of the aircraft registered in Pakistan. Such expenses in relation to foreign registered aircraft in Pakistan may be provided by the Authority, which shall be later recovered from the operator of that aircraft through the State of Registry.

272D. Special conditions, instructions and directions – Notwithstanding anything contained in these rules, the Director General may specify and notify any such conditions requirements, directions and instructions in Air Navigation Orders, as he considers appropriate in connection with any ancillary or related matter in this Section.]

Section 4 - INVESTIGATION OF ACCIDENTS AND INCIDENTS

273. Appointment and powers of an Investigator.- (1) For the purposes of an investigation into any accident or incident occurring in Pakistan territory, the Director-General shall appoint one or more investigators, except that in the case of an accident involving serious injury or death, he shall obtain the approval of the Federal Government for such appointments.

(2) A person or persons appointed under sub rule (1) of this rule shall, for the purpose of investigation, be authorized:

- (a) to summon any person as a witness;
- (b) to take evidence on oath, or affirmation;
- (c) to require the production of documents, or any part or component of an aircraft which may be relevant to the investigation; and
- (d) to require that autopsy examinations be carried out on any fatalities that may have occurred as the result of an accident, and to require that the findings of such examinations be made available.

(3) Where an investigator has required the production of a document or a part or component of an aircraft under this rule, he may retain the document, or part or component of aircraft, as the case may be for such period as may be necessary for the purpose of the investigation and may make copies of, or take extracts from any documents so produced or retained.

(4) A summons given under this rule shall be in writing under the hand of the investigator and shall specify the time and the place for the taking of evidence, or for the documents, or the parts or components of an aircraft to be produced.

(5) A summons given under this rule shall be deemed to be served if:

- (a) it is given personally to the person to be served;
- (b) it is sent by registered post, addressed to the person to be served, at his last known place of abode or business; or
- (c) it is left at the aforementioned last known place of abode or business with some person apparently an inmate thereof and apparently not less than eighteen years of age.

274. Rights of implicated persons.- If it appears to the investigator that the investigation may result in a charge of an offence against these rules being laid against any person or in the suspension or cancellation of any licence or certificate issued under these rules or of a rating or other endorsement endorsed in a licence or certificate issued under these rules, the investigator shall give that person, or the holder of that licence or certificate, an opportunity of making any statement or giving any evidence and calling witnesses on his behalf.

275. Conduct of witnesses.- (1) A person summoned under this Section as a witness at an investigation who;

- (a) disobeys the summons;
- (b) refuses to be sworn or to make an affirmation as a witness; or
- (c) fails to answer any question which he is lawfully required by the investigator to answer; shall be guilty of an offence under these rules and shall be punishable with a fine not exceeding five thousand rupees for each offence.

(2) A person required under this Section to produce a document, or a part or component of an aircraft, who refuses or fails to produce the documents, or part or component of an aircraft, shall be guilty of an offence under these rules and shall be punishable by a fine not exceeding five thousand rupees for each offence.

(3) If a witness summoned under this Section refuses to answer a question from the investigator on the grounds that the answer might incriminate the witness, or make him liable to any penalty, the investigator shall inform that witness that he is obliged to answer the question but that the answer given shall not be admissible in evidence in any proceedings subsequently taken against the witness other than proceedings in respect of the falsity of the answer or in respect of his refusal or failure to answer the question.

(4) A person summoned under this Section shall be paid such fees and traveling expenses as may be determined by the Director-General.

(5) A person shall not:

- (a) willfully insult, or disturb the investigator, or hinder the investigation; or
- (b) by writing or speech, use words which are false, or which are defamatory to the investigation or to the investigator.

276. Accidents or incidents outside Pakistan.- (1) Where an accident occurs to a registered aircraft outside Pakistan territory

and in the territory of a Contracting State, the Director-General with the approval of the Federal Government may appoint an accredited representative, or investigator, to participate in such investigation or inquiry as is conducted by the Contracting State.

(2) Where an accident occurs to a registered aircraft outside Pakistan territory other than in the territory of a Contracting State, or where the location of the accident cannot be established definitely as being in the territory of a Contracting State, the Director-General with the approval of the Federal Government may appoint an accredited representative or investigator to conduct an investigation into any matter connected with the accident.

(3) Where an accident occurs outside Pakistan territory to a registered aircraft, the Director-General with the approval of the Federal Government may authorize an investigation into matter connected with the incident.

277. Information to be furnished to a Contracting State – Where an accident occurs in the territory of a Contracting State, and that Contracting State conducts an investigation or enquiry, the Director-General shall, on request by the appropriate authority of that State, furnish that authority with all the relevant information in his possession.

278. Participation in an investigation – (1) Where an accident occurs in Pakistan territory to aircraft registered in another Contracting State, the following shall be entitled to appoint accredited representatives to participate in the investigation:

- (a) the State of Registry;
- (b) the State of the Operator, if that State is not the State of Registry;
- (c) the State of Manufacture of the aircraft, if that State is not the State of Registry, or the State of the operator; and
- (d) any State which, on the request of the Director-General, has provided information, facilities or experts to assist the investigator.

(2) Accredited representatives shall be entitled to participate in an investigation to an extent that they may:

- (a) visit the scene of the accident;
- (b) examine the wreckage, if any;
- (c) question witnesses;
- (d) have full access to all relevant evidence;
- (e) receive copies of all pertinent documents; and
- (f) make submission in respect of the various elements of the investigation;

Provided that the accredited representative of a State which has provided information, facilities or experts shall only be entitled to participate in an investigation of the matters in relation to which the information, facilities or experts have been provided.

***[278A. Objective of the investigation** – Notwithstanding any provision of the rules contained in this Part, sole objective of the investigation shall be prevention of accidents or incidents of the aircraft and not to apportion blame or liability.]

Section 5 - REPORT OF AN INVESTIGATION

279. Investigator to report in writing.- (1) On completion of an investigation, the investigator shall forward a report in writing to the Director-General covering the whole of the investigation, and shall forward with the report all signed statements or other documents which have come into his possession in the course of the investigation.

(2) When the investigation relates to any matter connected with an accident, the Director-General, shall forward the report and all the signed statements and documents received with it under sub-rule (1) to the Federal Government with his recommendations and shall comply with such directions as the Federal Government may give.

280. Disposition of the report on a foreign aircraft.- (1) Upon receipt of a report by an investigator relating to an aircraft registered in another Contracting State the Director-General shall send copies to:

- (a) the State of Registry of the aircraft;
- (a) the State of the Operator, if that State is not the State of Registry;

* *Inserted rule 278A vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

- (c) the State of Manufacture, if that State is not the State of Registry or the State of the operator; and
- (d) any State which provided relevant information, significant facilities, or experts, inviting their significant and substantiated comments on the report to be made as soon as possible.

(2) At the end of a period of sixty days from the date of dispatch or at such earlier times as all comments are received, the Director-General may either amend the report to include the substance of the comments received, if any, or append the comments to the report.

(3) The Director-General shall then produce a final report which shall be sent to the State listed at sub-rule (1) of this rule.

281. Publication of a report – (1) The Director-General may cause the whole or any part of a report to be made public.

(2) The Director-General may, for the guidance of persons engaged in flight operations, publish such comments and recommendations relating to the cause or circumstances of any accident or incident, which has been the subject of an investigation, as he considers necessary or desirable for the purpose of eliminating the likelihood of any similar occurrence in the future.

(3) Before taking any section under this rule, the Director-General shall consult the Federal Government.

***Section 5A–DATABASE PROGRAMME AND SAFETY
DATA COLLECTION AND PROCESSING SYSTEM**

281A. Establishment of aircraft accidents and incidents database programme – The Director General shall establish an aircraft accidents and incidents database programme to facilitate the effective analysis of information received under the mandatory accidents and incidents reporting requirements and that collected from voluntary incidents reporting system.

281B. Establishment of safety data-collection and processing system – The Director-General shall establish a safety data-collection and processing system for the protection of information gathered in pursuance of rule 281A and to prevent any inappropriate use of information so collected solely for the purpose of improving aviation safety.]

* *Inserted Section 5A comprising rule 281A to 281B vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

Section 6 – BOARDS OF ACCIDENTS INQUIRY

282. Appointment of a Board – Where an accident in Pakistan has been investigated under section 4 of this Part, the Federal Government may, whenever it is considered to be desirable in the public interest, appoint a Board of Accident Inquiry, hereinafter in this section referred to as the Board to inquire into the cause of the accident and into such other matters relating to the accident as may be referred to it by the Federal Government.

283. Constitution of a Board.- (1) The Board appointed under this Part shall consist of a Chairman and such members as the Federal Government may consider necessary.

(2) The Chairman shall be a person possessing legal knowledge and experience or knowledge and experience in aeronautical engineering, or flight operations.

(3) The members shall be persons possessing knowledge and experience in aeronautical engineering, or flight operations, or other specialist knowledge or experience as may be required for the particular inquiry.

(4) The investigator who conducted the investigation of the accident which is the subject of the inquiry may be appointed as a member of the Board or may be attached as a technical adviser.

284. Terms of reference of a Board.-The task of a Board shall be to inquire into, and establish the cause of, the accident which is the subject of the inquiry and to inquire into and report on, such other matters relating to the accident as may be referred to it. It shall not be the responsibility of a Board to allocate blame for any such occurrence.

285. Investigation to be taken over by a Board.- On the appointment of a Board the investigation of the subject accident carried out under section 4 of this Part if not already completed shall be terminated and all reports, statements, evidence, documents, aircraft parts and other things which are in the possession of the investigator and which are germane to the inquiry, shall be made available to the Board.

286. Powers of a Board.- (1) A Board may conduct the inquiry in such manner as it sees fit and shall not be bound by the legal rules of evidence.

(2) A Board shall have all the powers of an investigator granted under rule 273 of this Part and in exercising the power to summon witnesses, the summons shall be in writing under the hand of the Chairman of the Board and shall be served in the same manner as provided under the said rule.

(3) Witnesses summoned by a Board shall comply with rule 275 of this Part and shall have the rights granted under this rule and shall be paid such fees and traveling expenses as may be determined by the Chairman of the Board.

(4) The owner or occupier of any place in which any aircraft or equipment is situated, or any process is carried out which the Chairman of the Board considers is relevant to the inquiry shall permit the Chairman and any member of that Board to enter that place and examine the aircraft, the equipment, or the process.

(5) A person shall not:

- (a) willfully insult, or disturb, or interrupt the proceedings of a Board;
- (b) by writing or speech, use words which are false or defamatory of a Board; or
- (c) commit a willful contempt of a Board.

287. Right of appearance before a Board.- (1) A person granted rights under rule 274 of this Part shall have the same rights of making any statement, or giving any evidence and calling witnesses on his behalf, to a Board.

(2) The Chairman of a Board may grant leave to make any statement, or give any evidence to the Board, to a person being:

- (a) a person whom the Chairman considers may be affected or prejudiced by the inquiry, or
- (b) the representative of an association, a member of which the Chairman considers may be affected or prejudiced by the inquiry.

(3) A person appearing under sub-rule (1) or (2) of this rule may be represented by counsel, solicitor, or agent, who may examine witnesses and address the Board on the person's behalf.

(4) Accredited representatives appointed under rule 278 of this Part shall have the same rights during an inquiry conducted by a Board as granted to them, during an investigation, under sub-rule (2) of that rule.

288. Procedures of a Board (1) The time and place for conducting an inquiry shall be fixed by the Chairman of the Board, being a date not less than fourteen days after the receipt of the report of the investigation carried out under Section 4 of this Part.

(2) Unless the Chairman of the Board directs otherwise, the sittings of the Board shall be open to the public.

(3) the Chairman of a Board may;

- (a) direct that a witness be excluded from the sittings of the Board while another witness is giving evidence; and
- (b) direct that the whole or a specified part of the evidence be not published, if in his opinion, it would not be in the public interest to publish it.

289. Report of a Board.- (1) As soon as is convenient after conducting the inquiry, the Chairman of the Board shall forward to the Federal Government a written report stating his findings, together with notes of the evidence taken, and adding such observations and recommendations as he thinks fit to make with a view to the preservation of life and avoidance of future accidents.

(2) The Chairman and each member appointed to constitute the Board shall sign the report.

(3) When a member disagrees with a finding or recommendation of the Chairman, the member shall state in writing his reasons for the disagreement and those reasons shall be forwarded to the Federal Government with the report and shall be deemed to be part of the report.

290. Inquiry into further matters.- The Federal Government may at any stage in an inquiry conducted under this Section advise the Board to inquire into such further matters relating to the accident as the Federal Government thinks fit, and may, where an inquiry has been concluded, direct the Board to inquire further into such matters relating to the accident as it thinks fit.

291. Publication of a report.-The Federal Government may cause the whole or a part of a report of the Board to be made public in such manner as it thinks fit.

292. Immunity of the Chairman.- The Chairman of the Board shall, in the exercise of his duties under this section, have the same protection and immunity as a judge of the High Court.

293. Re-opening of an inquiry (1) The Federal Government may, in any case where a Board has been held, direct a re-hearing of the inquiry either generally or as to any part thereof and shall do so:

- (a) if new and important evidence which could not be produced at the inquiry has been discovered; or
- (b) if for any other reason there is in its opinion ground for suspecting that a miscarriage of a justice has occurred.

(2) Such inquiry shall be re-heard either by the Board by which the inquiry was conducted in the first instance or by some other competent person appointed by the Federal Government to hold the re-hearing.

PART – XVI
TRANSPORT OF DANGEROUS
GOODS BY AIR

Section 1 - APPLICABILITY

294. Parts to apply to carriage of dangerous goods.- The rules in this Part shall apply to the transport or the intended transport of dangerous goods in aircraft in or over the territory under the jurisdiction of Pakistan, or to their transport in aircraft operated by the holder of an air operator certificate issued by the Director-General wherever they may be.

295. Interpretation. - For the purpose of this Part:

- (a) the term "dangerous goods" shall mean any articles or substances which are capable of posing a significant risk to health, safety or property when transported by air and which are included in the classes of dangerous goods specified in the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284-AN/905) as amended from time to time, hereafter referred to in these rules as the Technical Instructions;
- (b) the term aircraft shall mean an aircraft other than a military aircraft, which is registered in Pakistan or in another Contracting State; and
- (c) the term operator shall mean a person, organization or enterprise engaged in, or offering to engage in an aircraft operation in or over Pakistan.

Section 2 – GENERAL

296. Compliance with Technical Instructions.- An aircraft shall not carry dangerous goods unless the relevant instructions in the currently applicable edition of the Technical Instructions have been complied with.

297. Carriage of forbidden articles.- Unless specially authorized by the Director-General an aircraft shall not carry:

- (a) articles and substances that are identified as being forbidden in the Dangerous Goods List in the Technical Instructions, including those that are described in that list as "not otherwise specified";
- (b) radio active materials that are also explosive;
- (c) infected live animals; or
- (d) weapons or parts thereof, or ammunition or constituents thereof, which are designed for use in warfare, or against the person.

298. Articles forbidden under all circumstances.- An aircraft shall not carry the following goods under any circumstances:

- (a) any substances or articles specifically mentioned by name in the Technical Instructions as being forbidden for transport by aircraft under any circumstances;
- (b) explosives which ignite or decompose when subjected to a temperature of 75 degree for 48 hours;
- (c) explosives containing both chlorates and ammonium salts;
- (d) explosives containing mixtures of chlorates with phosphorus;
- (e) solid explosives which are classified as extremely sensitive to mechanical shock;
- (f) liquid explosives which are classified as moderately sensitive to mechanical shock;
- (g) any substance, as presented for transport which is liable to produce a dangerous evolution of heat or gas under the conditions normally encountered in air transport;
- (h) radio-active liquids which are pyrophoric;
- (j) flammable solids and organic peroxides having, as tested, explosive properties and which are packed in such a way that the classification procedure would require the use of an explosive label as a subsidiary risk label.

299. Exemptions from the provisions.- Articles and substances which would otherwise be classed as dangerous goods may be transported other than in compliance with the provisions of these rules if:

- (a) they are required to be aboard the aircraft for compliance with the applicable Airworthiness requirements or operating regulations;
- (b) they are replacements for the articles or substances described under (a) and are transported in compliance with the applicable provisions of the Technical Instructions; or
- (c) they are intended for the personal use of passengers or crew members and the provisions of the Technical Instructions applicable to "Dangerous Goods Excepted" are complied with.

300. Conditions for commencing flight.- The pilot-in-command of a regular public transport aircraft or a charter aircraft shall not commence a flight for the purpose of transporting dangerous goods unless the provisions of the Technical Instructions which are appropriate to the transport of those dangerous goods have been complied with.

Section 3 - RESPONSIBILITIES OF A SHIPPER

301. Adequate packaging.- A person shall not offer dangerous goods for transport by air unless they are packed in receptacles of good quality which are so constructed and closed as to prevent leakage during normal conditions of air transport, or as a result of changes in temperature, pressure or humidity, or by vibration and, if the means of closure is a friction type such as a stopper or cork, there is a positive means of holding it in position.

302. Separation of dangerous goods.- A person offering dangerous goods for transport by air shall not pack them in the same outer packaging with other goods which are capable of producing a dangerous reaction when in contact with the dangerous goods.

303. Prevention of breakage or leakage.- Receptacles containing dangerous goods which are inside an outer packaging shall be packed, or secured, or cushioned, so as to prevent breakage of the receptacle, or leakage, and so as to control their movement within the outer packaging during normal conditions of air transport and if cushioning or other absorbent materials are used, they shall not be substances capable of producing a dangerous reaction when in contact with the dangerous goods.

304. Packages or overpacks.- A person shall not offer a package of dangerous goods, or an over pack containing dangerous goods for transport by air if such dangerous goods are forbidden for transport by air in the Technical Instructions unless specific authority for such transport has been given by the Director-General.

305. Goods to be classified, marked and labeled.- A person offering a package of dangerous goods or an over pack containing dangerous goods for transport by air shall ensure that they are properly classified, packed, marked and labeled in accordance with the requirements in the Technical Instructions and shall submit to the aircraft operator a properly executed dangerous goods transport document and an air way bill which comply with the specifications in the Technical Instructions.

306. Additional Requirements.- A person offering dangerous goods for transport by air shall comply with such additional requirements in the Technical Instructions as may be appropriate to the particular circumstances.

307. Training and qualification of employees and agents.- A person offering dangerous goods for transport by air shall ensure that his employees or agents have been properly trained and qualified as specified in the Technical Instructions to handle such goods.

Section 4 - RESPONSIBILITIES OF AN OPERATOR

308. Acceptance of goods.- An operator shall not accept a package or over pack containing dangerous goods for transport by air:

- (a) unless the dangerous goods have been properly described and the package or packages are certified as meeting the applicable requirements of the Technical Instructions; and
- (b) until he has inspected the package or over pack for proper marking and labeling and has determined that it is not leaking or damaged in such a way as to compromise its integrity.

309. Inspection of packages.- A package or over pack containing dangerous goods shall be inspected by the operator for evidence of leakage or damage before it is loaded onto an aircraft or before it is loaded into a unit load device, and a unit load device containing dangerous goods shall be inspected for evidence of leakage or damage before it is loaded into an aircraft.

310. Leaking packages not to be loaded.- A package, or over pack, or unit load device shall not be loaded into an aircraft if there is any evidence of leakage from, or damage to, any dangerous goods contained therein.

311. Leaking packages to be removed from aircraft.- A package, or over pack, or unit load device containing dangerous goods, which has been loaded into an aircraft and which shows signs of leakage or damage shall be removed from the aircraft by the operator or by such person or organization as may be employed as an agent by the operator. After the removal of the leaking or damaged goods from the aircraft, the operator shall ensure that the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated.

312. Inspection of unloaded packages.- An operator shall examine packages and overpacks containing dangerous goods for signs of damage or leakage when they are unloaded from the aircraft, except when they have been carried in a unit load device. When there is evidence of damage to, or leakage from, such packages or overpacks, and whenever the dangerous goods have been carried in a unit load device, the area in the aircraft where the dangerous goods, or the unit load device were stowed shall be inspected for damage or contamination. Any hazardous contamination discovered shall be removed.

313. Radioactive contamination of aircraft._ An air-craft in which radioactive materials have leaked or which has become contaminated by radioactive materials shall be taken out of service and shall not be operated until the radiation level at any accessible surface, and the radiation level of any surface contaminant, is not greater than the value specified in the Technical Instructions.

314. Training of employees and agents.- The holder of an air operator certificate issued by the Director-General shall ensure that all of his employees or agents who are engaged in the acceptance, ground handling, storage, loading or unloading of dangerous goods have been properly trained and qualified for such activities in compliance with the training requirements specified in the Technical Instructions.

315. Compliance with additional requirements.- When engaged in the transport of dangerous goods by air, an operator shall comply with such additional requirements in the Technical Instructions as may be appropriate to the particular circumstances.

Section 5 - LOADING RESTRICTIONS

316. Goods not to be carried on flight deck or in passenger compartment.- A package containing dangerous goods, except as provided for in Section 2 of this Part shall not be carried on the flight deck of an aircraft or in a passenger compartment.

317. Separation of loaded goods.- Packages containing substances which are capable of producing a dangerous reaction when they are in contact with each other, shall not be stowed in an aircraft in such positions as will permit the substances to come into contact with each other in the event of a leakage.

318. Separation from foodstuffs.- Packages containing substances which are known to be or which are identified by markings on the packages as, poisons or infectious substances in Class 6 of the classification of dangerous goods in the Technical Instructions, shall not be carried in the same compartment of an aircraft as substances known to be foodstuffs or which are marked as foodstuffs, feeds or other edible substances intended for consumption by humans or animals unless the poisons or infectious

substances are loaded in a unit load device and the foodstuffs are loaded in a separate unit load device and both unit load devices are closed or they are not closed the unit load devices are not adjacent to each other when stowed aboard the aircraft.

319. Carriage of radioactive materials.- Packages of radioactive materials shall not be carried on aircraft unless they are stowed on board the aircraft in accordance with the appropriate separation distances tabulated in the Technical Instructions so as to be separate from persons or undeveloped photographic film.

320. Loading and unloading.- An operator shall take such precaution as may be appropriate to protect dangerous goods from being damaged during loading and unloading, and during transport in an aircraft. An operator shall secure such goods in the aircraft in a manner which will prevent any movement during flight which would change the orientation of the packages and in the case of radioactive materials shall secure them so that the appropriate separation distances tabulated in the Technical Instructions are maintained at all times.

321. Carriage in cargo aircraft.- Dangerous goods which are restricted by the Technical Instructions to transport by cargo aircraft only shall, unless otherwise provided by the Technical Instructions be loaded in the aircraft in such a manner that a member of the crew or other authorized person can see, handle, and where size and mass permit, separate such dangerous goods from other cargo in flight.

Section 6 - PROVISION OF INFORMATION

322. Information for employees.- Operators, shippers or other organizations involved in the transport of dangerous goods by air shall provide such information to their personnel as will enable them to comply with the requirements in the Technical Instructions and shall furnish instructions as to the action to be taken in the event of any emergency that might arise involving dangerous goods.

323. Passengers to be informed of forbidden goods.-The holder of an air operator certificate issued by the Director-General shall inform intending passengers in his aircraft of the types of goods which are forbidden for transport aboard an aircraft either in checked baggage, or in carryon baggage.

324. Information for flight crews.- The pilot-in-command of an aircraft in which dangerous goods are to be carried shall be provided before departure with written information as specified in the Technical Instructions.

325. Action in the event of an accident.- The operator of an aircraft which is involved in an aircraft accident while carrying dangerous goods shall, as soon as possible after the accident, inform the appropriate authority in the State in which the aircraft accident occurred of the dangerous goods carried, together with their proper shipping names, class, the subsidiary risks for which labels are required by the Technical Instructions, the compatibility group for items described in the Technical Instructions as Class 1 - Explosives, and shall state the quantity of dangerous goods together with their location on the aircraft.

PART – XVII**UNLAWFUL INTERFERENCE****Section 1 - APPLICABILITY**

326. Application of Rules.- The rules in this Part shall apply to aircraft engaged in flight operations in Pakistan and to aircraft registered in Pakistan wherever they may be.

Section 2 - GENERAL

327. Person not to interfere with flight crew.- A person shall not interfere in any manner with the performance of the duties of a member of the flight crew of an aircraft.

328. Lockable flight deck doors.- An air transport aircraft registered in Pakistan which has a flight crew compartment separate from the passenger compartment and fitted with a door shall have a lock on that door operated from within the flight crew compartment.

329. Check list for bomb search.- The holder of an air operator certificate issued by the Director-General shall provide the aircraft crew with a checklist to be followed in searching for a bomb or other device when sabotage is suspected.

330. Training of aircraft crews.- The holder of an air operator certificate issued by the Director-General shall establish and maintain a training programme designed to assist crew members to minimize the consequences of acts of unlawful interference.

331. Notification to air traffic services.- The pilot-in-command of an aircraft registered in Pakistan which is being subjected to unlawful interference shall endeavour to notify the appropriate Air Traffic Service unit of this fact together with such information regarding deviation from the current flight plan that will enable the Air Traffic Service Unit to minimize the risk of conflict with other aircraft.

332. Report on unlawful interference.- The pilot-in-command of an aircraft registered in Pakistan which is subjected to an act of unlawful interference shall submit, as soon as practicable, a full report on the incident to the Director-General and to such other person as he may designate.

PART – XVIII
PENAL PROVISIONS AND PROSECUTIONS

Section 1 - PENAL PROVISIONS

333. Penalty for contravention of the rules.- (1) A person who contravenes or fails to comply with any provision of these rules is guilty of an offence.

(2) The owner, the operator and the hirer, and the pilot-in-command and any other pilot, of an aircraft that flies in contravention of or fails to comply with any provision of these rules is guilty of an offence.

(3) Any reference in sub-rules (1) and (2) to a contravention of, or failure to comply with, a provision of these rules shall be read as including a reference to a contravention or failure to comply with any Air Navigation Order, or any direction.

(4) Notwithstanding the provisions of sub-rules (1), (2) and (3) a person shall not be convicted of an offence against this rule by reason only of a contravention of, or a failure to comply with, a direction given under these rules if:-

- (a) the direction is of a kind that, by virtue of these rules does not have effect in relation to a person until it has been served by post on the person or has otherwise been brought to his attention; and
- (b) at the time of the alleged contravention or failure to comply, the direction had not been served by post on the first-mentioned person and had otherwise not been brought to his attention.

(5) An offence, not being an offence for which a penalty is prescribed otherwise by this rule, shall be punishable with fine not exceeding *one hundred thousand rupees or with imprisonment for a term not exceeding six months, or both.

(6) A person who attempts to commit an offence under these rules is guilty of an offence and is punishable as if the attempted offence had been committed.

334. Summary Powers of the Director-General.- (1) Where an aircraft is flown within Pakistan in breach of, or not in compliance with, any rule for the safety of aircraft, passengers, goods, mails or other things carried therein, or a person commits an act in breach of rule 369 of these rules, the Director-General may, for the purpose of preventing aircraft or persons from endangering other persons or property, notwithstanding anything contained in the Code of Criminal Procedures, 1898 (Act V of 1898), or any other law for the time being in force, try for the offence in a summary way, in accordance with Sections 262 to 265 of the said Code-

- (a) the pilot-in-command or other person in charge of the aircraft; or
- (b) the person acting in breach of rule 369 of these rules; or compound any such offence for a sum not exceeding +ten thousand rupees.

(2) Where a person contravenes a provision of, or does not comply with, any rule contained in Section 10 of Part VIII of these rules, the Director-General may compound such offence for a sum not exceeding @fifty thousand rupees.

(3) Where the Director-General has reason to suspend an approval, licence, or certificate under rule 341 or rule 342, he may suspend the licence, or may impose a financial penalty not exceeding \$one hundred thousand rupees, or with the approval of the Authority, such amount exceeding #one hundred thousand rupees as he may consider appropriate, the penalty to be paid to the Authority.

* Substituted the word "one hundred" in place of the word "forty" vide SRO No. 72(KE)/2001, dated 13th April, 2001.

+ Substituted by word "one", *ibid*.

@ Substituted by word "five", *ibid*.

§ Substituted by word "ten", *ibid*.

Substituted by word "ten", *ibid*.

335. Summary Powers of a Manager.- Where a person commits any breach of, or fails to comply with a provision of any rule contained in Section 10 of Part VIII of these rules, the Manager may, notwithstanding anything contained in the Code of Criminal Procedure 1898 (Act V of 1898) or any other law for the time being in force, try such person for the offence in a summary way in accordance with sections 262 to 265 of the said Code, or compound any such offence for a sum not exceeding one thousand rupees.

336. Convicted Persons to surrender documents.- Where any person is convicted of an offence under these rules for failure to furnish any return or to comply with a notice to surrender a document, the Court before which he is convicted may, in addition to imposing any pecuniary or other penalty, order the defendant to furnish the return or surrender the document, as the case may be.

337. Unauthorized behavior on an aerodrome.- (1) A person shall not, without lawful authority or excuse:

- (a) enter or remain within the boundary of an aerodrome;
- (b) bring or leave any property on an aerodrome;
- (c) operate any vehicle on an aerodrome;
- (d) bring any animal or bird on to an aerodrome; or
- (e) permit any animal or bird under his possession or control to trespass on an aerodrome.

(2) Where:

- (a) a person contravenes clauses (a), (b), (c) or (d) of sub rule (1); or
- (b) any property, vehicle, animal or bird is found in contravention of clause (b), (c), (d) or (e) of that sub-rule, any authorized person may apprehend and remove that person, property, vehicle, animal or bird, as the case may be, without being deemed guilty of an offence.

(3) For the purpose of this rule an "authorized person" includes an employee of the Authority, an officer or member of the Airport Security Force, the Manager or any person authorized by him.

(4) Whoever contravenes the provisions of sub - rule (1) shall be punishable with a fine not exceeding two thousand rupees.

Section 2 - PROSECUTIONS

338. Limitation of Prosecution.- (1) A prosecution in respect of any offence against the rules may be commenced at any time within one year after the commission of the offence.

(2) For the purposes of sub rule (1), time shall be deemed not to run during any period after the commission of the offence and before the institution of proceedings in respect thereof for which the defendant is outside Pakistan territory.

Section 3 - EVIDENCE

339. Certificates given by the Director-General.- (1) The Director-General may, by writing under his hand, certify that:

- (a) a notification of an accident, or a written report, in accordance with rule 270 has not been received by him;
- (b) a notification of an incident in accordance with rule 271 has not been received by him;
- (c) a document required to be surrendered to him in accordance with a notice in writing under rule 273 has not been surrendered;
- (d) a document annexed to the certificate is a true copy of the text of the Convention of an Annex adopted in pursuance of the Convention; or

- (e) a document annexed to the certificate is a true copy of an Air Navigation Order, Aeronautical Information Publication, Notices to Airmen, license, certificate, permit, direction, authority, notice, order, approval, or other document, published, given or issued under these rules.
- (2) The Director-General, in a certificate under clause (c) of sub-rule (1) may certify that the document of which the document annexed to the certificate is certified to be a true copy was, on a specified date or between specified dates, posted to:
- (a) the defendant in a prosecution for an offence against these rules or in any proceedings for the recovery of moneys under these rules; or
 - (b) the applicant or other specified person in any review, investigation or inquiry conducted or made under these rules.
- (3) The Director-General, or the officer having custody of the appropriate records of the Department, may, by writing under his hand, certify that, during a specified or on a specified date:
- (a) a person was or was not licensed;
 - (b) an aircraft was or was not registered;
 - (c) a certificate of Airworthiness of an aircraft had or had not been issued, was valid or invalid for the purposes of these rules or was subject to the specified conditions;
 - (d) an aerodrome of air route or airway facility was or was not established or provided, was or was not altered, abolished, removed, added to or altered in character or was not being provided, maintained or operated in a specified manner, in accordance with rule 59;
 - (e) a place was or was not licenced for use as an aerodrome or was not authorized for use as an aerodrome;
 - (f) a permit, direction, authority, notice, order or approval required under these rules had or had not been issued under these rules;

- (g) a licence or certificate issued under these rules was or was not suspended, cancelled, or endorsed with a specified endorsement.

- (4) In all courts and in any review, investigation or inquiry conducted or made under these rules, a certificate purporting to have been given under this rule:
 - (a) shall, unless the contrary is proved, be deemed to be a certificate given by a person empowered by this rule to give the certificate; and
 - (b) is evidence of the facts stated in the certificate, and, in the case of a certificate certifying that a document was posted to the defendant in a prosecution for an offence against these rules or in any proceedings for the recovery of monies payable under these rules by an applicant or a specified person in any review, investigation or inquiry conducted or made under these rules, is evidence that the document was received by the defendant, applicant or specified person on or about the time at which it would have been received in the ordinary course of post.

PART – XIX**WITHHOLDING, SUSPENSION AND
CANCELLATION OF LICENCES AND CERTIFICATES****340. Refusal to grant or renew a licence or certificate.- (1)**

The Director-General may refuse to grant or to renew a licence or certificate under Parts IV, V, VI, VIII or *XI of these rules on one or more of the following grounds:

- (a) the applicant has failed to satisfy a requirement prescribed by or specified under these rules in relation to the granting of the licence or certificate;
- (b) the applicant has made a false or misleading statement in his application, or in connection with his application;
- (c) the applicant is the holder of a licence that is suspended;
- (d) the applicant was the holder of a licence that has been cancelled; or
- (e) the applicant is not a fit and proper person to have the responsibilities and to exercise the functions and duties of a holder of the licence or certificate for which the application was made.

(2) The reasons for such a refusal shall be given in writing by the Director-General to the applicant, including a statement of the facts or circumstances that justify the refusal.

341. Suspension or cancellation of aerodrome or flying school licences and air operator certificates etc.- (1)

For the purpose of enforcing compliance with these rules or with the requirements of Air Navigation Orders, or with directions issued under these rules, and provided that the purpose is to be secure safety of flight operations, the Director-General may:

- (a) suspend any licence or approval granted by him

* Submitted by figure "XII" vide SRO No. 72(KE)/2001, dated 13th April, 2001.

under arts IV, VI or VIII of these rules or any certificate granted by him under Part *XI of these rules for such period of time as he may consider necessary, after recording reasons therefore in writing, and/or;

- (b) with the approval of the Federal Government cancel such a licence;

provided that in each case, notice in writing is delivered by hand to the holder of the licence or certificate or is sent to him by registered post at the address given in the application for issue or renewal of the licence or certificate.

- (2) The notice of suspension or cancellation under this rule shall include a full statement of the facts or circumstances that constitute the grounds for such action.

342. Suspension or cancellation of personnel licences.- (1)

The Director-General may vary, or suspend, and with the approval of the Federal Government may cancel, a licence issued under Part V of these rules, where he is satisfied that one or more of the following is applicable:

- (a) the licence holder has contravened or failed to comply with any provision of the Civil Aviation Ordinance, 1960, the Pakistan Civil Aviation Authority, Ordinance 1982, or of these rules;
- (b) the licence holder fails to satisfy, or to continue to satisfy any requirement prescribed by or specified under these rules in relation to the obtaining or holding of such a licence;
- (c) the licence holder obtained the licence as a result of making an untrue statement or by means of a misrepresentation;
- (d) the licence holder has not complied with the requirements of Air Navigation Orders, or with directions issued under these rules;
- (e) the licence holder has failed in his duty with respect to any matter affecting the safe or efficient flight operation of an aircraft;

* *Inserted, ibid.*

- (f) the licence holder has ceased to be a fit and proper person to have the responsibilities to exercise and perform the functions and duties of a holder of such a licence; or
- (g) the licence holder is required to undergo an examination or test under clause (e), sub rule (2), rule 4 of these rules,

Provided that in each case, notice in writing is delivered by hand to the holder of the licence, or is sent to him by registered post at the address given in the application for issue or renewal of the licence.

(2) Where the Director-General suspends a licence in pursuance of sub-rule (1) he shall forthwith investigate the matter, and the suspension shall cease upon the completion of the investigation or at the expiration of thirty days, including the date on which the suspension took effect, whichever is the earlier. In case the investigation is not completed within this period, the Director-General may extend the period of suspension with the prior approval of the Federal Government.

(3) The notice of suspension or cancellation under this rule shall include a full statement of the facts or circumstances that constitute the grounds for such action.

(4) A licence-holder whose licence has been suspended or varied under this rule other than under sub-rule (5) may appeal to the Director-General against such suspension or variation. An appeal under this rule shall be lodged with the Director-General within fourteen days of the receipt of the notice of the suspension or variation. Such an appeal shall be heard by the Director-General within fourteen days of its being lodged.* If the appeal is upheld the Director-General shall rescind the suspension or variation+.

(5) The licence of a licence-holder, who is required to undergo an examination or test under clause (e) of sub-rule (2) of rule 4, shall be suspended until the result of the examination or test is known.

* Omitted the words "and the suspension or variation of the license shall be deemed to be in abeyance from the time it is lodged until the time it is heard", *ibid.*

+Omitted the words "and it is rejected shall immediately re-impose the suspension or variation", *ibid.*

343. Board of Review.- (1) A person aggrieved by a refusal by the Director-General to grant or renew his licence under Part V of these rules, or by the suspension or cancellation of his licence under rule 342 may request that the matter be considered by a Board of Review except that a request made by a person who had the granting or renewal of a licence refused under clauses (b), (c) or (d) of sub-rule (1) of rule 340, shall not be entitled to make such a request. A request under this rule shall be lodged within fourteen days of the notification and shall be submitted to the Director-General in writing together with a deposit of two thousand five hundred rupees.

(2) On receipt of such a request, the Director-General shall transmit it to the Federal Government with a request that the Board of Review be constituted. For the purpose of this rule, a Board of Review hereinafter referred to as the Board shall be one that is appointed by the Federal Government consisting of a Chairman and two members.

(3) The Chairman of the Board hereinafter referred to as the Chairman, shall be a person nominated by the Federal Government with a status not below that of Joint Secretary to the Government of Pakistan.

(4) The members other than the chairman shall possess knowledge or experience of flight operations, or of aeronautical engineering or other special knowledge or experience whichever is appropriate to the matter to be reviewed, and not more than one shall be a member or an employee of the Authority.

(5) Immediately a Board has been appointed, the Director-General shall make available all the documents and information relevant to the matter to be reviewed.

(6) Within seven days after the appointment of a Board, the Chairman shall fix a time and place for consideration of the matter and shall give notice in writing of that time and place to the Director-General and to the person requesting the review.

(7) The Board shall make a thorough investigation of the matter and shall consider and give due weight to any evidence, including evidence, if any, not considered by the Director-General, which is relevant to the matter.

(8) The Board may inform itself on the matter in such manner as it thinks fit without being bound by legal rules of evidence.

(9) The Director-General or the person requesting the review may be represented by counsel, or agent, who may examine witnesses and address the Board.

(10) Unless the Chairman otherwise directs, the hearing shall be open to the public.

(11) The Chairman may by writing under his hand, summon a person to attend before the Board at a time and place specified in the summons, and to give evidence, and to produce such books, documents and writings, or a part or component of an aircraft as may be in the custody or control of that person, which that person is required by the summons to produce. A person served with a summons under this rule to attend before a Board shall not, after the payment or tender to him of reasonable expenses fail without reasonable excuse, to attend before the Board or to produce the books, documents or writings, or the part or component of an aircraft, as may be in his custody or control, that he is required to produce.

(12) A summons given under this rule shall be deemed to be served if:

- (a) it is given personally to the person to be served;
- (b) it is sent by registered post, addressed to the person to be served, at his last known place of abode or business; or
- (c) it is left at the aforementioned last known place of abode or business with some person apparently an inmate thereof and apparently not less than eighteen years of age.

(13) The Board may examine on oath a person appearing as a witness before it, and for this purpose a member of the Board may administer an oath to the witness. Where a witness objects conscientiously to the taking of an oath, the witness may make an affirmation, instead of taking an oath, such affirmation to have the same force and effect and to entail the same liabilities as an

oath. A person appearing as a witness before the Board shall not refuse to be sworn, or make an affirmation instead of taking an oath, or to answer a question relevant to the proceedings put to him as a witness.

(14) A witness who attends before the Board shall be paid such fees and traveling expenses, by the Director-General as may be determined by the chairman of the Board.

(15) A person convicted of an offence under sub-rule (11) or sub-rule (13) shall suffer imprisonment for a period not exceeding six months, or a fine not exceeding five thousand rupees, or both.

(16) In the case of a person accused of an offence under sub-rule (11) or sub rule (13), it shall not be a defence for that person to show that he has previously been convicted of a similar offence arising out of the same inquiry.

344. Decision(s) of a Board of Review.- On completion of a review of all the facts and circumstances relative to the matter in question, a Board may confirm, vary, or reverse the decision of the Authority or the Director-General, as the case may be, and the Director-General shall take such action as may be necessary to give effect to the decision of the Board which shall be final.

345. Liability for expense or loss.- The Director-General, the Authority or a member of a Board shall not be liable for any expense, loss or damage incurred because of, or arising out of the cancellation or suspension of a licence or certificate granted under these rules.

346. Loss or refund of deposit.- Where the Board confirms the decision of the Authority or the Director General, the deposit lodged under sub rule (1), rule 343 shall be forfeited. Where the Board varies or reverses the decision of the Authority or the Director General, the deposit shall be refunded.

347. Renewal of a suspended licence.- (1) A licence or certificate suspended under this Part shall have no force or effect for the duration of the suspension but the period of currency of the licence or certificate, or of any rating, or certificate of experience on test included in a licence, shall continue to run.

(2) Where the period for which a licence or certificate is suspended is a period expiring after the expiration of the current period of the licence or certificate, or of any rating or certificate of

experience or test, included in a licence, the holder shall not be eligible for the renewal of the licence or certificate, or rating, or certificate of experience or test, until the period of suspension has expired.

(3) Where a licence or certificate is suspended or cancelled and the period of currency of the licence or certificate expires before the determination of an application for review, of or an appeal against, the decision of the Director-General, the Board shall decide the matter on its merits notwithstanding the expiration of the period of currency of the licence or certificate and may, if it thinks just to do so, direct or order that the renewal of the licence or certificate shall not take effect before such date as it specifies.

348. Record of suspension or cancellation.- (1) Where a licence granted under Part V has been suspended or cancelled and such suspension or cancellation has not been annulled under the provision of this Part, a record of the suspension or cancellation shall be endorsed on that licence together with the reasons for such suspension or cancellation, and shall be endorsed on the licence as renewed from time to time, and on any fresh licence issued to a person who has permitted a licence for the same or similar purpose to expire while the record of the suspension or cancellation is endorsed on the expired licence.

(2) Where a period of suspension has expired, the Director-General may expunge the record of a suspension endorsed on a licence after a period of not less than three years has elapsed after the suspension has expired, if he is satisfied that the conduct of the holder of the licence justifies his doing so.

(3) Where a suspension or cancellation of a licence has been annulled by a Board, the record of suspension or cancellation shall be expunged.

PART – XX

**FARES, FREIGHTS, TIME TABLES
AND STATISTICAL RETURNS**

349. Operators to submit domestic air service tariffs.- (1) The owner of an aircraft engaged in a public transport service other than an international air service which uses any aerodrome or any air route or airway facility maintained and operated by the Authority in pursuance of rule 59 shall, in respect of each such service, furnish to the Director-General a tariff of charges for the carriage of persons or cargo on the aircraft.

(2) The Director-General with the approval of Federal Government may:

- (a) approve any tariff of charges submitted under sub rule (1);
- (b) approve any such tariff subject to such variations as it may direct;
- (c) reject any such tariff and direct the adoption in its stead of such tariff as it may consider fair and reasonable for the service provided.

(3) On the application of the owner of the aircraft concerned, the Director-General may approve of any variation of a tariff of charges approved or directed to be adopted under sub rule (2).

(4) Where the Federal Government considers that the circumstances of the case so warrant, it may withdraw at any time an approval or a direction given under this rule and may direct the owner or operator of the aircraft concerned to adopt such tariff of charges as the Federal Government may specify.

(5) If the owner of an aircraft engaged in any particular public transport service which uses any aerodrome or any air route or airway facility maintained and operated by the Authority in pursuance of rule 59:

- (a) refuses, or fails within such reasonable time as is fixed by the Federal Government and notified to the owner or operator of the aircraft, to furnish his tariff of charges in accordance with sub-rule (1); or
- (b) charges, demands, collects or receives, or advertises that he will charge, any greater or less amount than the appropriate amount contained in a tariff of charges approved, or directed to be adopted, under this rule or in any other particular refuses or fails to comply with an approval or a direction given, under this rule;

(6) The provisions of this rule shall be in addition to and not in derogation of any other provisions of these rules and shall not be deemed to affect any proceedings which may be taken under any other law in respect of unlawful or unauthorized entry upon or use of public property.

350. Operators to submit international air service tariffs.- (1)

An operator of an international air service hereinafter referred to in this rule as an operator, to or from Pakistan territory shall submit to the Director-General his tariff of charges for travel by persons and carriage of cargo (including travel and carriage part of which is to be undertaken by surface transportation or by any other air or surface carrier) that comprises, or any part of which includes, transportation on that service.

- (c) the Federal Government may direct that the aerodrome or facility shall not be open to, or available for use by, the aircraft of that owner or operator on that particular service for the period during which the refusal or failure continues, and during that period the aircraft shall not enter upon or use the aerodrome or facility in the course of carrying persons or cargo and the aerodrome or facility shall not be available for the purpose of a licence under Section 1 of Part XI of these rules.
- (2) A tariff of charges submitted for approval under sub rule (1) shall, in relation to each charge, contain particulars of:
- (a) the amount of the charge that relates to:
 - (i) each part of the travel or carriage that is to be undertaken by air transportation;

- (ii) each part of the travel or carriage that is to be undertaken by surface transportation; and
 - (iii) the provision of accommodation at any stopping place;
 - (b) each of the other rights, privileges and services included in the travel or carriage to which the charge relates;
 - (c) the rate of any commission, rebate or discount payable or allowable by the holder in respect of the travel or carriage to which the charge relates and the circumstances in which any such commission, rebate or discount is so payable or allowable;
 - (d) any other benefits payable or allowable, or to be given, by the holder in relation to the travel or carriage and the circumstances in which such benefits are so payable or allowable or are to be so given; and
 - (e) the conditions subject to and in accordance with which the charge is to apply.
- (3) A tariff of charges submitted for approval under sub rule (1) shall be in a form approved by the Director-General.
- (4) The Director-General may:
- (a) approve any tariff of charges submitted under this rule;
 - (b) approve any such tariff subject to such variations as he may direct; or
 - (c) reject any such tariff, and direct the adoption in its stead of such tariff as he may consider fair and reasonable
- (5) The powers of the Director-General under the sub-rule (4) in relation to a tariff of charges apply in relation to particulars of each of the kinds referred to in sub rule (2).
- (6) On the application of the operator, the Director-General may approve of any variation of a tariff of charges or a particular of a kind referred to in sub rule (2) approved or directed to be adopted, under this rule.

(7) Where the Director-General considers the circumstances of the case so warrant, may withdraw at any time an approval or a direction given under this rule and direct the adoption in its stead of such tariff of charges or particulars of a kind referred to in sub rule (2), as the case may be, as he may consider fair and reasonable.

(8) In the exercise of his powers under this rule, the Director-General shall have regard to:

- (a) the public interest;
- (b) the need for public air transport service between Pakistan and other countries to operate on a satisfactory economic basis; and
- (c) any resolution or decision of the International Air Transport Association that has been approved by the Federal Government and is relevant to the matter.

(9) An operator or any other person who arranges any travel by persons or carriage of cargo in respect of which a charge is included in a tariff of charges approved, or directed to be adopted, under this rule shall charge and demand in respect of that travel or carriage an amount not less than the amount of that charge.

(10) An operator or any other person who is required under sub rule (9) to charge and demand an amount in respect of any travel by persons or carriage of cargo shall not fail to take or refrain from taking reasonable measures to collect that amount.

(11) An operator or any other person who arranges any travel by persons or carriage of cargo, being travel or carriage in respect of which a charge is included in a tariff of charges approved, or directed to be adopted, under this rule, shall not advertise that he will charge in respect of that travel or carriage an amount that is less than the amount of that charge.

(12) An operator or any other person shall not advertise that he will arrange any travel by persons or carriage of cargo being travel or carriage of the kind referred to in sub-rule (1) unless, in respect of that travel or carriage, a charge is included in a tariff of charges approved or directed to be adopted, under this rule.

(13) An operator or any other person shall not, in respect of any travel by persons or carriage of cargo being travel or carriage in respect of which a charge is included in a tariff of charges approved, or directed to be adopted, under this rule give or allow or cause to be given or allowed in respect of that travel or carriage rights, privileges and services being rights, privileges and services of the kinds referred to in clause (b) of sub-rule (2) other than such rights, privileges and services as are approved or directed to be adopted under this rule in relation to that charge.

(14) An operator or any other person shall not, in respect of any travel by persons or carriage of cargo being travel or carriage in respect of which a charge is included in a tariff of charges approved, or directed to be adopted, under this rule cause the travel or carriage to be undertaken otherwise than subject to and in accordance with the conditions being conditions of the kind referred to in clause (e) of sub rule (2) approved, or directed to be adopted, under this rule in relation to that charge.

(15) An operator shall not, in respect of any travel by persons or carriage of cargo being travel or carriage in respect of which a charge is included in a tariff of charges approved, or directed to be adopted, under this rule:

- (a) pay or allow commission, rebate or discount at a rate that exceeds the rate approved, or direct to be adopted, under this rule as the rate of commission, rebate or discount payable or allowable in respect of that travel or carriage; or
- (b) pay, allow or give benefits of the kind referred to in clause (d) of sub rule (2) in respect of that travel or carriage other than benefits particulars of which, in respect of that travel or carriage, are approved, or directed to be adopted, under this rule in relation to that charge.

(16) An operator or any other person who charges, demands, collects or receives, or advertises that he will charge, any amount for any travel by persons or carriage in respect of which a charge is included in a tariff of charges approved, or directed to be adopted, under this rule shall keep and preserve or cause to be kept and preserved at premises in Pakistan at which the holder or person

carries on business, proper books and accounting records, and any other documents or papers, relating to:

- (a) amounts received by the holder or person as principal or agent in respect of any such travel or carriage;
- (b) tickets, vouchers, letters, receipts and other documents issued or given by or on behalf of the holder or person in respect of any such travel or carriage;
- (c) amounts paid or allowed or payable or allowable to or by the holder or person as principal or agent by way of commission, rebate or discount in respect of any such travel or carriage; and
- (d) other benefits paid, allowed or given or payable or allowable, or to be given, to or by the holder or person as principal or agent in respect of any such travel or carriage.

(17) For the purposes of this rule the Director-General or a person authorized by him in writing in this behalf may:

- (a) at all reasonable times enter into premises referred in sub-rule (16);
- (b) inspect all books, accounting records, documents and papers referred to in sub-rule (16) kept at those premises;
- (c) require the production of a statement written in the English language containing all particulars in those books, accounting records, documents and papers relating to any matter specified in a notice in writing given by the Director-General; or the authorized person to the person apparently in charge of the premises; and
- (d) take copies of, or extracts from any of those books, accounting records, documents and papers.

(18) A person authorized by the Director-General for the purposes of sub-rule (17) who enters upon premises in pursuance of that sub-rule is not authorized to remain on the premises if, on the request by the person apparently in charge of the premises, he does not produce the authorization.

- (19) A person shall not without reasonable excuse;
- (a) obstruct, hinder, threaten or intimidate the Director-General, or a person authorized by him under sub-rule (17), in the exercise of his powers under that sub-rule;
 - (b) refuse or fail within a reasonable time to produce any statement required by the Director-General or a person so authorized under clause (c) of sub-rule (17); or
 - (c) furnish to the Director-General or a person so authorized in relation to a matter specified in a notice given under clause (c) of sub-rule (1), information that is false or misleading in a material particular.
- (20) Whoever contravenes the provisions of this rule as determined by the Director General shall pay a penalty not exceeding ten thousand rupees.
- (21) In this rule:
- (a) 'cargo' includes mail;
 - (b) 'condition' includes a condition relating to:
 - (i) time and duration of travel;
 - (ii) type and kind of conveyance;
 - (iii) class of travel;
 - (iv) standard and kind of accommodation;
 - (v) stop-overs;
 - (vi) flight changes by passengers or charge; or
 - (vii) individual or group travel.

351. Operators to submit tariffs for split services.- (1) Where persons or cargo are carried partly by an operator of an international air service and partly by other air or surface transport enterprises between a place in Pakistan territory and any other place, the Director-General may with the approval of the Federal Government fix and declare a tariff of charges for the carriage of the persons or cargo between those places.

(2) Notwithstanding that the Director-General has approved or directed the adoption of a tariff of charges for the carriage of persons and cargo between Pakistan territory and any other place in accordance with rule 350, the Director-General may fix and declare a different tariff of charges for carriage between those places if the route is different from the route in respect of which the approval or direction has been given and the carriage is partly on an international air service licensed under these rules and partly by other air or surface transport enterprises.

(3) Where a tariff of charges for the carriage of persons or cargo between a place in Pakistan territory and any other place has been fixed and declared under this rule, the operator of an international air service shall not take on or discharge in Pakistan territory persons or cargo which are to be carried, or have been carried, partly by that operator, and partly by other air or surface transport enterprises, between the places in respect of which the tariff of charges has been fixed and declared, unless the operator charges and demands in respect of that carriage of persons or cargo, an amount not less than the charge which has been so fixed and declared.

(4) Where a tariff of charges for the carriage of persons or cargo between a place in Pakistan territory and any other place has been fixed and declared under this rule a person shall not:

- (a) advertise that arrangements will be or have been made; or
- (b) sell a ticket or a series of tickets; for the carriage of persons or cargo, partly by the operator of an international air service and partly by other air or surface transport enterprises, between places in respect of which the tariff of charges has been fixed and declared, for a charge which is less than the charge which has been fixed and declared.

(5) Whoever contravenes the provisions of this rule as determined by the Director-General shall pay a penalty not exceeding ten thousand rupees.

352. Operators to operate in accordance with a time-table.- (1)

An airline shall not operate, or advertise that it will operate, a regular public transport service except in accordance with an approved time-table setting out, in relation to that service, the time of departure from and arrival at, each terminal and each intermediate stopping place (if any) on the route of the service.

(2) An airline shall not commence a new regular public transport service or alter the time-table of, or the intermediate stopping places on the route of, a regular public transport service, unless it has submitted the proposed time-table for the service to the Director-General in a form approved by him, at least one month before the date on which it intends to operate the new or altered service or within such shorter period as the Director-General may allow.

(3) A time-table shall be deemed to be an approved time-table for the purposes of this rule if the time-table has been submitted to the Director-General in accordance with sub-rule (2) and the Director-General has not notified the airline that he disapproves the time-table within one month after the date on which the time-table was submitted to the Director-General.

(4) The Director-General shall not notify an airline that he disapproves a proposed time-table for a regular public transport service unless he considers that the proposed time-table should not be approved in the interests of safety.

353. Operators to submit returns. (1) The operator of a

regular public transport, or charter aircraft shall furnish to the Director-General, such statistical returns or other information relating to the aircraft and the crew thereof, the mails, the passengers and the goods carried, other work performed by the aircraft, and the development of defects or failures in the aircraft, its engines or its accessories as the Director-General may from time to time direct.

(2) The operator of a regular public transport or charter aircraft who uses any aerodrome or an air route or airway facility maintained and operated by the Authority in pursuance of rule 59, shall furnish to the Director-General, such traffic reports, cost statistics and financial statements, showing, amongst other things, all receipts and the sources thereof as the Director General may from time to time require.

(3) The Director-General or any other person shall not divulge or communicate any information furnished in pursuance of sub-rule(2) which discloses particulars of the business or financial dealings or position of any person or organization whose name or title is stated in or can be inferred from the information divulged or communicated; except:

- (a) in the course of duty to another person performing duties under these rules;
- (b) with the consent of the airline or owner of the aircraft; or
- (c) the pursuance of sub rule (4).

(4) In accordance with Article 67 of the Convention, the Director-General shall transmit to the Council of the International Civil Aviation Organization such of the particulars supplied in accordance with sub-rule (2) as relates to the international operations of Pakistan airlines engaged in such operations.

PART – XXI
MISCELLANEOUS

354. Person not to act without a licence.- (1) A person shall not, unless specially permitted by or under these rules, perform any duty or exercise any function or do any act for which:

- (a) a licence;
- (b) a certificate; or
- (c) a rating or other endorsement on a licence or certificate, is required under these rules without holding:
- (d) the appropriate licence or certificate; or
- (e) a licence or certificate containing the appropriate rating or other endorsement.

(2) Where a licence or certificate is suspended, or a rating or other endorsement on a licence or certificate is suspended or cancelled, under these rules, the person to whom the licence or certificate was granted shall not, for the purpose of sub-rule (1) be deemed to be the holder of the licence or certificate containing the rating or other endorsement, as the case may be, during the period of suspension or cancellation.

(3) A person shall not purport to give a certificate, or to issue a document, for the purpose of these rules unless he is authorized under these rules to do so.

(4) The holder of a licence or certificate shall not:

- (a) negligently perform a duty that he is qualified to perform under the term of his licence or certificate; or
- (b) issue a certificate that he is required or empowered to issue under these rules without ensuring that all matters certified therein are true and correct in every material particular.

355. Person not to make false statements or forge documents.

(1) A person shall not make, either orally or in writing, a statement that is false or misleading in a material particular in or connection with:

- (a) an application for the grant, issue, renewal or endorsement of a licence, rating, certificate, permit, permission, authority or approval under these rules; or
- (b) a return, report, notice form or other document furnished in accordance with these rules.

(2) A person shall not, with intent to deceive:

- (a) forge, alter, assist in forging or altering, or procure or cause to be forged or altered, any certificate, licence, or other document required by these rules, or authorized by these rules, to be issued;
- (b) use any such certificate, licence or other document which has been forged, altered, cancelled or suspended, or to which he is not entitled;
- (c) hand any such certificate, licence, or other document to any other person, or allow it to be used by any other person; or
- (d) make, assist in making, or procure or cause to be made, any false representation for the purpose of procuring for himself or any other person, the grant, issue, renewal, or variation of any such certificate, licence, or other document.

(3) A person shall not mutilate, alter, or render illegible any log book, or any entry made therein, or willfully make or procure or assist in the making of any false entry in or omission from any log book during the period for which it is required under these rules to be preserved.

(4) A person shall not willfully or negligently make any entry in an aircraft load sheet which is incorrect in any material particular.

356. Obstruction of authorized persons and endangering aircraft.

(1) A person shall not obstruct or impede any other persons from exercising a power or performing a duty conferred on that other person by or under these rules.

(2) A person shall not tamper with an aircraft or an aircraft component or item of equipment.

(3) A person shall not act rashly or negligently in a manner likely to endanger an aircraft, or any person in an aircraft.

357. Licence applications and fees. (1) Every application for the issue or renewal of a licence, certificate, permit, authority or other document under these rules shall be made in the approved form to the Director-General, and shall be accompanied by the fee or payment required in connection therewith and by notification of the applicant's place of abode, his place of business and the address to which any communication to him under these rules may be sent.

(2) The Director-General may, with the approval of the Authority prescribe such fees in respect of any matter under these rules, as he may consider reasonable.

358. Change of address of licence holder.- Where the holder of a licence, certificate, permit or authority under these rules changes his place of abode or business or the address notified in accordance with the rules he shall forthwith furnish to the Director-General notice in writing of the change.

359. Surrender of licences.- (1) The holder of a licence, certificate or a person having the custody of a licence, certificate or other document issued under these rules, shall, if the Director-General by notice in writing so requires, surrender the licence, certificate or document to the Director-General within such time as is specified in the notice.

(2) A person shall not, with intent to evade the requirements of this rule, destroy, mutilate or deface any document which he is required to surrender to the Director-General.

360. Notification of special conditions for licences.- Wherever the Director-General is empowered under these rules to grant or issue a licence or certificate upon or subject to conditions, he may, unless the contrary intention appears, specify and notify in

Air Navigation Orders any such conditions, that are to be of General application to a specified class of licences or certificates (which may include licences or certificates granted or issued before the notification) and any conditions so notified shall be deemed to be conditions of every licence or certificate of that class.

361. Damage to aircraft during flying trials – The Director-General or an authorized officer shall not be liable for any loss or damage to an aircraft which occurs while the aircraft is in the custody of the Director-General for the purpose of official flying trials or other official tests, or in the course of transit to and from the place fixed for those trials or tests, or during any inspection by an officer in pursuance of these rules.

362. Colouring of aircraft – Where the usual station of an aircraft registered in Pakistan is in a tropical area or such other areas as the Director-General may determine, the colour of the aircraft shall be such colour, contrasting with that of the natural flora and the terrain in the area as the Director-General may direct.

363. Exemption of aircraft ~~and persons~~ from provisions of the rules – (1) Notwithstanding anything contained in these rules, the Director-General may, through Air Navigation Orders or other appropriate means, exempt balloons, gliders, rotorcraft, model pilotless aircraft or such other types or categories of aircraft from compliance with specified provisions of these rules, as he may specify through aforesaid instruments.

(2) The Director-General may, in exempting a type or category of aircraft under sub-rule (1), specify in the notification such conditions to be complied with by aircraft of that type or category as he considers necessary ~~for the observance of aviation safety~~, and aircraft of such type or category shall comply with the conditions so specified ~~@[...]~~.

(3) The Federal Government may, on recommendation of the Director-General by general or special order in writing, exempt an aircraft or class of aircraft or any person or class of persons from the operation of any of these rules, either wholly or partially, subject to such conditions, ~~\$~~[as deemed necessary in the interest of aviation safety to be complied with by such aircraft or class of aircraft or such person or class of persons] as may be specified in such order.

364. Non-Schedule landing and priority in booking – The Federal Government shall reserve to itself the right –

* *Inserted vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ *Substituted for words "in the interest of safety", *ibid*.*

@ *Omitted the words and comma "if any, *ibid*.*

\$ *Inserted, *ibid*.*

- a) to direct, in the interest of the public in special cases, a licenced operator to effect a landing at a place other than a scheduled stop on the route specified in his licence.
- b) to direct a licenced operator to accord priority in booking of persons or freight on any scheduled service.

365. Variation of time of official night – When the light in a particular area is affected by local atmospheric, climatic or geographical conditions, the Director-General may determine the period that is to be regarded as night in that area for the purpose of these rules.

366. Detention of aircraft – (1) An Authority authorized under section 8 of the Civil Aviation Ordinance, 1960 (XXXII of 1960), to detain an aircraft may do so by the issue of a written direction to the pilot or other person for the time being in charge of the aircraft to be detained, or by taking such other steps as may be necessary to make the detention effective. If an aircraft detained by a person so authorized is housed or kept at a Government aerodrome, the housing or picketing charges normally applicable shall be payable in respect of the whole period during which it is detained.

(2) Any person acting in contravention of any direction given under this rule shall without prejudice to any other penalty he may incur, be deemed to have acted in contravention of these rules.

367. Foreign military aircraft not to fly over Pakistan – A foreign military aircraft shall not fly over or land on Pakistan territory except on the express invitation or with the express permission of the Federal Government, but any aircraft so flying or landing on such invitation or with such permission shall not be subject to the provision of these rules except to such extent as may be specified in the invitation or permission.

368. Foreign registered aircraft to comply with the ***[International Conventions]** – An aircraft registered in a Contracting State shall be operated in compliance with the provisions of the +International Conventions and with such provisions of these rules as may be applicable.

@368A. Transfer of Functions and Duties of State of Registry to State of Operator – (1) Subject to the transfer agreement the Director-General may exercise such powers and perform such functions and duties, in respect of an aircraft registered in a Contracting State which is operated pursuant to an agreement for the lease, charter or interchange of aircraft or any similar arrangement by an operator who has his permanent place of business or his permanent residence in Pakistan, as are exercisable or performable, by the Director-General in respect of an aircraft registered in Pakistan under these rules.

(2) The Director General may, by an agreement with the authorities of the State of the operator, transfer to that State functions and duties with respect to an aircraft registered in Pakistan.

** Substituted for the word "Convention" vide S.R.O. 93 (KE)/2013, dated 31st October, 2013.*

+ Substituted for the word "Convention", ibid.

@ Amended vide S.R.O. No. 1401(1)/99, dated 30th November, 1999.

369. Advertisement of carriage by air. A person other than the holder of a regular public transport licence granted under rule 177, or an exemption granted under rule 181, shall not give public notice by a newspaper advertisement, broadcast statement, or by any other means of public announcement to the effect that that person is willing to carry passengers or cargo by air hire or reward, to or from fixed terminals and in accordance with fixed schedules.

370. Persons not to endanger aircraft. No person shall commit any act which is likely to endanger the safety of, or cause damage to an aircraft.

371. Carriage of persons without travel documents. Where a person who is not in possession of valid travel documents as required under the Passports Act, 1974 (XX of 1974), or the Pakistan (Control of Entry) Act, 1952 (LV of 1952) is brought into Pakistan in an aircraft, the Director-General may direct the person in charge, or operator, of that aircraft or may himself report the matter to the authorities concerned, for removal of that person from Pakistan, or otherwise arrange for his / her immediate removal.

(2) The Director-General or the Authority shall not be liable for any cost incurred by that person, the person in charge or the operator of the aircraft in complying with the provisions of this rule.

372. Imposition of Penalty. (1) A penalty under these rules shall not be imposed by the Director-General on any person or operator unless the person or operator has been informed in writing of the grounds on which the penalty is to be imposed; and is given an opportunity of making such representation in person or through an agent, as the person or operator may wish against such imposition.

(2) Where a penalty has been imposed on any person or operator for any contravention of these rules, such person or operator shall not be liable to be tried for the same contravention.

373. Recovery of penalty or fine *or dues. When under these rules a penalty or fine is imposed +or any dues outstanding against an operator or a licence holder, the amount of the penalty or fine, or the dues as the case may be, shall be recoverable as arrears of land revenue.

374. Service of directions, permissions and approvals. A direction, permission or approval given under these rules shall not have effect in relation to a person until it has been served by post on that person or has been brought to his attention by other means.

375. Redress of grievance. Any person aggrieved by an order passed or action taken by the Director-General, or the Authority, under these rules may appeal to the Federal Government and the Federal Government shall have the power to modify or annul the order appealed against, or issue direction to the Director-General or the Authority, as the case may be, as to the manner in which such action is to be taken by them. Provided that this power shall not be available to the Federal Government in respect of any matter where the Director-General has certified that the exercise of the power would have a direct adverse effect on flight safety.

376. Power of the Federal Government to modify or revise orders.- Notwithstanding anything contained in these rules, the Federal Government shall have the power to modify or revise any order in respect of any matter, provided that the power shall not be exercised in respect of an order or action which has been the subject of an appeal under rule @375 or of Board of Review under rule 343.

* Added the words "or dues", *ibid.*

+ Inserted the words "or any dues outstanding against an operator or a licence holder", *ibid.*

@ Substituted figure "375" in place of figure "374", *ibid.*

377. Compulsory landing for non scheduled flights operating without permission.

(1) Any aircraft, not engaged in scheduled air transport, flying over or across the territory of Pakistan without the permission of competent authority shall make a landing both on outwards and inward journey at an International Airport of Pakistan, and shall proceed onwards only on issue of a clearance certificate by an officer so authorized by the Federal Government.

(2) The clearance certificate issued under sub-rule (1) shall be produced at the aerodrome of destination or at any other aerodrome where the aircraft may land in Pakistan for traffic purpose or otherwise.

(3) Any aircraft not in possession of the clearance certificate shall be detained by the authority authorized in this behalf.

378. Repeal— The Civil Aviation Rules, 1978, are hereby repealed.