

Act No. 663 Civil Aviation Safety

The Parliament approves,

And the President of the Republic publishes the following act quoted as follows:

Unique article:

- The cited draft bill was ratified by virtue of decree number 7950 dated May 31, 2002 and related to Civil Aviation Safety as amended by the Commission of Public Works, Transport, Energy and Water.
- This Act shall be effective upon its publication in the Official Gazette.

Baabda, February 4, 2005
Signature: Emile Lahoud

Promulgated by the President of the Republic
President of the Council of Ministers
Signature: Omar Karame

President of the Council of Ministers
Signature: Omar Karame

Civil Aviation Safety Act

Title One

Object of the Act

Article One:

Object of the Act

This Act aims at the improvement, development and consolidation of civil aviation safety as well as providing means for its monitoring, subject to the provisions of the International Civil Aviation Agreement signed in Chicago on the date of 7/12/1944, and its amendments thereto, the standard rules and the work methods that are recommended and

set by the International Civil Aviation Organization (ICAO) and adopted as annexes to this agreement.

Title Two

Definitions

Article 2:

Definitions

Regarding the execution of the provisions of this Act, the following terms shall have the meanings mentioned as follows:

“Civil Aviation Administration”: The Directorate General of Civil Aviation or any general body or official administration that may replace the cited directorate general.

“The Convention”: The International Civil Aviation Convention signed in Chicago on the date of 7/12/1944 and its amendments, standard rules and work methods recommended and set by the International Civil Aviation Organization (ICAO) and adopted as annexes to this convention.

“The Lebanese Territories”: The land surface areas, regional waters and the airspace above said territories and located under the jurisdiction and sovereignty of the Lebanese state.

“The Applicable Regulations”: The decrees and resolutions issued in execution of the provisions of this Act.

“License”: This expression also includes the qualifications annotated on the license.

“Dangerous Goods”: The goods or materials that may constitute a hazard to public health, public safety, properties or the environment.

“Hire or Reward”: Any payment, reward, utility or benefit that may be imposed, requested, received or collected by any physical or juridical person, directly or indirectly, in exchange for hiring an aircraft.

“Commercial Air Service”: Use of an aircraft for hire or reward.

“Air Transport Service”: A commercial air service exploited for the transport of passengers, personal belongings, travel luggage, goods or any other cargo on an aircraft from one place to the other.

“Contracting State”: A state party to “The Convention”.

“The Registry”: The register of aircrafts established by virtue of article (13) of this Act.

“Aircraft”: A vehicle whose permanence in the air is derived from air reaction, other than the one reflected from the surface of the earth.

“Aeroplane”: An aircraft heavier than air using propulsion force for its operation, and obtains lift off force during flight mainly from Aerodynamic Reactions on its surfaces which remains stable in specific flight conditions.

“Acrobatic Flying”: A maneuver made by an aircraft on purpose, which comprises a sudden change in its position or placing it in an unfamiliar position or changing its speed in an unusual way.

“Pilot-In-Command”: The pilot in charge of the operations and safety of the airplane during the trip, who is appointed by the air operator or the owner.

“Force Majeure”: Unforeseen circumstances of an irresistible nature, whose source is external to the aircraft, which may prevent the execution of the provisions of this Act.

“Air Operator”: A physical or juridical person holder of a certificate in air operation.

“Aerodrome”: Specified area on the surface of the land or water (including the buildings, installations or equipment fully or partially allocated for the use of aircraft upon its arrival or departure or during its movement.

“A Lebanese Airport”: An airport established on the Lebanese territories and which the competent Lebanese authorities issued an Aviation Document.

“Aeronautical Product”: An aircraft, aircraft engine or aircraft tool or the constituent part or parts of any of them.

“The Organization”: The International Civil Aviation Organization (ICAO) which was established by virtue of “The Convention”.

“Lebanese Aviation Document”: License, permit, certificate, authentication or any other licensing irrespective of its denomination, which is issued in accordance with the provisions of this Act, to any physical or juridical person, aeronautical product, airport or any service relate to civil aviation.

“The Minister”: The Minister of Public Works and Transport or any Minister that may replace the cited minister.

Title Three
Classification and Division of Aircraft –
Scope of Implementation of this Act

Chapter One
Classification and Division of Aircraft

Article 3:

Classification of Aircraft

Aircraft are classified in accordance with the classification adopted by the organization.

Article 4:

Division of Aircraft

Aircraft are divided into “State Aircraft” and “Civil Aircraft”.

Article 5:

State Aircraft

State aircraft are divided into aircraft pertaining to the Lebanese State and aircraft pertaining to foreign countries.

The aircraft pertaining to the Lebanese State comprise the aircraft assigned to the Armed Forces Service and whose military capacity is certified by its registration certificate.

The aircraft pertaining to foreign countries are those that are assigned to the Armed Forces Service.

Article 6:

Civil Aircraft

Civil aircraft include:

- 1- Commercial aircraft: aircraft used for hire or reward. In that case, they shall be on active duty in a commercial air service.
- 2- Special aircraft: Aircraft pertaining to the State or individuals and used free of charge for personal reasons of its owners. In that case, they shall be on active duty in special operations. Special aircraft are the aircraft owned by the Lebanese State and used for civilian purposes.

Chapter Two

Scope of Execution of the Provisions of this Act

Article 7:

The parties subject to the provisions of this Act

- a- The provisions of this Act are applicable to:
 - 1- The Lebanese aircraft.
 - 2- The crew of Lebanese aircraft and the members present on board said aircraft.
 - 3- The physical or juridical persons carrying out any act that may affect the safety of operating any Lebanese aircraft or any foreign aircraft during their presence within the Lebanese territories.
 - 4- The physical and juridical persons, holders of a Lebanese Aviation Document, thus wherever they may exert the specifications of this document.
- b- The aircraft, civil and military irrespective of their nationality, are subject upon their entry and exit as well as their presence in the Lebanese territories to the provisions of Lebanese laws and regulations regarding the entry or exit of aircraft or those laws and regulations related to the operations of these aircraft within the Lebanese territories or with the aerial navigation that it carries out on those territories.

Article 8:

Military aircraft

Unless otherwise expressed in another text of this Act, the provisions of this Act are not applicable on military aircraft whether said aircraft pertain to the Lebanese state or a foreign state.

Military aircraft are subject to the special regulations of the military authorities to whom said aircraft pertain.

Article 9:

Implementation of the provisions of international conventions in current effect in Lebanon

Subject to the provisions of article eight of this Act, and within the scope of its content, the provisions of effective international conventions in Lebanon shall be applicable to aircraft as well as physical and juridical persons comprised by the provisions of this Act.

Article 10:**Foreign aircraft subject to Lebanese regulations**

The provisions of this Act may be implemented on any foreign aircraft subject to the Lebanese regulations.

The denomination “foreign aircraft subject to Lebanese regulations” is given to any aircraft registered in a foreign country and operated by virtue of a hire contract, cargo hire contract, procurement contract or any other similar arrangement by a physical or juridical person entitled to register an aircraft in Lebanon, thus in compliance with the provisions of title four of this Act, provided that such operation takes place within the conditions and arrangements convened between Lebanon and the state of registration of the aircraft by virtue of a bilateral or exchange of correspondence agreement, in conformity with article 83 duplicate of the Convention.

Article 11:**The scope of execution of the Laws and Regulations of Foreign Civil Aviation**

- Any physical or juridical person practicing the particularities of the Lebanese Aviation Document in a foreign country ought to be subject to the rules and regulations of Civil Aviation that are in current effect in said state and related to the practice of the particularities of a Foreign Aviation Document.
- Every Lebanese aircraft operated in a foreign country ought to be subject to the rules and regulations of Civil Aviation that are in current effect in said state and related to the operation of a foreign aircraft.

Title Four
Nationality – Registration –
Rights on Aircrafts
Chapter One
Registration and Nationality of Aircraft

Article 12:

Obligation of Registration:

No aircraft ought to fly or land on the Lebanese territories or lift off from said territories unless it is registered in the registry according to the provisions of this Act, or registered in a contracting state or in any other foreign country, thus in execution of a special convention between said state and Lebanon allowing aircraft registered in aforesaid foreign country to operate in Lebanon.

The provisions of this article are not applicable on captive balloons, kites, model aircraft, hang gliders as well as the other aircraft determined by the civil aviation administration by virtue of resolutions issued by it.

Article 13:

The Register

The Civil Aviation Administration shall keep a detailed record of aircrafts known as the register.

The rules regarding the register shall be set by resolutions issued by the Civil Aviation Administration.

Article 14:

The parties having competency to register aircraft in Lebanon

Registration shall be carried out in the Lebanese register only for aircraft owned by one of the following parties:

- 1- The Lebanese State
- 2- A Lebanese citizen
- 3- A Lebanese Air Club
- 4- A Lebanese institute for training air operators

- 5- A joint liability company constituted exclusively of Lebanese partners.
- 6- A limited partnership company, provided that all the partners in charge are Lebanese.
- 7- A Lebanese joint stock company, provided that the chairman of its board of directors and the majority of its board members are Lebanese.
- 8- A foreign national resident in Lebanon for five years at least, taking into account that he may lose his right to registration in case he stops residing in Lebanon on a continuous basis for a year.
- 9- A foreign juridical person practicing his activity in Lebanon and having Lebanese wagers or employees. In that case, the use of the aircraft is limited exclusively to the objectives of its activities.

In the above-mentioned cases, the juridical person ought to have a workplace in Lebanon.

It is plausible, in exceptional cases, to authorize the registration of aircraft to a party other than the above-mentioned parties by virtue of a decree adopted by the Cabinet pursuant to the proposal of the Minister.

Article 15:

Cases of registration refusal

An aircraft in Lebanon shall not be registered in the following cases:

- 1- If it is registered in another state.
- 2- If its owner is other than the parties stipulated in article (14) except the case stipulated in article (17) of this Act.
- 3- If its registration violates public safety or public order.

Article 16:

Application for aircraft registration

The application for aircraft registration shall be presented in writing to the Civil Aviation Administration and accompanied by the following documents:

- 1- Title Deed of the Aircraft
- 2- Strike off of the aircraft from the register of the State in which it was registered.
- 3- Make an insurance contract in accordance with the applicable rules.

The application contains the various specifications and data related to the aircraft as set by the Civil Aviation Administration.

Article 17:

Registration under the leaseholder's name

In case of hire of a foreign aircraft for six months at least by a physical or juridical person being entitled to register an aircraft in Lebanon in accordance with the provisions of article (14) of this Act, the aircraft may be registered under the leaseholder's name, whether the lessor is a physical or juridical person, Lebanese or foreigner, provided an agreement on registration is obtained between the lessor and the lessee and the registration is carried out in accordance with the conditions set in article (16), and said registration may be maintained for the entire duration of the hire contract.

Article 18:

Registration Certificate

Every physical or juridical person having presented an aircraft registration application approved by the Civil Aviation Administration shall be granted a certificate of registration in accordance with a special form set by the cited administration and such individual shall be denominated "The Registered Owner".

Article 19:

Signs of nationality and registration

Every aircraft registered in Lebanon ought to bear the Latin letters O D, which constitute the signs of nationality or any other nationality adopted by Lebanon, and it shall be notified to the organization in accordance with the internationally convened norms, in addition to the registration sign set by the Civil Aviation Administration.

Article 20:

The information mentioned in the register

A special page is designated in the register for every aircraft whose information is annotated as follows:

1- Registration Certificate Number.

- 2- Signs of nationality and registration.
- 3- Name of the manufacturing company.
- 4- Type of aircraft.
- 5- Serial number set by the manufacturer.
- 6- Name and address of the “Registered Owner”.
- 7- Name and address of the leaseholder in case of aircraft hire.
- 8- The rights and conventions in current effect on said aircraft.
- 9- Any other information deemed necessary by the Civil Aviation Administration.

If the “Registered owner of the aircraft is a foreigner, the sign indicating his right for registration shall be annotated in compliance with article (14) of this Act or a sign indicating that the aircraft is hired in execution of article (17) of this Act, and in that case the leaseholder’s name and address are annotated.

Article 21:

Cases that should be notified by the “Registered Owner”

The “Registered Owner” ought to notify in writing the Civil Aviation Administration within fourteen days at the most of the following:

- 1- Transfer of the aircraft’s ownership.
- 2- Destruction, loss or definitive suspension from flight of the aircraft.
- 3- Any change in the data declared by him, in execution of the provisions of article (16) of this Act.
- 4- Termination of the existing lease in execution of the provisions of article (17) of this Act.

Article 22:

Cases of registration cancellation and erasure

The aircraft’s registration shall be cancelled and erased from the register in the following cases:

- 1- If one of the cases laid out in article (15) of this Act is available is available.
- 2- If the aircraft is destroyed, lost or definitively suspended from flight.
- 3- If the aircraft is registered in execution of the provisions of article (17) of this Act and its lease agreement expired.

The Registered Owner ought to return the registration certificate to the Civil Aviation Administration within fourteen days at the most, since the date of occurrence of the case requiring the erasure of the aircraft.

When the administration takes notice of the aircraft's ownership transfer in accordance with paragraph (1) of article (21) of this Act, it shall consider whether the new owner is entitled to register the aircraft in compliance with the provisions of article (14) of this Act and adopt the corresponding measures.

Article 23:

Loss of Lebanese nationality

The Lebanese aircraft shall lose its nationality in case of its cancellation and erasure from the register, thus in accordance with the provisions of article (22) of this Act.

Article 24:

Amendment or correction of the data mentioned in the register or registration certificate

In execution of the provisions of this title, the Civil Aviation Administration may proceed, after notifying the incumbent, to amend or correct the data mentioned in the register or the registration certificate.

Article 25:

The cases which should be notified by the new owner

Every physical or juridical person becoming owner of a registered Lebanese aircraft, for any of the ownership reasons laid out in article (31) of this Act, should notify such event in writing to the Civil Aviation Administration within fourteen days at the most from the date of ownership.

Article 26:

Implementation of the provisions of this Act on unregistered aircrafts

Regarding the violation of the provisions of this Act, unregistered aircraft shall be considered as registered aircraft and in that case, unregistered aircraft shall be subject to the provisions related to the violations of registered aircraft.

Article 27:

Nationality of aircraft

Any aircraft registered according to the provisions of this Act shall be considered as a Lebanese aircraft and holder of the Lebanese nationality. Furthermore, any aircraft registered in this state shall be considered as a foreign aircraft and holder of the foreign country's nationality.

Article 28:

Registration in accordance with the provisions of the “common registration regulation” or the “international registration regulation”

Any aircraft registered overseas in accordance with the provisions of the “common registration regulation” or the “international registration regulation” shall be considered, within the limits of what is mentioned in the resolution related to the nationality and registration of aircraft operated by international operation institutions and which the board of the Civil Aviation Organization has adopted on the date of 14/12/67, thus in compliance with the provisions of article 77 of “The Convention”, as holder of the nationality of each of the member states in the International Operation Institution and through which the aircraft is operated and considered as a foreign aircraft.

Article 29:

Registration in the register as proof

Registration in the register shall be considered as proof and such register shall be public. As such, all concerned parties may examine said register in the times designated for such purpose and obtain a written attestation of its content upon request, thus in accordance with the applicable rules of this Act.

Title Two

The Rights on Aircraft

Article 30:

Consideration of aircraft as movable assets

Aircraft are movable assets regarding the application of the effective laws and regulations in Lebanon. However, the transfer of aircraft ownership should be carried out by

virtue of a written contract, and such contract shall not be effective between the contracting parties and towards third parties unless it is registered in the register.

Article 31:

Annotation of ownership transfer in the register

Annotation in the register should be carried out for the ownership transfer of aircraft by inheritance, or by virtue of a judicial ruling or for any other reason of the ownership reasons.

The new owner ought to request the registration of any ruling of aircraft ownership transfer or confirmation of its ownership. The transfer of ownership shall only be effective starting from the date of its annotation in the register.

Article 32:

Acquisition of an *in rem* right on an aircraft with good intention

Any person having acquired an *in rem* right on an aircraft with good intention, in accordance with the entries in the register, shall remain holder of such right.

Article 33:

Entry of insurance contracts:

No insurance contract on an aircraft shall be reckoned unless it is registered and the insurance contracts shall not be deemed effective unless they are annotated in the register.

The insurance contract may contain a clause rendering the insurance comprehensive and total instead of warranty in case this may result from the total or partial destruction of the aircraft.

Article 34:

Conditions for the erasure of an existing insurance contract annotated in the register

No aircraft subject to an existing insurance contract annotated in the register in compliance with article (33) of this Act shall be erased unless approval is obtained on the removal of said insurance from the physical or juridical persons whose names were annotated in the register as insurance rights holders on the aircraft.

Article 35:

Transitional provisions:

In rem rights annotated in the existing register in compliance with the provisions of article (10) of the Civil Aviation Act of 1949 shall remain effective and are subject to the right of preference according to the date of its registration.

Chapter Five

Validity and Maintenance of Aircraft

Article 36:

Certificate of Flight Validity or Flight Authorization

No Lebanese aircraft should fly unless it is holder of an effective certificate of flight validity or an effective flight authorization in special cases.

The conditions for issuing the certificate of flight validity and the flight authorization shall be set by virtue of resolutions adopted by the Civil Aviation Administration.

Article 37:

Maintenance authorization

No Lebanese aircraft should fly unless it is holder of an effective maintenance authorization for the duration of the trip at the very least, or unless flight is allowed without a maintenance authorization.

The conditions for issuing maintenance authorization and the cases where flights are allowed without maintenance authorization shall be determined by virtue of resolutions issued by the Civil Aviation Administration.

Title Six

Leaves of absence for air operators

Article 38:

Imposition for holding a license to carry out a certain activity on board a Lebanese aircraft

In the cases in which the law or the regulations require holding a license for carrying out a certain activity on board a Lebanese aircraft, no person should work on board said aircraft in any capacity whatsoever unless he is holder of a Lebanese license in the capacity of his field of activity, being effective and authorizing him to undertake these tasks or unless the regulations do not allow, in special cases, to work without a license.

The regulations laid out in this article are set pursuant to resolutions issued by the Civil Aviation Administration.

Article 39:

Conditions for signing on maintenance works for an aircraft

No physical or juridical person should sign on maintenance works for a Lebanese aircraft or any aeronautical product pertaining to said aircraft unless he were a physical person holder of a Lebanese license in the effective capacity of an aircraft maintenance technician authorizing to carry out such activities, or unless the physical or juridical person is allowed to perform such maintenance by virtue of a special authorization issued by the Civil Aviation Administration.

Article 40:

License of Air Traffic Controller

No person should work as air traffic controller unless he is holder of an effective air traffic controller license allowing him to undertake the activity assigned for him, except in the cases permitted by the regulations issued by the Civil Aviation Administration.

Article 41:

Aviation Clubs and Training Institutes for Air Operators

The establishment of Aviation Clubs and Training Institutes for Air Operators shall be subject to licensing issued by the competent authorities, upon approval of the Civil Aviation Administration, and the cited clubs and institutes shall be subject, in practicing their activities, to the condition of holding a “Flight Training Organization Certificate” regarding the institutes, as well as a license for practicing aviation regarding the clubs, issued by the Civil Aviation Administration in accordance with the regulations set by said administration.

Article 42:

Establishing permits, certificates and other licenses for air operators

It is possible by virtue of resolutions issued by the Civil Aviation Administration to establish permits, certificates and other licenses for air operators, other than those laid out in this title thus in accordance with the requirements of “The Convention” or public safety.

Article 43:

Conditions for issuing the various permits, certificates and other licenses for air operators

The conditions for issuing the various permits, certificates and other licenses for air operators laid out in this title shall be set pursuant to resolutions issued by the Civil Aviation Administration.

Title Seven
Aircraft Operation
Chapter One
General Provisions – Safety of Operation

Article 44:

Implementation of the adopted provisions for operating aircraft

The aircraft operator, its pilot-in-command and other members of its crew as well as those carrying out activities related to its operation safety shall be subject to the provisions of this Act and the regulations related to operation safety and issued by the Civil Aviation Administration.

Article 45:

Careless or reckless operation of aircraft

Aircraft should not be operated either carelessly nor recklessly hence jeopardizing the lives of individuals or exposing juridical persons or properties to damages.

Article 46:

Low altitude flight

Except in cases of necessity during the operations of lift-off or landing, or in cases where authorization is granted in this regard in execution of the provisions of this Act or its applicable rules, the aircraft should fly over crowded areas in cities or villages, or over a gathering of people in an open space area only at an altitude that allows, in case of necessity, to land the aircraft without jeopardizing the lives of people or causing damage to property. In any case, the elevation should not be less than the convened minimum in accordance with the regulations issued by the Civil Aviation Administration.

Article 47:

Acrobatic Flying:

No aircraft shall be allowed to carry out acrobatic flying except in compliance with the conditions laid out in the regulations issued by the Civil Aviation Administration.

Article 48:

Air Show

No physical or juridical ought to initiate or allow initiating an air show except by licensing issued in accordance with the regulations of the Civil Aviation Administration, and this does not exempt him from complying with the regulations related to the organization of public festivities.

Article 49:

Carry, transport or shipping of weapons, ammunitions, military equipment or goods whose transport is prohibited

No physical or juridical person ought to carry, transport, or ship on board an aircraft weapons, ammunitions or any military equipment or any other goods that the Council of Ministers prohibits its transport by air, unless he has a special licensing in this respect issued by the Council of Ministers.

Article 50:

Dangerous Goods

No physical or juridical person ought to carry, transport, or ship dangerous goods on board an aircraft unless he is holder of a licensing in accordance with the conditions set by the regulations issued by the Civil Aviation Administration upon approval of the competent authorities.

The provisions of this article shall not prevent the transport or use of signal equipment or other devices necessary for aircraft navigation, its operation or the safety of its crew or passengers, thus within the conditions set in the cited regulations.

Article 51:

Environmental Protection

No aircraft should fly over Lebanon unless it is subject to the provisions of the regulations issued by the Civil Aviation Administration and related to noise, engine smoke, gaseous emission, fuel ventilation and other issues related to environmental protection from aircraft operation.

Chapter Two

Certificate of Air Operator – Certificate of Special Air Operator

Article 52:

Certificate of Air Operator

No physical or juridical person in Lebanon ought to operate aircraft in commercial air services unless a Certificate of Air Operator is obtained, being issued in accordance with the provisions of this Act and the regulations of the Civil Aviation Administration.

The Certificate of Air Operator remains valid on condition of compliance with the terms, instructions, operation specifications and declarations mentioned in the Certificate and those laid out in the provisions of this Act and the regulations of the Civil Aviation Administration.

Article 53:

Certificate of Special Air Operator

No physical or juridical person in Lebanon ought to operate a large aircraft or pressurized aircraft with turbine engines, used for the transport of passengers free of charge or non-profit, unless he is holder of a Certificate of Special Air Operator issued in accordance with the provisions of this Act and the regulations of the Civil Aviation Administration.

The Certificate of Special Air Operator remains valid on condition of compliance with the terms, instructions, operation specifications and declarations mentioned in the Certificate and those laid out in the provisions of this Act as well as the regulations of the Civil Aviation Administration.

Chapter Three

Special Provisions for Aircraft

Article 54:

Lebanese aircraft and aircraft bearing the nationality of a “Contracting State”

No Lebanese aircraft or aircraft bearing the nationality of a “Contracting State” should fly or land or lift off from the Lebanese territories, unless it complies with the

provisions of “the Convention” regarding the availability on board of said aircraft of the following documents:

- 1- The flight plan.
- 2- The Registration Certificate.
- 3- Certificate of its Flight Validity.
- 4- Licenses required from its crew members.
- 5- License related to telecommunication devices.
- 6- Other documents which should be available on board the aircraft.

Moreover, aircraft bearing the nationality of a “Contracting State” ought to comply with the provisions of paragraph (b) of article (7) of this Act.

Article 55:

Aircraft bearing the nationality of a “non-contracting state”

No Lebanese aircraft or aircraft bearing the nationality of a “Non-Contracting State” should fly, land or lift off from the Lebanese territories, unless there is an effective agreement between Lebanon and said state, or unless the Minister authorizes such action. In both cases, it is mandatory to comply with the provisions of the agreement and conditions set by the Minister.

Article 56:

License or certificate of foreign air operator

No foreign air operator should carry out an air service in Lebanon unless he obtains a license or certificate of foreign air operator issued in accordance with the provisions of this Act, the international conventions effective in Lebanon and the regulations of the Civil Aviation Administration.

The license or certificate of foreign air operator remains valid on condition of compliance with the terms, instructions, operation specifications and declarations mentioned in the license or certificate and those laid out in the provisions of this Act as well as the regulations of the Civil Aviation Administration.

Title Eight

Providers of Facilities and Services for Civil Aviation

Chapter One – The Airports

Article 57:

Establishment and operation of airports

No airport should be established except by a license granted by virtue of a decree adopted in the Council of Ministers pursuant to the Minister's proposal. The terms and conditions of licensing for the establishment of airports shall be set by virtue of a decree adopted by the Council of Ministers pursuant to the Minister's proposal.

No airport should be operated except by a license issued by the Civil Aviation administration in accordance with the regulations set by this administration.

The rules of work organization for the civil bodies at airports shall be set by virtue of the regulations issued by the Civil Aviation Administration.

Chapter Two

Airspace – Airways and Air Lines

Article 58:

Classification of Airspace

The Civil Aviation Administration undertakes the task of classifying airspace for the purpose of air traffic services whilst taking into account in this classification, as much as possible, the provisions of standard rules and the work methodology recommended by the organization.

Every aircraft shall be subject to the provisions of the rules related to airspace where flight takes places.

Article 59:

Airways and Air Lines

The Civil Aviation Administration shall designate the civilian air lines and airways as well as their mode of usage.

The information related to such matters shall be published in the Aviation Information Guide and Bulletins.

Every aircraft shall be subject, upon its flight in the air line or airway, to the conditions of use pertaining to each one of them.

Chapter Three

Air Traffic Services

Article 60:

Exploitation of facilities for procuring air traffic services

No physical or juridical person, except the State, is entitled to exploit any facilities for procuring Air Traffic Services, except in the cases allowed by special laws.

Chapter Four

Other Services for Civil Aviation

Article 61:

Other services for civil aviation

No physical or juridical person is entitled, except the state, and only in the cases permitted by special laws, to carry out the following:

- Use equipping or equipment related to aviation communications or air navigation, including telecommunications or air navigation by satellites or provide Aeronautical information or provide meteorological services related to aviation.

Title Nine

Refusal of Petition, Withdrawal and Cancellation of Lebanese Aviation Documents

Article 62:

Refusal of issuing a Lebanese Aviation Document

The Civil Aviation Administration is entitled to refuse the issuance of a Lebanese Aviation Document in case it becomes evident for said administration that the cited procedure is deemed necessary for public safety or public order, namely if the behavior of the document petitioner justifies that, then it is possible to determine behavioral ethics of the

document petitioner which shall be taken into account in the refusal of issuing the aviation certificate, by virtue of the regulations issued by the Civil Aviation Administration.

Article 63:

Withdrawal, cancellation or refusal to renew or suspend the validity of a Lebanese Aviation Document

The Civil Aviation Administration is entitled to withdraw, cancel, refuse to renew or suspend the validity of a Lebanese Aviation Document.

The conditions leading to the practice of this right shall be set by virtue of the regulations issued by the Civil Aviation Administration. Such regulations may comprise the rules of review regarding these procedures.

The aforesaid regulations may also comprise special provisions related to the withdrawal, cancellation, refusal of renewal or suspension of the validity of the required medical certificates for the leaves of absence of the workers as well as the rules of review regarding such procedures.

Title Ten

Prohibition from flight, inspection and verification, Investigation of the Incidents and Accidents in Aviation

Article 64:

Competencies and responsibilities of specialized employees at the Civil Aviation Administration

If it becomes evident that an air trip is being carried out in violation of the provisions of this Act or its applicable regulations or in conditions that may cause damage to the persons on board the aircraft or to persons or properties on the ground, then the specialized employees at the Civil Aviation Administration is entitled:

- 1- To order any flying aircraft to land.
- 2- To prevent the aircraft from flying.
- 3- To proceed with the inspection of the aircraft and its contents.
- 4- To proceed with the suspension of the aircraft's activity and seize any document or goods on board said aircraft as well as to retain any person on board said aircraft.

The above-mentioned convened measures shall remain effective until the reasons which led to their adoption cease to exist.

Those employees shall assume responsibility for the measures that they adopt in case of exceeding the competencies determined for them.

The Civil Aviation Administration may proceed, in case of non availability of specialized employees, to commission all technical experts that are deemed necessary for carrying out the tasks of aircraft inspection and its contents indicated in paragraph (3) of this article.

Coordination shall be carried out with the airport security service regarding the security aspect inside Lebanese airports.

Article 65:

Measures that the specialized employees are entitled to carry out

The specialized employees at the Civil Aviation Administration are entitled to carry out the following measures:

- 1- Enter any aircraft or fly on board said aircraft when deemed convenient as well as enter any airport or any location related to civil aviation or any other location designated for the design, manufacture, assembly, distribution, maintenance or mounting of aeronautical products thus for carrying out the tasks of inspection and monitoring related to the execution of the provisions of this Act and its applicable regulations.
- 2- Entry in any place in order to verify matters related to aviation safety.
- 3- Seizure of any item found in any location indicated in paragraphs one and two if this may contribute to provide proofs regarding any violation or lead to shed light on the investigation indicated in paragraph two.

The Civil Aviation Administration is entitled in case of non availability of specialized employees to carry out some measures laid out in paragraphs 1 & 2 of this article.

Coordination shall be carried out with the airport security service regarding the security aspect inside Lebanese airports.

Article 66:

Authority of the Pilot-In-Command

The Pilot-In-Command or his assistant is entitled, when deemed necessary and as guarantee of compliance with the provisions of this Act and its applicable regulations and for the sake of keeping public order, to adopt the following measures:

- 1- Retention or arrest of any passenger or member of the crew during the flight trip, or adopt any of the coercive measures against him.
- 2- Bring any person down from an aircraft on its first stopover destination.
- 3- Seize goods for the period that they may deem appropriate.

These provisions are applicable while preserving any other competency or authority similar to that of the pilot-in-command or the crew members granted by virtue of any other Act or international convention applicable in Lebanon.

Article 67:

Rules for the investigation of incidents and accidents in aviation

The rules for the investigation of incidents and accidents in aviation shall be determined by virtue of a decree adopted by the Council of Ministers and pursuant to the Minister's proposal.

Title Eleven

Violations and Sanctions

Article 68:

Investigation in the violation of the provisions of this Act

The specialized employees at the Civil Aviation Administration, being sworn experts according to rules, shall be entrusted to investigate the violation of the provisions of this Act or its applicable regulations.

Minutes of the sanction shall be drawn up and sent with the investigation without delay to the head of the Civil Aviation Administration in order to proceed with the legal pursuit, and such minutes shall be deemed as valid evidence unless indicated otherwise.

The provisions laid out in this article shall not hinder the judicial police officers from carrying out the competencies assigned for them by law.

Article 69:

The persons considered as liable according to the provisions of this Act

Upon violation of the provisions of this Act or its applicable regulations or any order, instructions, or conditions adopted on the basis of any of the provisions, and such violation is related to an aircraft, the registered owner, operator, lessee, pilot-in-command or any other member of the crew or all of the aforementioned or any other person, subject to this Act or its applicable regulations, shall be held liable of this violation unless he proves that it occurred without his approval or connivance, he did not facilitate its perpetration and he has adopted all necessary measures for its prevention, or such violation resulted from *force majeure*.

Article 70:

Relinquishing Prescription and Exceptions

Regarding the violation of the provisions of this Act or its applicable rules, any legal pursuit or measure laid out in this title should be initiated within a maximum of one year since the date of perpetration of the violation subject to the penalty of prescription. Moreover, no period of time spent by the transgressor outside Lebanon shall be calculated within said period.

The violations of the provisions of articles (45), (46), (47), (48), (49), (50), (52), (53), (54), (55) as well as paragraph one of article (57), (60), (61), (64) and paragraph two of article (79) along with the following violations indicated in the table annexed to this Act shall be exempted from the provisions of the first paragraph in this article, and the time periods laid out in the law of Rules of Penal Procedures shall be applicable in this respect.

- 1- Carry out or cause to carry out an incorrect registration in a register laid out in this Act or its applicable rules for the purpose of deception or abstain on purpose from registering data in this register.
- 2- Assume an incorrect capacity, on purpose, in order to obtain a Lebanese Aviation Certificate.
- 3- Carry out on purpose any action or activity requiring a Lebanese Aviation Certificate for its undertaking in case he is not holder of this certificate or if he did the aforesaid action bypassing the particularities granted to him by virtue of said certificate, or this certificate becomes non-valid whether by its cancellation, withdrawal, expiry, non-renewal or for any other reason.

- 4- Unlawful interference with one of the crew members or perpetrate any action that may jeopardize the safety of the aircraft or the persons on board said aircraft.
- 5- Hide inside an aircraft or travel on board an aircraft without approval from the aircraft operator or pilot-in-command.
- 6- Tamper with the aircraft or any part thereof.
- 7- Interfere on purpose with any person carrying out the duties imposed by this Act or its applicable regulations.

Article 71:

Committing a violation or its follow up during a trip or part of a trip

In case of committing a certain violation, during part of a flight trip, and such violation followed up during part or other parts of the same trip, such violation shall be deemed separate for every part of the trip.

Article 72:

The fine imposed on the juridical person

Unless this Act includes contrary provisions, the fine imposed on the juridical shall be set five times more than the fine imposed on individuals.

Article 73:

Rules of administrative fining and cases of compulsory referral of the file to the competent public prosecution

- a- In case of violation of the provisions laid out in articles (12), (19), (21), (25), (36), (37), (38), (39), (40), (41), (42), (43), (51), (56), (paragraph two of article (57), (58), (59), (paragraphs one and two of article 79) of this Act.
- If the Civil Aviation Administration considers, after carrying out the investigation laid out in article (70), that the violation does not require fining the transgressor thus exceeding the minimum of its corresponding fine laid out in the table annexed to this Act, whilst preserving the provisions of article (72) of this Act, then the transgressor is fined with the cited minimum, by virtue of a justified resolution issued by the chairman of the Civil Aviation Administration.

- If the transgressor did not proceed to pay the due fine within one month from the date of being notified the fine resolution, or if it were not possible to notify him such resolution within one month from the date of its issuing, the file shall be referred to the competent public prosecution and in that case, the court shall decide the imposition of the corresponding fine.
- If the Civil Aviation Administration considers that the violation requires fining the transgressor thus exceeding the minimum of the fine or if the violation happens to be of the recurring type, or if the violation happens to be different than those indicated in paragraph (a) of this article, the file shall be obligatorily referred to the competent public prosecution, and in that case the court shall impose the corresponding sanction.

Article 74:

Prohibition from practicing the particularities of the document

Upon imposing the sanction laid out in this Act or its applicable regulations on the holder of the aviation document, the court or the chairman of the Civil Aviation Administration is entitled, upon imposing the fines laid out in article (73) of this Act, including the convened sanctions, to issue the prohibition resolution by means of which it prohibits the certificate holder to practice the particularities of his document, thus for the period that the court or the chairman of the Civil Aviation Administration deems appropriate.

In that case, the holder of the certificate should deliver it to the Civil Aviation Administration within five days from being notified the ruling or the resolution of the chairman of the Civil Aviation Administration.

If the transgressor abstains from returning the document within said period, he shall be sanctioned with a prison term of ten days and a fine being compatible with the particularities of the document, provided that its maximum limit is five million Lebanese Pounds (LBP 5,000,000).

The measures laid out in this article shall not hinder the implementation of the sanctions set in article (75).

Article 75:

Practicing again an activity allowed by the document which was withdrawn, cancelled or suspended

In case of withdrawal, cancellation or suspension of the Lebanese Aviation Document, in execution of the provisions of this Act or its applicable regulations or by virtue of the prohibition resolution, and in case its holder resumes, within the period of withdrawal, cancellation or suspension, the activity originally authorized in his document, the sanction convened for such violation shall be doubled.

If the holder of the cancelled, withdrawn or suspended document violates other provisions of this Act or its applicable regulations, the sanction convened for such violation shall be doubled.

Article 76:

Imposing sanction in cases of recurrence

In case of recurrence of the violation, the fines indicated by virtue of the provisions of this Act or its applicable regulations shall be doubled and calculated on the basis of the last fine.

Article 77:

Implementation of the provisions of the Penal code related to recurrence along with the aggravating and attenuating reasons

While sustaining the provisions of articles (76) and (78) of this Act, the provisions of the Penal Code related to recurrence as well as the aggravating and attenuating reasons shall be applicable on the violation of the provisions of this Act or its applicable regulations.

Article 78:

Table of violations and sanctions

Every violation of the provisions of this Act and its applicable texts shall lead to the imposition of its corresponding sanctions in accordance with the table attached to this Act.

In case a tougher sanction is available in any other law, the more severe law shall be imposed.

Title Twelve

General Provisions

Article 79:

Additional competencies of the Minister

Subject to the effective international regulations, the Minister is entitled, by virtue of resolutions issued by him, pursuant to the proposal of the chairman of the Civil Aviation Administration, to carry out the following:

1- Issue regulations related to preventing the impact on the effectiveness of devices related to navigation, air telecommunications or related to the use of lights or radiation that may endanger airplanes.

2- Issue regulations related to prohibiting the presence of birds and animals as well as the use of fireworks, fire crackers, paper and plastic planes in the perimeter of airports in a way that may endanger aviation safety.

Article 80:

Mandating the competencies of the Minister to the Chairman of the Civil Aviation Administration

The Minister may mandate the Chairman of the Civil Aviation Administration with all or some of the competencies, except the constitutional ones, laid out in this Act.

Article 81:

Instructions and orders related to the affairs of aviation safety – Making a special regulation for training employees and contracting parties

The Chairman of the Civil Aviation Administration is entitled to issue instructions and orders related to the affairs of Civil Aviation Safety. A special regulation for training employees and contracting parties working in the fields related to civil aviation safety inside the country and overseas may be drawn up by decree pursuant to the proposal of the Minister of Public Works and Transport.

Article 82:

Adopting a foreign language

It is possible, when deemed necessary, to include texts in a foreign language in the applicable texts of a technical nature indicated in this Act.

Article 83:

The applicable decrees

Unless mentioned in a different text of this Act, the details for implementing this Act by virtue of decrees shall be adopted in the Council of Ministers when deemed necessary and pursuant to the Minister's proposal.

Article 84:

Transitional provisions

Texts contrary to the provisions of this Act shall be cancelled wherever they may figure. Moreover, the provisions of the Aviation Act promulgated on the date of 19/1/1949 are cancelled within the limits of the texts that are contrary and incompatible with the content of this Act and its applicable regulations.

Until the issuance of the applicable regulations of this Act, the applicable regulations of the Act of 1949 shall remain effective in all that may not contradict the provisions of this Act.

Article 85:

Publication of the Act and initiation of its implementation

This Act shall be published in the Official Gazette and it shall be effectively implemented after six months of its publication.