

Law No. (6) of 1373 FDP on civil aviation

The General People's Congress

- In implementation of the resolutions adopted by Basic People's Congresses in their annual session of 1372 FDP;

Upon review of:

- The Declaration of the Establishment of the Authority of the People;
- The Great Green Charter of Human Rights of the Jamahiriya Era;
- Law No. (20) of 1991 on promoting freedom;
- Law No. (1) of 1369 FDP on People's Congresses and People's Committees;
- Civil Aviation Law No. (2) of 1965;

formulated the following law:

Part (1) General Provisions

Chapter (1) Definitions

Article (1)

In the implementation of the provisions of this law, the following terms and expressions shall have the meaning ascribed next to them:

Jamahiriya: The Great Socialist People's Libyan Arab Jamahiriya

Jamahiriyan territory: The Jamahiriya's land, adjacent territorial waters, and airspace above its territory.

Secretary: Secretary of Civil Aviation.

Civil aviation authority: Civil Aviation Department or any other entity entrusted with the powers and competences thereof.

Director- General: Secretary of the People's Committee for Civil Aviation Department.

Country of Registration: Country where an aircraft is registered.

Convention: The Convention on International Civil Aviation signed in Chicago on 07/12/1944 and ratified by the Jamahiriya on 23/02/1953, and any amendments to which the Jamahiriya is party.

ICAO: International Civil Aviation Organization established in accordance with the Convention.

Aircraft: Any machine sustained in flight by reactions of the air other than that of air reflected back from the earth.

State aircraft: Any aircraft, military or otherwise, used solely by a state (such as police and customs aircraft).

Operator: Any natural or legal person operating an aircraft whose crew is under his command, whether for his own benefit or on behalf of others.

Country of operator: Country where the main business management office of an operator is located or the permanent country of residence thereof.

Air carrier: Any natural or legal person who uses one or more air routes to transport passengers, mail, and/or cargo.

Air traffic: All aircraft in flight or operating in an airport's area of manoeuvre.

Airport: Area delimited from the surface of the land or water, including any buildings, facilities, and equipment designed for total or partial use for landing, takeoff, and taxiing of aircraft.

Airfield: Landing and takeoff area that does not contain all the necessary aids for general use such as shelter, supply, and transport of passengers and cargo.

International airport: Airport designated by the competent authorities for the entry and exit of international air traffic, where procedures pertaining to customs, passports, public health, quarantine – including of animals and plants- and other similar procedures are taken.

Manoeuvring area: Part of an airport used by aircraft for takeoff, landing, and other moves related thereto, excluding aprons.

Airport traffic: Land and other traffic of aircraft in an airport manoeuvring area, and all aircraft flying within the airport traffic zone.

Airport traffic zone: Airspace of defined dimensions established around an airport for the protection of airport traffic.

Airport operator: Any natural or legal person who uses and manages an airport personally or through affiliates.

Pilot-in-command: Pilot in charge of aircraft operation and safety while in flight.

Flight crew member: Member of aircraft personnel with a valid license and basic duties to operate an aircraft while in flight.

Cabin crew member: Person assigned by an operator to perform duties on an aircraft while in flight.

Flight time: Total duration from the start of aircraft movement by its own takeoff action to the end of its movement at the end of a flight.

Prohibited airspace: Area of Jamahiriyan airspace defined by the civil aviation authority, within which flight of aircraft is not allowed.

Restricted airspace: Area of Jamahiriyan airspace defined by the civil aviation authority, within which flight of aircraft is subject to specific restrictions.

Danger zone: Airspace of defined dimensions to be announced by the civil aviation authority within which activities dangerous to the flight of aircraft may exist at specified times.

Scheduled air service: Set of flights operated by aircraft for the public transport of passengers, mail, and/or cargo for a fee or remuneration. Flights are open to the public in accordance with a defined schedule or in a clear regular or recurrent manner.

Scheduled international air service: Scheduled air service beginning in the territory of one state and ending in the territory of another.

Scheduled domestic air service: Regular air service serving several points in Jamahiriyan territory.

Joint registration: System for registering aircraft in a joint register, whether consolidated or segmented, besides the national register.

International registration: System for registering aircraft to an organization of international legal personality.

Registration mark: Mark designated by the registration authority to register the aircraft of an international or joint airline besides national registration.

Registration authority: Authority entrusted with non-national register or part thereof, in which the aircraft of an international or joint airline are registered.

International airline: Company of international legal personality operating international air services.

Joint airline: An air transport company composed by a group of states or legal persons affiliated therewith in accordance with the national laws of such states, and offering international air services.

Aerobatics: Intentional flying maneuvers involving sudden change in the altitude of an aircraft, unusual position, or unusual change in speed.

Aviation accident: Occurrence associated with the operation of an aircraft, which takes place between the time any person boards the aircraft with the intention of flight until all such persons have disembarked, resulting in any of the following:

- Death or serious injury as a result of being in the aircraft or of direct contact with an aircraft or any part that have become detached therefrom.
- Serious damage to an aircraft.

Severe injuries not resulting directly from the operation of an aircraft are excluded. These are:

- a. Death by natural causes
- b. Self-injury
- c. Injuries inflicted by others
- d. Injuries to stowaways outside the cabin
- e. Groundcrew injuries before or after a flight.
- f. Missing or inaccessible aircraft.

Aviation incident: Occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Flight permit: General approval by the civil aviation authority, which includes fully organised and detailed provisions allowing an operator or air carrier to conduct air operations in Jamahiriyan territory within a specific period, and which states the cases of its suspension or revocation.

Certificate of Airworthiness: Document issued by the civil aviation authority attesting that the aircraft is airworthy for a specified period insofar as the operator conforms to the terms set forth therein.

Search and rescue: Provision of aid to an aircraft even by merely reporting an accident, danger, or difficulty encountered by an aircraft, or reporting suspicions or fears for its safety, including aid to passengers.

Chapter (2) **State Sovereignty and Authority**

Article (2) **Sovereignty**

The Jamahiriya shall have complete and exclusive sovereignty over the airspace over its territory.

Article (3) **Applicability**

The provisions of this law shall be applicable to the following:

1. All civil aviation affairs in the Jamahiriya, including airports and civil aircraft within Jamahiriyan territory.
2. Libyan civil aircraft outside Jamahiriyan territory, regardless of their location, insofar as they do not contradict the laws of the countries where such aircraft conduct their business.
3. The provisions of this law shall only apply to military airports and aircraft by virtue of a special legal text.
4. The Secretary may exempt certain state aircraft from the provisions of this law when necessary.

Article (4)

Provisions of International Conventions

The Jamahiriya shall be subject to the provisions of the Convention and all other applicable conventions and agreements to which it is party.

Article (5)

Oversight of Civil Aviation Affairs

An entity shall be established to exercise the duties of a civil aviation authority and enforce the provisions of this law. The Secretary shall oversee all civil aviation affairs inside the Jamahiriya and issue the necessary resolutions for the implementation of the present law.

Article (6)

Aircraft Emergency Use

In the event of disaster such as floods, earthquakes, etc, the Secretary may issue a resolution to use all aircraft present at Libyan airports temporarily in return for a fair compensation, based on the proposal of the Director-General.

Article (7)

Aircraft Inspection, Flight Prohibition, and Document Confiscation

The Director-General shall have the right to inspect or prevent an aircraft from flying, or to confiscate any documents pertaining thereto for the purpose of monitoring the implementation of this law.

Article (8)

Customs, Security, Health and Plant Quarantine

Customs, Public Security, Health and Plant Quarantine personnel shall be entitled to inspect an aircraft or any person or cargo on board in accordance with the laws and regulations in force in the Jamahiriya. Such inspection shall not cause unreasonable delay and it shall be conducted under the supervision of the civil aviation authority without interfering in the inspection procedures.

Article (9)

Observance of Entry and Exit Rules

The operator of aircraft arriving to or departing from the Jamahiriya shall abide by the provisions of the legislation in force, including the legislation pertaining to arrival, departure, customs, and health and plant quarantine.

Chapter (3)

General Flight Provisions

Article (10)

Flight Permit and Authorisation

Aircraft shall only operate within the Jamahiryian territory by virtue of a permit or authorisation issued by the Director-General who shall set the conditions thereof, or in accordance with:

- a. An international convention to which the Jamahiriya is party.
- b. An effective bilateral air transport agreement between the Jamahiriya and another country.

The awarded authorisation shall be deemed personal and may not be waived to a third party.

Article (11)

Requirements of Aircraft Operating on Jamahiriyan Territory

Aircraft operating on the Jamahiriyan territory shall fulfill the following conditions:

- a. The aircraft must be registered in the country with which it is affiliated or in accordance with the rules of international or joint registration.
- b. The aircraft must be airworthy, which shall be attested by a valid certificate of airworthiness issued or adopted by the country of registration or by any other country entitled thereto by the country of registration in accordance with prescribed international regulations.
- c. The nationality and registration marks must be displayed prominently on the aircraft in accordance with prescribed regulations.
- d. The aircraft must be equipped with the tools and apparatus approved by the country of registration as well as the civil aviation authority.
- e. Flight crew members shall hold valid licences issued or recognised by the competent entities of the country of registration or by any other country entitled thereto by the country of registration in accordance with established international regulations.
- f. Flight crew members shall abide by the approved operations manual with regard to their duties toward the safety of the aircraft and of the passengers and cargo on board.
- g. The aircraft crew, passengers, and cargo must be insured, and aircraft must be insured against third parties on the ground in accordance with the relevant regulations.

The Director-General may exempt aircraft conducting technical experiments, training, or coaching from one or more of these conditions.

Article (12)

Aircraft Radio Equipment and Use Thereof

1. Aircraft operating on Jamahiriya territory may only carry radio transmitting apparatus if a license has been issued by the competent authorities of the country of registration or by any other country entitled thereto by the country of registration through arrangements taken in accordance with the prescribed international regulations.
2. Such equipment shall only be used for the purpose of air navigation in accordance with prescribed regulations under the supervision of the flight crew.

Article (13)

Transport of Hazardous Cargo

Weapons, munitions, explosives, and all objects designed to be used in war may only be carried in Libyan and foreign aircraft operating in the Jamahiriya by special permission of the General Provisional Committee for Defence.

Hazardous substances identified in a resolution by the Director-General may only be carried in Libyan and foreign aircraft operating in the Jamahiriya in accordance with the terms and conditions prescribed by the Director-General for this purpose.

Article (14)

Aerial Photography

The operation of aircraft equipped with aerial photography apparatus and the use of such apparatus may only be permitted by prior authorisation of the Director-General in accordance with the conditions prescribed for this purpose.

Article (15)

Responsibility of the Pilot-In-Command

The pilot-in-command shall be responsible for aircraft operation and safety, including the safety of its passengers, while in flight. He shall have the power to take the necessary measures to maintain order on board the aircraft, subject to the relevant applicable regulations.

Article (16)

Interference with Flight Crew Work and Tampering with Aircraft

Non-authorized persons shall not interfere with or obstruct the work of any flight crew member. No person shall tamper with any part or equipment of aircraft, or commit any act that endangers the safety of aircraft, flight crew, passengers.

Part (2)

Airports and Air Navigation Facilities

Chapter (1)

Establishment, Management, and Use of Airports

Article (17)

Establishment, Operation, and Equipment of Airports and Landing Fields

Airports and landing fields may only be established, equipped, operated or used in the Jamahirya by prior authorisation of the Director-General.

Article (18)

Legal Nature of Airports and Facilities

All airports, facilities, buildings, equipment, tools, wired and radio stations, and beacons of the civil aviation authority shall be deemed as state properties and public funds.

Article (19)

Airport Management and Oversight

The civil aviation authority shall manage the airports under its jurisdiction, oversee other airports, establish work regulations and ensure compliance therewith.

Article (20)

Oversight of Airport Personnel

Without prejudice to the provisions of the foregoing article, the airport director shall oversee all airport personnel, regardless of the entity they work for, with respect to all matters that ensure compliance with the regulations and directives of such airports and prevent disruption of their work progress. For this purpose, the airport director may investigate violations directly to take necessary action in their regard.

Article (21)

Types of Airports

The Secretary shall identify the various types and grades of airports, particularly international airports, in agreement with the competent entities and at the proposal of the Director-General.

Article (22)

Use of Airports

Aircraft shall use declared airports in conformity with the relevant laws, rules and regulations, and shall not land in any other airports except in emergency cases or upon authorisation by the Director-General.

Every aircraft arriving in Jamahiriyan territory shall land at a declared international airport, unless it is authorised to cross without landing. Every aircraft departing from Jamahiriyan territory shall depart from a declared international airport.

Subject to the procedures adopted in international airports, upon authorisation of the Director-General, certain aircraft may be exempted from this restriction due to the nature of their operations or other considerations. Such authorisation shall determine the landing airport, departure airport, the route, and the guidelines to be followed.

If an aircraft arriving to, departing from, or flying over Jamahiriyan territory is forced to land outside international airports, the pilot-in-command shall immediately notify the nearest local authority and present the aircraft records, the general acknowledgement, or any other document upon request. In such a case, takeoff, removal of cargo, or disembarkation of passengers of such aircraft shall be prohibited in the landing area before obtaining authorisation from the Director-General and following the established procedures. In all cases, the pilot-in-command shall provide proof of the reasons for such landing.

Chapter (2) **Avigation Easement**

Article (23) **Avigation Easement**

Special easements called “avigation easements” shall be established to ensure air navigation safety and proper functioning of the related equipment. They shall include:

- Preventing the establishment or demolition of any buildings, constructions, pillars, wires, trees, or obstacles of any kind or height in the areas adjacent to airports and navigation facilities.
- Placing guide signs for any obstacles that pose a threat to air navigation safety.

Article (24) **Limits of Avigation Easement**

At the proposal of the Director-General, the Secretary shall determine the scope and extent of avigation easement and the areas where such easements are applied so as to ensure the safety of air navigation and the protection of persons and properties in accordance with the relevant established international rules and regulations.

Article (25) **Facilities Located in Areas under Easement Rights**

Constructions, establishment of obstacles, and changes to the nature or use of the areas covered by the avigation easement rights shall only take place with prior authorisation by the Director-General in accordance with the established requirements.

Article (26) **Facilities and Installations Affecting Air Navigation Safety**

Light and radio beacons may only be established upon the approval of the Director-General.

The Director-General may take the necessary procedures to remove or alter any lighting device that could cause confusion with other air navigation lighting devices. He may also impose the necessary restrictions on facilities that generate smoke or any other emissions that may affect visibility around airports or air navigation safety.

Any person who possesses or uses electric devices, fixed or mobile metal installations, or any equipment or facilities that may interfere with the function of radio devices or air navigation aids shall abide by the measures specified by the Director-General for eliminating such interference.

Article (27)

Compensation for Imposition of Avigation Easement

A fair compensation shall be paid for imposition of the avigation easement rights in accordance with the general rules.

Chapter (3)

Protection of Airports, Aircraft, and Navigation Aids

Article (28)

Airport Security Regulations and Guidelines

The civil aviation authority, in coordination with other competent entities, shall establish the regulations and guidelines and take any action it deems necessary to maintain security at the airports of the Jamahiriya and ensure the safety of persons, aircraft, and navigation aids.

Article (29)

Carriage of Weapons and Dangerous Goods

No person may carry on board aircraft weapons, flammable substances, or any other items that could be used in an act of sabotage, violence, or threat during flight, without authorisation.

In the event that it is necessary to carry a unloaded weapon, flammable substances, or any other items that could be used in an act of sabotage, violence, or threat, the carrier of such items shall hand them over to the representative of the operator before boarding the aircraft. Such weapons or items shall be put in a place on board the aircraft to which passengers do not have access and they shall be returned after the end of the flight.

Article (30)

Control of Air Mail Carriage

The carriage of mail or packages sent by air shall only be allowed in accordance with the established procedures for mail, subject to the provisions of the international conventions to which the Jamahiriya is party.

Chapter (4)

Aircraft Noise

Article (31)

Noise Level

At the proposal of the Director-General, the Secretary shall determine the permitted noise level for aircraft using the airports of the Jamahiriya. He shall also determine the aircraft altitude, speed, engine capacity, and any other conditions for abiding by the aforementioned noise level at the measurements points determined by the Secretary.

The Director-General shall issue noise certifications for the aircraft registered in the Jamahiriya in accordance with the terms, conditions, and requirements prescribed by the Secretary.

At the proposal of the Director-General, the Secretary shall set:

1. The rules by which the Director-General issues noise certifications for the aircraft enlisted in the register set forth in Article (34) of this law.
2. The rules and requirements pertaining to noise for the aircraft operating in Jamahiriyan territory.

Part (3) Aircraft

Chapter (1) Aircraft Registration

Article (32)

Nationality and Registration Marks

Aircraft may only operate in Jamahiriyan territory if the nationality and registration marks thereof are displayed in accordance with the laws of the country of registration or with the international or joint registration system. Nonetheless, the Director-General may authorise the flight or landing of any unregistered aircraft for purposes of technical experiment or other purposes in accordance with the terms of authorisation.

Article (33)

Identification of Nationality and Registration Marks

Libyan aircraft shall have the nationality mark composed of number (5) and letter (A): (A5).

The registration mark shall be determined by the Director-General. It shall be composed of three non-embossed capital Roman alphabet letters. The nationality mark shall be placed before the registration mark with a short line separating the two.

Article (34)

Aircraft Register

The Director-General shall maintain a national register for aircraft registration. The registration of any aircraft requires the fulfilment of the following conditions:

- The aircraft must not be registered in any other country or in the international or joint registration system.
- The aircraft must be fully owned by Libyan nationals.
- The aircraft must be in the possession of Libyan nationals by virtue of a lease-purchase contract or a lease contract permitting the possession of aircraft for no less than two years.

Article (35)

Holding of Libyan Nationality

Every aircraft enlisted in the register stated in the foregoing article shall hold Libyan nationality and it shall carry its nationality and registration marks.

Article (36)

Content of Aircraft Register and Certificate of Registration

- A. The register set forth in Article (34) shall include the following information:
- Number and date of registration.
 - Nationality and registration marks.
 - Basic information on aircraft and engines, and the certificate of airworthiness.
 - Name, country, and place of residence of aircraft owner or lessee.
 - Record of documents and contracts pertaining to aircraft ownership and investment.

- Any other data or information determined by the Director-General to be included in the register.
- B. Any amendment to the information stated in Clause (A) of this article shall be mentioned in the register.
- C. The Director-General shall determine the content of the certificate of registration. The Director-General shall issue the certificate of registration upon completion of the necessary procedures.

Article (37)
Aircraft Deregistration

An aircraft shall be removed from the aircraft register in the following cases:

- If its owner or lessee loses Libyan citizenship.
- If its ownership is transferred to a non-Libyan.
- If it is destroyed, lost or completely withdrawn from service.

An aircraft shall be considered missing when the Director-General issues a decision thereof.

The owner or lessee of aircraft shall notify the Director-General of any change stipulated by this article upon occurrence and shall return the aircraft certificate of registration.

Article (38)
Change or Death of Aircraft Owner or Lessee

In the event of change or death of the aircraft owner or lessee, the person to whom the aircraft is registered or the heirs thereof shall notify the Director-General of such change or death and its date of occurrence to be recorded in the aircraft register.

Article (39)
Foreign-Owned Aircraft

The Secretary shall issue a decision specifying the terms, regulations, and method of registration of aircraft owned by non-Libyan citizens residing in the Jamahiriya based on the proposal of the Director-General.

Article (40)
Joint Registration Rules

For the registration of aircraft owned by an international or joint airline to which the Jamahiriya is party, the following rules shall be applicable:

1. The civil aviation authority shall agree with the civil aviation authorities of the other airline member states to create a joint register in which the airline's aircraft are registered. Such register shall be distinct from the national register kept by the Jamahiriya in accordance with Article (34) of this law.
2. The joint register shall be either consolidated or divided, subject to the following:
 - a. In the event of agreement to create a joint consolidated register, the civil aviation authority shall agree with the civil aviation authorities of the other stakeholders to determine which country among them will maintain the joint consolidated register.
 - b. In the event of agreement to divide the joint register, the civil aviation authority shall agree with the civil aviation authorities of the other airline members to maintain any part of the register.
 - c. Airline-owned aircraft shall be registered one time only, either in the joint consolidated register or in a part thereof. Said aircraft may not be registered in the

register stipulated by Article (34) of this law, whether the Jamahiriya maintains the joint register or a part thereof.

- d. All airline-owned aircraft registered in the joint or consolidated register or part thereof shall bear a consolidated general mark.
- e. Aircraft registered under the provisions of this article shall be treated as if holding the nationality of all the member states of the airline.
- f. The Jamahiriya shall abide by, jointly with the other airline members, all the obligations imposed by this law on the country of registration and those entailed by international conventions on civil aviation.
- g. Without prejudice to Clause (C) of this article, if the Jamahiriya maintains the joint register or a part thereof, the civil aviation authority shall perform the duties of the country of registration in accordance with the relevant established provisions, particularly as regards the issuance of certificates of registration and airworthiness and of flight crew licenses. The Jamahiriya shall fulfill its commitments on behalf of itself and all the airline members during the performance of such duties.
- h. The provisions of Articles (36) and (37) of this law shall apply to the joint register with the exception of the provisions of Article (36), Clause (A).

Article (41)

Aircraft International Registration Rules

The following rules shall be applicable to the international registration of aircraft:

The civil aviation authority shall agree with the civil aviation authorities of the other member states of the international airline to determine the international organization where the airline's aircraft are to be registered at the international level.

International registration of airline-owned aircraft may not be simultaneously effected with more than one international organization.

All airline-owned aircraft with international registration shall bear a consolidated general mark.

Aircraft subject to international registration under the provisions of this article shall be treated as if holding the nationality of all the member states of the airline.

The Jamahiriya shall abide by, jointly with the other airline members, all the obligations imposed by this law on the country of registration and those entailed by international conventions governing civil aviation.

The civil aviation authority shall agree with the civil aviation authorities of the other airline member states on the entity that will perform the duties of the country of registration in accordance with the relevant established provisions, particularly as regards the issuance of certificates of registration and airworthiness and of flight crew licenses.

The provisions of Articles (36) and (37) of this law shall apply to international registration, with the exception of the provisions of Article (36), Clause (A).

Chapter (2) **Aircraft Ownership and Lease**

Article (42) **Aircraft Legal Status and Ownership**

In the implementation of the laws and regulations in force in the Jamahiriya, aircraft shall be regarded as movable property. Ownership of aircraft shall be transferred by virtue of a deed that shall become effective for third parties only upon its entry in the register stipulated by Article (34) of this law.

Article (43) **Legal Disposal**

Disposal, sale, or mortgage of any aircraft listed in the register stipulated by Article (34) of this law for the benefit of a foreigner may only be permitted upon the approval of the Director-General.

Article (44) **Aircraft Lease**

Libyan nationals and residents may only import or lease aircraft under lease-purchase contracts upon obtaining a special authorisation from the Director-General.

Leased aircraft may only operate flights between the Jamahiriya and any country abroad with the authorisation of the Director-General.

Article (45) **Duties of Aircraft Lessee**

The owner of leased aircraft shall remain jointly liable with the lessee for any violation of legal obligations, unless it is agreed otherwise and the lessee is eligible to own Libyan aircraft, whereupon the agreement is recorded in the register prepared by the Director-General for this purpose. In this case, the lessee shall be solely liable for any violation of the aforementioned obligations in his capacity as the operator of the aircraft. Leased aircraft shall refer to aircraft operated by the flight crew of the lessee.

Article (46) **Rules Governing Aircraft Lease**

The decisions, rules, and regulations issued by virtue of this law shall determine the provisions pertaining to the lease of aircraft with or without its crew, the provisions pertaining to aircraft capacity, including the duties and responsibilities entailed by the aircraft lease or capacity, and the other relevant provisions.

Article (47) **Operation of Leased Aircraft of Different Nationality than Operator**

Foreign airlines may not operate leased aircraft of different nationality for commercial purposes into and from the territory of the Great Jamahiriya without the authorisation of the Director-General in accordance with the terms set forth therein.

Article (48) **Attachment**

The general rules set forth by the Code of Procedure shall be applicable to the attachment, executive seizure, and judicial sale of aircraft without prejudice to the special provisions of international laws or conventions to which the Jamahiriya is party. Such confiscation shall be recorded in the aircraft register.

Article (49)

Denied Attachment in Patent Holder Cases

Aircraft of the Convention member states may not be subject to attachment on the grounds of any claim by a patent holder as regards the aircraft or any part thereof.

Article (59)

Settlement of Attachment Disputes

Disputes pertaining to aircraft attachment shall be resolved by summary settlement.

Chapter (3)

Airworthiness

Article (51)

Airworthiness of Aircraft

1. An aircraft shall not operate in Jamahiriyan territory without a valid certificate of airworthiness issued or validated by the competent authorities of the country of registration under the established laws, rules and regulations of such country or any other country entitled thereto by such country, provided such an aircraft abides by the requirements and restrictions of the certificate of airworthiness. Aircraft operating in Jamahiriyan territory for purposes of trial, testing, or any other operation related to aircraft mechanism, shall be exempted in accordance with the conditions and restrictions set forth by the Director-General.
2. The Director-General shall issue the certificate of airworthiness in accordance with the rules set forth under this law. He may validate the certificate of airworthiness issued by another country and identify any additional requirements or restrictions for such a certificate before its approval.
3. In accordance with the established international rules, the duties and obligations related to the certificate of airworthiness of Jamahiriya-registered aircraft may be transferred to any other country if such aircraft is operated by virtue of an aircraft lease, contingent lease, or exchange agreement or any such arrangement by an operator who is headquartered or resides on a permanent basis – in the absence of headquarters – in another contracting country. The provisions of this clause shall be applicable to aircraft registered under Articles (40) and (41) of this law.
The Jamahiriya shall not be liable for the duties and obligations transferred to such contracting country.
4. The Director-General shall issue the certificate of airworthiness for any aircraft registered in another country and operated under a lease, contingent lease, exchange agreement, or any such arrangement by an operator residing in the Jamahiriya in the event that the country of registration transfers the duties of obligations pertaining to the issuance of such certificate to the Jamahiriya in accordance with the established relevant international rules.
The provisions of this clause shall be applicable to the aircraft registered under the provisions of Articles (40) and (41) of this law.
Aircraft registered in a contracting country and operated by an operator headquartered or residing permanently in the Jamahiriya shall be subject to the same provisions if the country of registration of such aircraft transfers its duties and obligations related to the certificate of airworthiness to the Jamahiriya in accordance with the established international rules and the relevant bilateral arrangements.

Article (52)
Aircraft Maintenance

1. The operator of any aircraft registered in the Jamahiriya may not operate such an aircraft without conducting the maintenance thereof including engines and other radio equipment and devices in conformity with a maintenance schedule approved by the civil aviation authority in accordance with the rules and requirements.
2. The civil aviation authority shall approve national and foreign institutions of maintenance and overhaul of aircraft registered in the Jamahiriya.
3. For the purpose of implementation of the provisions of this article, the pilot-in-command of an aircraft registered in the Jamahiriya and operating in commercial air transport or air operations shall record the following information in the technical records of the aircraft:
 - a. Flight start and end times.
 - b. Information on any technical defect or failure of any part or equipment of the aircraft that may occur during the flight. If no such defect or failure occurs or is detected, the pilot-in-command shall note the same in the records and he shall sign and date such information.
4. The aircraft operator shall maintain at its headquarters the technical records of the aircraft and keep a copy of any entry made thereto.
5. The operator of any aircraft registered in the Jamahiriya shall keep the maintenance documents for at least two years after the expiration date. Such period may be extended further at the request of the civil aviation authority.

Article (53)
Aircraft Equipment and Instruments

The operator of any aircraft registered in the Jamahiriya shall equip such aircraft with the equipment and instruments stipulated by the annexes of the Convention in force in the Jamahiriya.

The Director-General may decide to install any additional equipment or instruments in any aircraft registered in the Jamahiriya to ensure the safety of the aircraft or its crew or to facilitate the search and rescue operations.

The approved equipment and instruments shall be installed in an aircraft in such a manner that they are easily replaced. They shall be maintained and adjusted so as to ensure their readiness and operability.

Emergency equipment shall be displayed in every aircraft registered in the Jamahiriya using clear signs. In particular, the location of life jackets and lifebuoys, if any, and the instructions of use must be highlighted clearly.

Upon installation or operation of any device or equipment onboard of an aircraft, it must be ensured that such devices or equipment will not jeopardize the airworthiness of the aircraft or affect the performance of any safety-related devices or equipment.

Article (54)
Other Aircraft Technical Records

1. Records identified by the Director-General for any aircraft registered in the Jamahiriya shall be kept.
2. The information determined by the Director-General shall be recorded in the technical records of the aircraft as soon as circumstances allow after the completion of work related to such information, within no more than seven days after the time of completion of work.

3. Upon recording such information in any of the technical records of the aircraft, reference may be made to any other documents, in which case such documents shall be considered part of such record.
4. The aircraft operator shall be responsible for maintain the technical records of the aircraft and may not dispose thereof without the authorisation of the Director-General.

Article (55)
Weight of Aircraft

1. Each aircraft, for which a certificate of airworthiness is issued or validated by the Director-General, shall be weighed or reweighed and its center of weight shall be determined in accordance with the conditions and means set forth by the Director-General.
2. The operator shall prepare a loading table for the aircraft after weighing as specified the Director-General.
3. The operator shall maintain the aircraft loading table and shall only dispose thereof with the authorisation of the Director-General.

Article (56)
Airworthiness Inspection

The Director-General or his authorised representative shall have the right to conduct or request the inspection or trial of aircraft for testing purposes whenever he deems it necessary so as to ensure airworthiness of the aircraft or any equipment or components thereof as stated in the certificate of airworthiness. The operator shall bear the cost of such procedures. The Director-General or his authorised representative shall be entitled to access any place at any time to conduct such procedures and shall also have the right to issue the necessary instructions to the operator in this respect.

Part (4)
Rules of the Air

Article (57)
Rules of the Air

The Secretary shall establish the rules of the air and the regulations governing the flight of aircraft, air navigation, protection of persons and properties on the ground, and the use of the airspace of the Jamahiriya.

Article (58)
Observance of the Rules of the Air

The pilot-in-command shall be directly responsible for flying the aircraft in accordance with the established rules of the air. He may deviate from such rules if it is inevitable to so so under the circumstances to ensure safety, in which case he shall notify the competent entities as soon as the circumstances allow.

Article (59)
Airways

The Director-General shall identify the airways of air traffic services used by aircraft upon entering, exiting, or transiting Jamahiriyan territory.

Article (60)
Adherence to Authorisations and Instructions of Air Traffic Control

The pilot-in-command shall abide by all the authorisations and instructions issued by air traffic control. He may only deviate from the same in emergency situations requiring

immediate action, in which case he shall notify the competent air traffic control unit as soon as possible and obtain a modified authorisation if necessary.

Article (61)

Air Traffic in and around Airports

The pilot-in-command of an aircraft operating within or around an airport shall abide by the regulations governing the use of airport and the rules of air traffic.

Article (62)

Flight Altitudes

1. Aircraft shall only fly at altitudes less than those established by the Director-General in cases of emergency or with his authorisation.
2. Except for the requirements of takeoff, landing, and other cases authorised by the Director-General, an aircraft shall only fly over a populated city or site or a place of public gathering at an altitude which enables it to land in emergency cases without causing damage to persons or properties on the ground. The Director-General shall determine the minimum altitude to be observed in such cases.

Article (63)

Prohibited, Restricted, and Danger Areas

1. The Director-General may prohibit or restrict the flight of aircraft over the following areas:
 - a. Specific zones of the Jamahiriya for military purposes, public order requirements, or general security reasons.
 - b. Jamahiriyan territory or any part thereof under exceptional circumstances for reasons of public order or security.
2. The Director-General shall determine the danger areas.
3. Should the pilot-in-command realise that he is flying over a prohibited area, he must notify the competent air traffic control unit and follow the instructions thereof to the letter. Should this be impossible, the pilot-in-command shall immediately land at the nearest airport in the Jamahiriya outside such area and submit a detailed report on the incident and its justification to the competent entities.
4. In the event that the competent entities issue a warning to an aircraft flying over a prohibited area, such aircraft must immediately follow the instructions issued by such entities which shall be otherwise entitled to take the necessary measures to force such aircraft to land following its notification.
5. Prohibited and restricted areas shall be determined by a decision by the Secretary at the proposal of the competent entities.

Article (64)

Responsibilities of the Pilot-in-Command before the Flight

Before initiating a flight, the pilot-in-command shall carry out the following:

1. Ensure the safe conduct of the flight in accordance with the established rules and regulations, including the alternative measures to be taken if the flight could not be conducted as scheduled.
2. Ensure that the aircraft has sufficient fuel for the flight.
3. Examine the available weather reports, forecasts, and navigation data concerning the flight.
4. Ensure completion of airworthiness procedures.

Article (65)

1. Aircraft may only dispose of or spray any items during flight in emergency cases or upon authorisation by the Director-General.
2. An aircraft shall only tow another aircraft or object upon authorisation by the Director-General.
3. Parachuting from aircraft shall not be allowed without the prior authorisation of the Director-General except for emergency cases.
4. Aerobatics, air shows, and air formations over Jamahiriyan territory may only be permitted upon authorisation of the Director-General.
5. Aircraft shall be prohibited from flying with negligence or recklessness that jeopardizes lives or property.
6. Aircraft shall be prohibited from flying in proximity of another aircraft in a manner that poses a risk of collision or jeopardizes its safety.
7. Persons who are drunk or under the influence of drugs or other substances that would weaken their ability to perform their duties to the fullest shall be prohibited from flying an aircraft or serving as crew members. In all cases, the use of any such substance shall be prohibited while on duty.
8. Unmanned aircraft may only operate in the Jamahiriyan territory upon authorisation by the Director-General.

In all cases, aircraft and airports shall be used in accordance with the relevant rules of the air and air traffic.

Part (5) Licences and Flight Training

Article (66) Flight Crew Licences

1. Flight crew members of an aircraft operating in Jamahiriyan territory are required to hold a valid license issued in accordance with the laws, rules and regulations applicable in the country of registration or the country entitled thereto in accordance with the established international rules.
2. With regard to flights in Jamahiriyan territory, the Director-General may abstain from recognizing the certificates and licenses issued by any other country to the nationals of the Jamahiriya.

Article (67) Licences of Libyan Aircraft Flight Crew

Flight crew members of aircraft registered in the Jamahiriya are required to hold a valid license issued or validated by the Director-General authorising them to perform their duties. In accordance with the established international rules, the duties and obligations related to the licences of flight crew of Jamahiriya-registered aircraft may be transferred to any other country if such aircraft is operated by virtue of an aircraft lease, contingent lease, or exchange agreement or any such arrangement by an operator who is headquartered or resides on a permanent basis – in the absence of headquarters – in another contracting country.

The Jamahiriya shall not be liable for the duties and obligations transferred to such country.

Article (68)

Licences of Flight Crew of Aircraft Not Registered in the Jamahiriya

Licences of flight crew members of aircraft registered in any other country and operated by virtue of an aircraft lease, contingent lease, or exchange agreement or any such arrangement by an operator who is headquartered or resides on a permanent basis in the Jamahiriya, shall be issued by the Director-General if the country of registration transfers the duties and obligations related to the issuance of said licences in accordance with the established international rules and the relevant bilateral arrangements.

Article (69)

Terms and Requirements

for the Issuance, Approval, and Renewal of Licences and Qualifications

The Secretary shall issue the decisions pertaining to the terms and requirements for the issuance and renewal of the licences and qualifications of flight crew members.

Article (70)

Exemption from Licence Requirement

Non-holders of the required licence may pilot an aircraft registered in the Jamahiriya for training purposes or to complete the test required to obtain, renew, or extend the term of a pilot licence if the pilot-in-command holds the required licence and the only persons onboard the aircraft at the time are:

1. A flight crew member.
2. An inspector, search officer, examiner, or any person authorised by the Director-General.

In the present article, the required licence shall mean the licences, certificates, and qualifications that entitle their holder to carry out the actions to be taken onboard the aircraft during the flight.

Article (71)

Issuance, Approval, and Renewal of Licences for all Aviation Work and Services

1. The Director-General shall issue, validate, and renew flight and technical licences related to all civil aviation work and services in accordance with the terms of issuance, approval, or renewal proposed by the Director-General and issued by a decision by the Secretary.
2. The Director-General shall issue the licences set forth in the foregoing clause upon verifying the applicant's eligibility in terms of experience, knowledge, skill, age, and medical condition to perform the duties authorised by the licence. For this purpose, the Director-General shall have the right to conduct the theoretical and practical tests he sees fit in this respect.
3. The Director-General shall have the right to abstain from issuing, approving, or extending the term of validity of any licence under his jurisdiction. He shall also be entitled to withdraw, suspend, or revoke any license if he establishes that the applicant or holder of such licence does not meet or has fallen below the required level or has violated any provision of this law.
4. A licence holder may not proceed with the duties to which he is entitled by virtue of the licence if he realises or has reasons to believe that his medical condition no longer makes him eligible to perform such duties, whether temporarily or permanently.

5. Flight licences shall be deemed suspended if the holder of such licence incurs an injury or illness that prevents him from performing the duties for which the licence is given for at least twenty days.

In such case, the licence holder shall notify the Director-General in writing in order for the necessary measures to be taken to repeat the medical examination required for the licence.

Article (72)

Maintenance Licence and Holder Competences

1. The rules pertaining to the issuance, renewal, and extension of maintenance licences for aircraft airframes, engines, and equipment, the competences of licence holders, and the conditions of approval of foreign licences shall be determined by the Secretary at the proposal of the Director-General.
2. The licences set forth in the foregoing clause shall be issued by the Director-General.
3. The Director-General shall validate the licences set forth in Clause (1) that are issued by another country. Such approval may be conditional upon terms determined by the Director-General.

Article (73)

Air Traffic Controller Licence and Competences

1. The rules pertaining to the issuance, renewal, and extension of air traffic controller licences and qualifications shall be determined by the Secretary at the proposal of the Director-General.
2. Air traffic controllers may only serve in an air traffic control unit if they hold a valid licence with the required qualifications for such unit.
3. The licences and qualifications set forth in the foregoing clause shall be issued by the Director-General.

Article (74)

Cabin Crew Licence

1. The rules pertaining to the issuance and renewal of cabin crew licences shall be determined by the Secretary at the proposal of the Director-General.
2. Cabin crew members of aircraft operating within the Jamahiryan territory are required to hold a valid licence in conformity with the applicable laws, rules, and regulations of the country of registration.

Article (75)

Licence of Flight Dispatcher (Flight Operations Officer)

1. The rules pertaining to the issuance and renewal of flight dispatcher (flight operations officer) licences shall be determined by the Secretary at the proposal of the Director-General.
2. Flight dispatchers (flight operations officers) are required to hold a valid licence issued or validated by the Director-General enabling them to perform their duties.

Article (76)

Personal Flight Record

1. The Secretary shall issue a decision concerning the personal flight record, which shall stipulate the content thereof, the duration of keeping such record, and any other relevant provisions.
2. Any flight crew member of an aircraft registered in the Jamahiriya as well as any person flying for the purpose of qualification – whether for flight training, completion of tests, or obtaining or renewing a permit – must maintain a personal flight record.

Article (77)
Flight Training

No person may train another to fly for the purpose of preparing or qualifying him to obtain a flying licence, unless such trainer holds a valid licence issued or validated by the Director-General, stating eligibility to work as pilot for the purposes and conditions of such training, unless the licence includes a flight training qualification entitling its holder to train on the same aircraft model. The conditions of issuance or validation of flight training permit shall be determined by the Secretary at the proposal of the Director-General.

Article (78)
Flight Training Institutes and Clubs

1. The Secretary shall issue the regulations and rules pertaining to the business practice of flight training institutes, centres, and clubs.
2. No institute, centre, club, or other entity may teach or provide flight training, or perform any other aeronautical activity without a permit from the Director-General in accordance with the terms of such permit. The Director-General shall have the right to suspend or revoke the permit in case of violation of its terms or of its governing laws and rules.

Part (6)
Documentation and Records

Article (79)
Documentation and Records Carried Onboard

1. The necessary decisions to implement the present law shall identify the documents and records to be carried onboard aircraft on domestic flights, the cases of exemption thereof for all or part of such documents and records, and the conditions thereof.
2. Aircraft may only operate in Jamahiriyan territory when the documentation and records required by the Convention and the amendments and annexes thereof and those required by the laws of the country where the aircraft is registered are carried on board.

Article (80)
Presentation of Documents and Records

The operator, the pilot-in-command, or any other competent person shall present upon request to the Director-General or the civil aviation personnel identified by a decision issued by the Secretary in accordance with the relevant rules any documents, statements, or records set forth by this law and the implementing decisions thereof.

Article (81)
Retention of Documents and Records

Owners or operators of aircraft shall retain the documents and records of such aircraft and of the flight crew members even if the use or operation thereof has ceased. They shall only dispose thereof with authorisation from the Director-General. Upon transfer of the aircraft ownership or investment right, the owner or operator shall hand over all the necessary documents and records to the new owner or operator, who shall obtain the aforementioned documents and records before operating the aircraft. All the obligations of the former owner or operator in this regard shall be transferred to the new owner or operator. If a flight crew member of an aircraft registered in the Jamahiriya transfers to work for another operator, the former operator shall present the new operator with the records of such member set forth in Article (100), Clause (c) of this law.

Article (82)

Annulment or Suspension of Documents

If a certificate, licence, validation, authorisation, permit, or any other document issued by the Director-General is to be revoked or suspended, the holder or keeper thereof shall hand it over to the Director-General when requested.

Article (83)

Safekeeping and Preventing the Manipulation or Misuse of Documentations and Records

1. It is prohibited to commit any of the following acts:
 - a. Use any certificate, licence, validation, authorisation, or any other document issued by the Director-General if it has been invalidated, suspended, or modified, or if its holder is deemed illegible to carry it.
 - b. Lend or allow any other person to use any certificate, licence, validation, authorisation, or any other document issued by the Director-General.
 - c. Impersonate another individual for the purpose of acquiring, renewing, or modifying a certificate, licence, validation, authorisation, or any other document, whether for himself or for a third party.
 - d. Destroy, distort, or take part in the destruction or distortion of any record or document required under the provisions of this law, and modify or delete any data contained therein, or add any false data thereto.
 - e. Delete or add any false data to the manifest, whether intentionally or due to neglect.
2. No person may issue a certificate, licence, or permit unless he has been authorised to do so, in accordance with the relevant terms and conditions.
3. Data of any document or record shall be written entirely in ink or any other indelible substance.

Part (7)

Commercial Air Transport Operations

Chapter (1)

Applicable Laws, Rules, and Regulations and Scope of Application

Article (84)

Scope of Application

The provisions of this Part shall be applicable to:

1. Scheduled and non-scheduled commercial air transport operations conducted by the operator of aircraft registered in the Jamahiriya in accordance with an authorisation granted by the civil aviation authority to conduct such operations between two or more locations inside Jamahiriyan territory, between a location within such territory and any location outside it, or between two locations outside such territory.
2. Any person employed by an operator to conduct any of the commercial air transport operations stated in Clause (1) of this article.
3. Any person on board of an aircraft conducting any of the operations stated in Clause (1) of this article.

Article (85)

Applicable Laws, Regulations, and Rules

Operators of any aircraft registered in the Jamahiriya shall observe the following in the operation of such aircraft:

1. The operation of aircraft in Jamahiriyan territory shall be governed by the national laws and regulations as well as the provisions of the Convention and its annexes as applicable in the Jamahiriya.
2. The operation of aircraft overseas shall be governed by the provisions of the Convention and its annexes, unless an article under this Part is more detailed and precise, in which case such article shall prevail.
3. The operation of aircraft in the territory of any other state shall be governed by the applicable air traffic laws and regulations of such state unless an article under this Part is more detailed and precise, in which case such article shall prevail insofar as it does not contradict the applicable laws and regulations of such state.

Article (86)

Inspection of Commercial Air Transport Operations

Approved personnel of the civil aviation authority shall have the right to access at any time any location affiliated with an operator to inspect, monitor, and implement the operation specifications as well as the national and international regulations and instructions in force in the Jamahiriya. The Director-General shall be entitled to suspend or invalidate the licence of an operator and to stop any flight or air route if he deems the level of operation below the required standards.

Chapter (2)

Establishment and Operation of Aviation Companies and Facilities

Article (87)

Aviation Companies and Facilities Establishment Procedures

Without prejudice to the provisions of the laws governing the practice of commercial activities, the establishment of any domestic or international commercial air transport activity or air operation activity within the Jamahiriya may only be permitted upon authorisation by the Director-General in accordance with the terms and conditions determined by the Secretary in this respect.

Article (88)

License of Operation of Aviation Companies and Facilities

Operators fulfilling the requirements for establishing an aviation company or facility as prescribed by Article (87) may only commence their activity upon acquiring the following:

1. Authorisation from the Director-General upon submitting the certificate of incorporation of the company or facility.
2. A certificate of operational efficiency issued by the Director-General in accordance with the rules stipulated by the Secretary in this respect.

Chapter (3)

Operation Specifications and Preliminary Flights

Article (89)

Acquisition of Operation Specifications

An operator may only commence the operation of aircraft after the operation specifications are validated by the Director-General. Such specifications shall be deemed part of the operator's certificate and shall be mandatory.

Article (90)
Operation Specifications

Operation specifications issued to an operator shall include the following:

1. Approved air routes and model of aircraft used on each route.
2. Approved principal and alternative airports.
3. Required path of every approved air route.
4. Minimum fuel required for each flight.
5. Maximum approved weight for landing and takeoff in each airport.
6. Minimum radio and navigation devices required in aircraft.
7. Minimum weather conditions in each airport.
8. Composition of the flight crew of every aircraft model used in every flight on approved air routes.
9. Aircraft ejection system and in-flight monitoring.
10. Any specifications or instructions added by the Director-General to ensure safe and orderly operation.

Article (91)
Approval of Operation Specifications

1. The operator shall draft the operation specifications of its operations and submit them to the Director-General.
2. The civil aviation authority shall review such specifications to ensure compliance with the established levels of safety, regularity, and efficiency. Specifications shall be approved accordingly.
3. Operation specifications may be amended at the operator's request or at the discretion of the Director-General should he deem it necessary to ensure the required level of safe and orderly operation.

Article (92)
Preliminary Flights

1. An operator may not operate any new air route or extend an existing one prior to conducting one or more preliminary flights to ensure safe and efficient operation in accordance with the provisions of this law and the regulations issued by virtue thereof. The Director-General may issue the necessary licence if he deems the requirements to be met.
2. An operator may not carry passengers on board during preliminary flights, with the exception of the personnel required for the operation of aircraft and any persons approved by the Director-General. He may carry mail or goods during such flights.
3. The Director-General may exempt operators from conducting preliminary flights if he possesses information and reasons that prove such flights unnecessary, in which case the first flight(s) shall be conducted in accordance with any requirements set by the Director-General for such flights.

Chapter (4)
Operations Manual

Article (93)
Mandatory Preparation of Operations Manual

The operator shall issue an operations manual for the guidance and use of the flight crew and operational staff of its aircraft. Such manual shall determine the duties and responsibilities of said crew and staff and shall help them perform their duties so as to ensure safe operation. The operator shall have the manual approved by the Director-General. Such manual shall not

include any instructions or information that contradict the laws, rules, and regulations applicable in the Jamahiriya or issued by the civil aviation authority.

Article (94)

Distribution of Operations Manual

The operator shall submit copies of the operations manual and its amendments or certain sections thereof in accordance with work requirements to the entities and persons in charge of performing its operations and to performance controllers in conformity with the decisions taken by the Secretary in this respect.

Article (95)

Approval of Operations and Flight Manual

Operations and flight manuals shall be approved in accordance with the rules issued by the Secretary in this respect.

Article (96)

Operations Manual

The Secretary shall issue the rules governing the preparation, content, amendment, and specifications of the operations manual based on the proposal of the Director-General.

Chapter (5)

Crew

Article (97)

Crew Composition

- a. The Director-General shall have the right to decide to add one or more members to the flight crew for all or some flights in addition to the composition established in the certificate of airworthiness and the manual should he deems it necessary to ensure the safety of the flight.
- b. Upon forming the flight crew of any flight, no members of such crew may perform the duties of two or more members at the same time.
- c. The Director-General shall have the right to decide the minimum number of flight attendants performing the duties related to the safety and service of passengers on board of the aircraft.
- d. With regard to cargo aircraft, the Director-General may decide the minimum number of load controllers performing the duties pertaining to the aircraft safety and cargo.

Article (98)

Setting up Training Programs

The operator shall set up training programs for air and ground crews to ensure proper performance of their duties. Such programs shall be approved by the Director-General.

Article (99)

Flight Crew Testing

Operators shall ensure that the competence of their flight crew members and their ability to deal with flight emergencies have been tested in a practical manner that confirms their possession of the required abilities in accordance with the relevant applicable rules.

Article (100)

Flight Time, Work and Rest Hours

- a. The Director-General shall develop the regulations and instructions determining the maximum flight time and work hours and the minimum rest time for flight crew members.

- b. Subject to the regulations and instructions mentioned in the foregoing clause, operators shall ensure that the period during which any crew member is requested or permitted to perform their duties or any other tasks on board, and the rest period granted thereto, do not put such member at risk of exhaustion during the flight so as to threaten the safety of the aircraft and of the crew member.
- c. Operators shall keep a complete and accurate record for each crew member, which shall include the flight and work hours thereof in accordance with the regulations and instructions issued by the Director-General. Such records shall be kept for a minimum of twelve months after the flight period of each crew member has ended.

Chapter (6) **Aircraft Equipment and Instruments**

Article (101) **Aircraft Equipment and Instruments**

An aircraft shall not operate unless it is equipped with the necessary equipment and instruments to fly and navigate in normal and emergency situations in accordance with the flight manual of such aircraft, the international regulations in force in the Jamahiriya, and any other regulations or instructions issued by the Director-General in this respect so as to ensure the safety of the flight and the wellbeing of passengers.

The Director-General may exempt any aircraft from the requirement of being equipped with the specified equipment and instruments should he believe that such an aircraft is equipped with alternative equipment and instruments that cover the requirements and achieve the required objectives.

Chapter (7) **Aircraft Loading**

Article (102) **Aircraft Loading**

An operator shall only allow the aircraft to be loaded under the control of a loading supervisor who shall be provided by such operator with sufficient information and instructions concerning the distribution, placement and security of the cargo, to ensure the following:

1. Safe transportation of cargo throughout the flight.
2. Observance of relevant regulations and instructions, including any requirements stated in the certificate of airworthiness.

Chapter (8) **Air Operations**

Article (103) **Control of Flight Operations**

Operators or their representatives shall be responsible for controlling the flight operations of their aircraft so as to ensure the conduct of such operations in accordance with the specified safety levels and the provisions of the relevant laws, rules, and regulations.

Article (104) **Designation of Pilot-in-Command**

An operator shall only authorise flights after one of the pilots is designated the pilot-in-command. The pilot-in-command shall be responsible for the safety of the aircraft and its

passengers. All persons on board of the aircraft shall execute any orders or instructions issued by the pilot-in-command to ensure the safety of aircraft and any person or property on board, and the safety and order of air navigation.

Article (105)

Flight Crew Members Remaining in Position

Every flight crew member shall remain in their designated position in the following situations:

1. During landing and takeoff.
2. During flight, unless such member is forced to leave his position out of necessity. Every flight crew member shall keep the seatbelt buckled at all times when in such position.

As an exception to the first clause of this article, members of the flight crew may alternate positions to rest during long-distance flights when one or more additional flight crew members are present on board.

Article (106)

Use of Navigation Equipment

No person may use the aircraft navigation equipment during a flight unless such person is a flight crew member who is assigned by the operator.

Article (107)

Flight Deck Entry

1. No person may enter the flight deck unless such person is a crew member, an inspector, a controller appointed by the Director-General, or a person assigned by the operator to perform a specific task, in which case the pilot-in-command shall be notified and his authority to prevent any person from entering or exiting the flight deck in emergencies shall not be restricted should he deem it necessary for the safety of the aircraft.
2. Every person who is authorised to enter the flight deck shall be assigned a passenger seat unless such person has a designated seat in the flight deck. The number of persons in the flight deck upon landing and takeoff shall not exceed the number of seats specified in the aircraft's certificate of airworthiness.

The pilot-in-command shall be entitled at his own responsibility to allow any person into the flight deck under other circumstances that have not been set forth in the present article.

Article (108)

Reporting Flight Hasards

Should the pilot in-command face unusual weather conditions during flight or observe an abnormal performance of air navigation aids or other communication equipment, posing a threat to the flight, the pilot in-command shall inform the competent air traffic services unit of such conditions as well as any other conditions that could jeopardize flight safety as soon as possible.

Article (109)

Reporting Malfunction of Aircraft Equipment

The pilot in-command shall record in the technical record of the aircraft any malfunction or unusual performance of any equipment of the aircraft that may take place or be observed during the flight. Before starting the flight, the pilot-in-command shall inspect the actions

taken in relation to any malfunction or observation previously noted in the technical record of the aircraft.

Article (110)

Passenger Guidance

- a. The operator shall take the necessary procedures to guide the passengers to the location and method of use of seat belts, emergency exits, life jackets, oxygen devices, and other emergency equipment available for individual or collective use in accordance with the requirements of each flight.
- b. In the event of an emergency during flight, passengers shall be guided through the emergency procedures required by the case.

Article (111)

Boarding the Aircraft in a State of Intoxication

The operator shall not allow any person who exhibits signs of intoxication to board the aircraft.

Part (8)

Commercial Air Transport and Air Operations

Chapter (1)

Civil Aviation Control

Article (112)

Air Transport Policy and Oversight

The civil aviation authority shall oversee and develop commercial air transport policy in the Jamahiriya in conformity with public interest. For this purpose, the civil aviation authority shall:

- a. Negotiate with other states to conclude scheduled and unscheduled air transport agreements and any other agreements related to international air transport and air operations.
- b. Represent the Jamahiriya in international, Arab, and African organisations concerned with civil aviation and air transport affairs.
- c. Participate in and oversee talks between the air transport companies of the Jamahiriya and other countries to conclude agreements or arrangements on joint investment or any commercial or technical operations in accordance with the rules and conditions specified by the Director-General.
- d. Oversee air transport activities by the air transport companies of the Jamahiriya, issue the necessary operational licenses, and approve the establishment, modification or cancellation of any air routes or the amendment of the number of flights in accordance with the relevant rules issued by the Director-General.
- e. Oversee commercial air transport activities conducted by foreign air transport companies in the Jamahiriya, issue operational licences and the necessary authorisations, monitor the exercise by such companies of the air transport rights granted thereto. For this purpose, the civil aviation authority may inspect the offices of such companies and examine the necessary documents and papers.
- f. Issue authorisations for national and foreign air transport companies to conduct unscheduled flights to and from Jamahiriyan territory.
- g. Approve and control application of the fares of scheduled and unscheduled international and domestic air transport, and issue orders in this respect.

- h. Suspend or restrict air transport activities conducted by national and foreign companies should any of them violate the conditions contained in the operational licences, the authorisations granted thereto, the provisions of the bilateral or collective agreements concluded with foreign States, or any of the provisions of this law, without prejudice to the penalties and sanctions stipulated by Part (14) of this law.

Article (113)

Adherence to Air Transport Policy

National air transport companies shall observe the policy set forth by the civil aviation authority in execution of the provisions of the foregoing article of this law to activate and develop commercial air transport in the Jamahiriya.

Article (114)

Exchange and Granting of Air Transport Rights

Entities in the Jamahiriya may only conclude agreements, make arrangements, or take measures pertaining to the exchange or granting of air transport rights with foreign entities through the civil aviation authority.

Article (115)

Conducting Commercial Air Transport, Air Operations, and Ground Services

1. Subject to the provisions of the Convention and other international agreements to which the Jamahiriya is party, commercial air transport may only be conducted inside or outside the Jamahiriya through the companies owned or authorised by the Jamahiriya.
2. Air operations and aviation ground services may only be conducted upon a permit by the civil aviation authority.
3. Offices for the air transport companies of foreign countries may only be opened in Jamahiriyan territory by virtue of a bilateral air transport agreement or upon permit by the civil aviation authority and within the limits of such permit.
4. Air transport companies of foreign countries may only be registered in Jamahiriyan territory, whether by general power of attorney or other instruments, by virtue of a bilateral agreement or upon permit by the civil aviation authority and within the limits of such permit.
5. All the air transport companies of the Jamahiriya and those of foreign countries operating in Jamahiriyan territory shall be registered with the General People's Committee for Economy and Trade.
6. The Secretary shall set the conditions for granting and withdrawing the permits mentioned in the foregoing clauses, the necessary instructions for the execution of such procedures, and the rules pertaining to air transport operations, and to the facilities and conditions thereof.

Article (116)

Domestic Air Transport

Aircraft of foreign countries may not transport passengers, mail, or goods between two points located inside Jamahiriyan territory. However, the Director-General may authorise such transport as required for public interest.

Article (117)

Economic and Technical Studies by Airlines

National air transport companies shall conduct a comprehensive economic and technical study of any route they wish to operate and they shall present the outcome to the civil aviation authority, which may approve, modify, or reject the same.

Article (118)
Obeying Orders

Air transport companies of the Jamahiriya and of foreign countries shall obey all the orders issued by the Director-General, particularly with regard to the following:

1. Transport fares and prices, including operation quality and duration.
2. Operation of any route or a set thereof.
3. Inspection of airline offices and examination of necessary documents belonging thereto.

Chapter (2)
Provisions on Air Mail Carriage

Article (119)

The competent postal entities shall oversee the air carriage of mail, subject to the provisions of bilateral air transport agreements and the permits issued in this respect.

Article (120)

The laws applicable to land mail shall apply to the air carriage of mail unless it is stipulated otherwise.

Article (121)

The provisions of international agreements on air mail to which the Jamahiriya is party shall be applicable.

Article (122)

1. The air carrier shall transport the air mail assigned thereto by the competent postal entities in accordance with the relevant rules of air mail and transport.
2. The following order shall be respected during air transport: passengers and their luggage, mail, unaccompanied luggage, and cargo.

Article (123)

1. Air mail or packages sent by air may be inspected if they are suspected of containing substances that jeopardise the aircraft safety during the flight.
2. Air mail or packages sent by air may only be transported if they have been received in accordance with postal procedures.

Part (9)
Aviation Fares

Article (124)

The use of airports and airfields, the occupation of parts thereof, and the provision of facilities, air navigation services, or any other services provided by the civil aviation authority, including services to aircraft, air and ground crews, aviation permits, and activities pertaining thereto, shall be conducted in exchange for financial fees. The types, levels, and cases of exemption or attenuation thereof shall be determined by a decision issued by the Secretary at the proposal of the Director-General.

Part (10)
Investigating Aviation Accidents

Article (125)

1. The civil aviation authority shall perform the following whether in its own capacity or through a delegated entity:

- b. Conduct technical investigation in accidents incurred by civil aircraft in Jamahiriyan territory and by civil aircraft registered in the Jamahiriya on the high seas or over unclaimed land.
 - c. Submit a report on the situation and circumstances of each accident or incident it investigates, state the potential causes thereof, and publish the investigation results.
 - d. Present the necessary recommendations to prevent the recurrence of similar accidents and incidents to ensure the safety of aviation in the future.
2. If the presence of one or more factors that jeopardise the safety of aviation be established during investigation and before the publication of its results, the Secretary of the investigation committee shall submit the necessary recommendations to the Director-General for necessary action.
 3. The Secretary shall determine the system of investigation in aviation accidents and incidents, the composition mechanism of investigation committees, the rules for investigating such accidents and incidents, the method of notification thereof, the way of removing their effects, and all the other rules to be followed by the competent entities, flight crews, and others upon occurrence of such accidents.

Article (126)

1. Should an accident or incident occur on Jamahiriyan territory to an aircraft registered in the Jamahiriya or any other country, the pilot-in-command shall provide the Director-General with information about such accident or incident as stipulated in the rules under this law.
2. In the event of death of the pilot-in-command or his inability to report the accident due to injury, the persons identified by a Secretary decision shall handle the reporting.

Article (127)

Upon taking notice of an accident occurring on Jamahiriyan territory to an aircraft registered in another country, the civil aviation authority shall inform each of the following:

1. The country where the aircraft is registered.
2. The manufacturing country.
3. The country of the operator if other than the country of registration.
4. The country affected by the accident.

Article (128)

In the event of an aircraft accident, the competent authorities under whose jurisdiction such accident occurs shall:

1. Immediately inform the civil aviation authority, place such aircraft under custody, and prevent take-off.
2. Preserve the aircraft or its parts and all the content or wreckage thereof, and abstain from moving the same unless for the purpose of saving lives, extracting valuables, or fighting fires, or if the aircraft or its wreckage poses a threat to air navigation or other means of transportation, until the arrival of the investigation committee and the issuance of its instructions. In all cases, it is preferable whenever possible to photograph the wreckage before it is fully or partially moved or before its location is altered.

Article (129)

1. The Director-General shall form the investigation committees in charge of aircraft accidents. The investigation committee shall be composed of no less than three members, with the possibility to resort to specialised experts, whether they reside in the country or abroad, to take part in the investigation as consultants. The civil aviation

authority shall bear the expenses, transportation allowance, and remunerations of the committee members and consultants. It shall also bear all the necessary expenses for air or laboratory testing or technical research required by the circumstances of the accident.

2. A committee member may only be discharged during investigation by a substantiated decision by the Director-General.

Article (130)

The Secretary of the investigation committee shall have the powers of the public prosecution in accordance with the Code of Criminal Procedure. Members of the investigation committee shall have the right to access, search, and examine the place of the accident and other places useful to the investigation, to examine documents, records, references, graphics, and papers, and retain those of interest to the investigation, to summon individuals and interrogate witnesses and require them to present any information or documents deemed necessary by the committee to reveal the truth and to take the necessary measures to preserve the aircraft or the wreckage, cargo, or parts thereof, and to remove all or part of the same to conduct the necessary tests.

Article (131)

If an accident occurs to an aircraft registered in another country contracting in Jamahiriyan territory, the representative of the country where such aircraft is registered may be allowed, based on the conditions deemed necessary by the Director-General, to participate in the investigation as an observer. Such representative may resort to any technical consultant he deems fit.

Article (132)

Security and administrative entities, each within their mandate, shall take the necessary measures to facilitate the work of investigation committees. In particular, they shall provide such entities with all the official papers prepared on accidents, conduct rescue and emergency treatment, transport the injured persons, extinguish fires, and extract dead bodies while preserving evidence. They shall also follow any instructions issued by the investigation committee that facilitate the performance of their duties.

Article (133)

1. Upon completion of the investigation, the investigation committee shall prepare a report on the accident that includes the causes, circumstances, results, and evidence thereof, as well the essential information such results are based on, along with the recommendations of the committee. It shall submit the completed report to the Director-General.
2. If the investigation pertains to an accident involving an aircraft registered in another contracting country, the Director-General shall send a copy of the report the soonest possible to the country of registration and the operator. He may also send the report or excerpts thereof to:
 - a. Any country that provided the investigation committee with information.
 - b. The International Civil Aviation Organisation.
 - c. Any other country that has been notified by the Director-General in accordance with Article (127) of this law or that has substantial interest in the investigation results stated in the report.
3. Notice of incident reports may be provided in accordance with the provisions set forth in the implementing decisions of this law.
4. Individuals or entities may obtain copies of the accident reports in accordance with the provisions of the implementing decisions of this law which stipulate the conditions and procedures pertaining to the acquisition of such reports as well as the relevant fees.

Article (134)

If the investigation committee establishes that the accident has resulted from an act of sabotage or a suspected crime, it shall notify the public prosecution to take the necessary legal action in this concern.

Article (135)

If an accident involving an aircraft registered in the Jamahiriya occurs outside the country, the civil aviation authority shall have the right to send its personnel that is specialised in investigating aviation accidents abroad.

Article (136)

If investigation into an accident occurring outside Jamahiriyan territory is conducted by any other contracting country, the Director-General shall provide such country upon request with any information pertaining to the accident that he can acquire, including information on the aviation safety means and services that may have been used before the accident, on condition that the investigating country allows the delegate appointed by the Director-General to participate in the investigation if requested.

Article (137)

The facts stated in the final report of the investigation committee concerning an aviation accident shall be considered true until proven otherwise.

The Director-General shall reopen investigation into aviation accidents by a substantiated decision in the event that new important evidence appears that affects the results of the investigation.

Article (138)

In coordination with the competent military entities, the Secretary shall issue the rules governing investigations in accidents occurring inside Jamahiriyan territory and pertaining to a military aircraft and one or more civil aircraft. Such rules shall govern civil aircraft accidents occurring in military airports and zones. The Secretary shall form an ad hoc investigation committee composed of an equal number of representatives of the civil aviation authority and the competent military entities.

Part (11) Search and Rescue

Article (139)

1. The Secretary shall identify the search and rescue areas under the responsibility of the Jamahiriya. Such areas shall be announced by the civil aviation authority.
2. The Secretary shall organize the rescue units with the participation of the competent entities so as to be fully ready to act in accordance with established plans.
3. The civil aviation authority shall take the necessary arrangements to ensure coordination and cooperation with other States, especially neighboring States, in relation to search and rescue operations.

Article (140)

1. No person or entity shall refrain from providing assistance to the search and rescue operations if they are able to when requested by the competent entities.
2. The obligation set forth in Clause (1) shall be applicable to individuals and entities if the nature of their job enables them to provide such assistance.

Article (141)

The competent entities shall grant the persons, equipment, and aircraft conducting search and rescue operations access to any prohibited or restricted area if there is a possibility that the aircraft for which the search and rescue operation is conducted is present in such area, provided that such operation supervised by such entities.

Article (142)

The competent entities shall grant immediate and temporary access into Jamahiriyan territory for any experts, equipment, and aircraft deemed necessary by the civil aviation authority for the search and rescue operations in order to participate therein.

Article (143)

During the rescue operation, no person may remove any part or piece of the aircraft affected by the accident, or alter any trace thereof, unless such act is necessary for the rescue operation or is authorised by the civil aviation authority. Search, rescue, guard, and control units shall abide by such requirement until completion of the information necessary for the accident investigation.

Article (144)

Compensation and Cost Reimbursement for Search and Rescue Operations

1. Any search and rescue assistance provided by individuals in accordance with the provisions of the present Part shall entitle them to a reimbursement for the expenses incurred by the assistance operations, and to a compensation for the damages incurred or directly resulting from such operations.
2. The provisions of the foregoing clause shall not apply to any assistance provided by public entities in the Jamahiriya.

Article (145)

Search and Rescue Remunerations

In addition to the expenses and compensation set forth in Article (144), the Secretary shall determine the rules governing the disbursement of remunerations for the search and rescue of individuals, aircraft, and properties onboard, including postal shipments.

Article (146)

The operator of the rescued aircraft shall pay the expenses of search and rescue assistance as well as any due compensation and remuneration, even if the rescued aircraft belongs to the rescuing party.

Article (147)

The court where the accident occurs shall have jurisdiction over search and rescue cases. Should the accident occur in the high seas or in an area outside the sovereignty of any State, Libyan courts shall have jurisdiction in the following cases:

1. If the aircraft, for which the search and rescue operation is conducted, is registered in the Jamahiriya.
2. If the aircraft, for which the search and rescue operation is conducted, is found in Jamahiriyan territory as a result of the accident, if the claimant is a citizen of the Jamahiriya.

Article (148)

Cases arising from search and rescue shall be dismissed after two years from the end of the search and rescue operation. In the event of expiration or interruption of the limitation

period, such cases may not be accepted after three years from the end of the search and rescue operation.

Part (12)
Liabilities and Guarantees Related to the Operation of Aircraft

Chapter (1)
Air Transport Contractual Liability

Article (149)

1. The provisions of any international convention regarding the standardisation of certain international air transport rules to which the Jamahiriya is party shall be applicable with regard to international air transport liability.
2. The relevant rules and provisions stipulated by the legislation in force shall be applicable with regard to domestic air transport.

Article (150)

The carrier shall not be liable to the shippers and recipient for cargo shipped during a flight if such cargo must be dumped to save the aircraft, on condition that the carrier and the affiliates thereof take all the necessary measures to prevent damage or that such measures were impossible for them to take.

Article (151)

The carrier shall not be held responsible if the pilot-in-command is forced to remove a passenger who disrupts order on board or jeopardizes the safety of the aircraft or its passengers.

Article (152)

All air carriers shall ensure that passengers and cargo have the documents and papers necessary to enter or exit the Jamahiriya toward the destination airport. Otherwise, the carriers shall be liable for the consequences of their negligence.

Chapter (2)
Damage Caused by Aircraft to Third Parties on the Ground

Article (153)

The provisions of this Chapter shall be applicable to damages caused by an aircraft to a third party on the ground in Jamahiriyan territory, unless the Jamahiriya is party to a relevant international convention.

Article (154)

Those who suffer damage on the ground shall be entitled to compensation upon proving that the damage is a direct result of an aircraft in flight or of a person or an object that fell from such an aircraft.

With the exception of the cases set forth in this article, the general rules in force in the Jamahiriya shall apply, and the aircraft operator shall be responsible for the compensation stated therein.

Article (155)

If a person uses an aircraft without the consent of the operator, the operator shall be liable jointly with such user for the damage that entails the compensation referred to in Article (154) unless the operator proves that he has taken the necessary action to avoid such use.

Both the user and the operator shall be under obligation in accordance with the requirements stated in this chapter and the limits of responsibility established therein.

Article (156)

The person deemed liable for compensation under the provisions of this chapter shall not be bound to pay such compensation if the damage is directly caused by an armed conflict or domestic unrest, if the victim is banned from using the aircraft by order from the public authorities, or if it is proven that the damage is a result of an error, negligence or omission by the victim, or the subordinates or representatives thereof.

If the liable person proves that the victim or the subordinates and representatives thereof have contributed to the damage, the compensation shall be reduced proportionately with their contribution.

In the event of error by the subordinates or representatives of the victim, exemption from or reduction of the compensation shall not be permitted if it is proven that they have acted beyond the limits of their powers.

Article (157)

If a third party incurs compensatory damages on the ground as the result of a collision between two or more aircraft during flight or as a result of an aircraft blocking the course of another, or if such damage results from one or more aircraft simultaneously, each of the aircraft shall be considered party to the damage caused and the operators thereof shall be deemed jointly liable for compensation under the provisions of this law.

Article (158)

If multiple parties are liable for the damage under the provisions of this chapter, victims shall not be entitled to total compensation exceeding the maximum compensation for which a single party may be held liable.

Article (159)

Compensation claims for damages caused by aircraft to third parties on the ground of the Jamahiriya shall be filed before the court that has jurisdiction over the place of occurrence of the accident or over the place of residence or business headquarters of the defendant.

Article (160)

Compensation claims for damages caused by aircraft to third parties on the ground shall be dismissed two years after the date of the accident. In the event of expiration or interruption of the limitation period, such claims shall not be accepted after three years from the date of the accident.

Article (161)

Damage resulting from the noise, vibration, or emissions of one or more aircraft engines shall not entail any right to compensation if operation is conducted in compliance with the provisions of this law and the implementing rules thereof.

Chapter (3)

Insurance and Guarantees for Aircraft Operation Liabilities

Article (162)

Subject to the provisions of this Law, all aircraft operators working in Jamahiriyan territory shall buy insurance to cover their liability for the damages caused to passengers, baggage, and cargo onboard aircraft and other damages caused by aircraft to third parties on the

ground. Such operators shall also buy insurance for their employees who are subjected to the dangers of aviation to cover the damages that might result therefrom.

Article (163)

The insurance stipulated in the foregoing article shall be contracted with an insurer certified under the laws of the country of the registration of the aircraft.

Article (164)

The insurance stipulated in Article (162) may be replaced with any of the following guarantees:

1. A cash deposit made to the treasury of the registration country of the aircraft or a bank authorised by such country.
2. A guarantee by an authorised bank in the registration country of the aircraft provided that such country verifies the operator's ability to meet its obligations.
3. A guarantee by the registration country of the aircraft insofar as such country commits not to demand judicial immunity should a dispute arise regarding the guarantee.

In all cases, the aforementioned guarantees shall be within the limits determined by the Secretary in light of international agreements.

Article (165)

The civil aviation authority may compel any aircraft operating in Jamahiriyan territory to carry onboard a certificate issued by the insurer proving that the insurance has been bought in accordance with the provisions of this law as well as a certificate proving the insurer's financial ability and issued by the competent authority of the country of registration of the aircraft or the country of residence or business headquarters of the insurer.

Onboard carriage of the aforementioned certificates may be replaced with the deposit of authentic copies thereof with the civil aviation authority.

Part (13)

Crimes against the Safety and Security of Aviation and Airports

Chapter (1)

Crimes of Aggression against Civil Aviation Safety

Article (166)

1. Any person who deliberately commits any of the following acts without legitimate right shall be considered perpetrator of a crime:
 - a. Commit an act of violence against a person onboard an aircraft in flight, if such act jeopardises the safety of the aircraft.
 - b. Destroy an aircraft in service, cause damage thereto so as to render it unable to fly, or potentially jeopardise its safety while in flight.
 - c. Destroy or damage air navigation aids or facilities or interfere with their operation if such act could jeopardise the safety of the aircraft while in flight.
 - d. Knowingly submit false information that jeopardises the safety of an aircraft in flight.
 - e. Steal any equipment of air navigation services or any other devices, machines, or cables necessary for or associated with the safety of aviation.

2. Any person who deliberately uses without legitimate right a device, substance, or weapon to commit any of the following acts shall be considered perpetrator of a crime:
 - a. Commit an act of violence against a person in a civilian airport if such act causes or has the potential to cause serious injury or death.
 - b. Commit an act of violence against a person in a civilian airport if such act causes failure or hinderance to any ongoing work at the airport or causes panic at the airport.
 - c. Destroy or cause serious damage to any airport facilities or out-of-service aircraft therein, or cause suspension of airport services if such act jeopardises or has the potential to jeopardise safety at the airport.
3. Any person who commits any of the following acts shall be considered a crime perpetrator:
 - a. Attempt to commit any of the crimes stated in Clause (1.2) of this article.
 - b. Act as the partner of a person who commits or attempts to commit any such crime.

Article (167)

1. An aircraft shall be considered in flight at any time from the moment all external doors are closed after the boarding of passengers until the moment any such doors are opened for the disembarkation of passengers. In the event of emergency landing, an aircraft shall continue to be considered in flight until the competent authorities assume responsibility for the aircraft and all the passengers and properties onboard.
2. An aircraft shall be considered in service from the time the ground handling staff or the aircraft crew begins servicing such aircraft for a specific flight until after twenty-four hours from the last landing of such aircraft. In all cases, the in-service period shall last the entire time the aircraft is considered in flight as determined in Clause (1) of this article.

Chapter (2)

Crimes of Unlawful Seizure of Aircraft

Article (168)

Any person who commits any of the following acts while onboard an aircraft in flight shall be considered perpetrator of a crime:

1. Seize or attempt to seize an aircraft or the control thereof by force, threat of force, or any form of coercion without legitimate right.
2. Act as the partner of any person who commits any of the acts stated in the foregoing clause.

Article (169)

For the purpose of implementation of the provisions of this Chapter, an aircraft shall be considered in flight in accordance with the meaning identified in Article (167), Clause (1).

Chapter (3)

Powers of Pilot-in-Command and Crew Members

Article (170)

Should the pilot-in-command have plausible reason to believe that a person has committed or attempted to commit any of the crimes stated in this Part or any act that is believed to jeopardise the safety of the aircraft, the pilot-in-command may take the necessary and preventive measures against such person, including restriction of movement. The pilot-in-command may also order or authorize other crew members to assist him/her in this matter,

and he/she may request or authorise the passengers to provide such assistance but he/she may not force them to do so.

Article (171)

1. The pilot-in-command may ask the competent authorities in the country of landing to disembark the person aforementioned in the foregoing article, stating the justifying reasons for this measure.
2. Should the pilot-in-command decide to extradite such person due to the seriousness of the crime, the pilot-in-command shall notify the authorities of the country of landing as soon as possible and state the reasons thereof. Upon landing, the pilot-in-command shall submit a report including any evidence and information in his/her possession.

Article (172)

With regard to the procedures taken in accordance with Article (170), the pilot-in-command, crew members, passengers, aircraft owners and operators, and any person for whom the flight is conducted shall not be held accountable in any lawsuit arising from the treatment received by the person against whom such procedures are taken.

Chapter (4) Powers and Obligations of the State

Article (173)

In the event of commission, attempted commission, or participation in any of the crimes stated in Articles (166) and (168) or any act that jeopardises the safety of the aircraft, the competent authorities shall take all the necessary measures to restore or maintain the control of the pilot-in-command over the aircraft. In such cases, the passengers and the crew of an aircraft that has landed in Jamahiriyan territory shall be allowed to resume their flight as soon as possible. The competent authorities shall return the aircraft and the cargo onboard to their lawfully authorised owners.

Article (174)

1. The Jamahiriya shall assume its judicial authority with regard to the crimes stated in Articles (166) and (168) in the following cases:
 - a. When the crime is committed on Jamahiriyan territory.
 - b. When the crime is committed against or onboard an aircraft registered in the Jamahiriya.
 - c. When the aircraft onboard of which the crime is committed lands in Jamahiriyan territory with the defendant still onboard.
 - d. When the crime is committed against or onboard an aircraft leased without a crew to a lessee whose business headquarters or permanent residence – in the absence of such headquarters – is in the Jamahiriya.
2. If any of the crimes stipulated by Article (166), Paragraph (1), Clauses (a, b, and c) is committed against an aircraft in flight, the Criminal Court of Tripoli shall have jurisdiction over such crime.

Article (175)

If the Jamahiriya, in conjunction with one or more countries, establishes joint or international air transport organizations that operate aircraft of joint or international registration, the civil aviation authority of the Jamahiriya shall determine, in agreement with such countries, the country that shall have judicial competency and serve as the country of registration in relation to the provisions of this law.

Article (176)

The competent authorities shall allow the pilot-in-command to disembark any person in accordance with the provisions of Article (171).

Article (177)

The competent authorities shall receive any person extradited by the pilot-in-command in compliance with the provision of Article (171). If the suspect is present in Jamahiriyan territory or extradited to the Jamahiriya under the supervision of the pilot-in-command, such authorities shall immediately open an investigation of the incident.

If such authorities establish that the crime falls under the judicial jurisdiction of the Jamahiriyan in accordance with the provisions of Article (173), they shall take the necessary procedures to refer the same to the competent court.

Should they establish that the crime does not fall under the aforementioned judicial jurisdiction, they shall take the appropriate decision in this regard in compliance with the law and the international agreements to which the Jamahiriya is party. In all cases, the competent authorities of the Jamahiriya shall have the right to refuse, expel, or extradite the suspect to his country of citizenship or residence or the country where the flight is initiated.

Article (178)

The competent authorities, in coordination with the civil aviation authority, shall take all the necessary preemptive measures to prevent any act or crime against the security and safety of civil aviation in the Jamahiriya, and any act or crime committed onboard civil aircraft, in accordance with the relevant international rules and the provisions of the present law.

Part (14) Penalties and Sanctions

Article (179)

Any person who violates the provisions of Articles (23), (25), and (26) of this law shall be punished by imprisonment for a period not exceeding six months and a fine not exceeding LYD 3000, or by either penalty.

Article (180)

Operators, carriers, or any agents thereof who practice the profession without prior authorisation or permit or violate the provisions of the permit or authorisation granted thereto or the orders issued in compliance with the provisions of this law shall be punished with a fine not exceeding LYD 10,000.

The civil aviation authority shall be entitled to compensation equivalent to double the amount of the transport fare collected by any foreign air transport company or facility in violation of the provisions of the bilateral agreements concluded between the Jamahiriya and the country of the company or facility that violates the provisions of the authorisation issued thereto if such violation pertains to the provisions of commercial air transport.

Article (181)

A person who commits any of the following acts shall be punished by imprisonment and a fine not exceeding LYD 10,000 or by either penalty:

1. Fly an aircraft that lacks nationality or registration marks or bears incorrect or unclear marks, or fly an aircraft without a special authorisation by the Director-General.

2. Fly an aircraft over a restricted area, or unintentionally fly over such areas and abstain from complying with the orders issued thereto.
3. Operate an aircraft without authorisation before acquiring the certificates of registration or airworthiness. The same penalty shall be enforced on aircraft operators who fail to prove that they do not have and cannot possibly have any knowledge of the crime.

Article (182)

A person who commits any of the following acts shall be punished by imprisonment for a period not exceeding two years and a fine not exceeding LYD 3,000 or by either penalty:

1. Failure to obey an order to land while flying over Jamahiriyan territory.
2. Land or take-off outside designated airports or sites, or fly outside established zones and routes unless by authorisation from the Director-General or in cases of force majeure.
3. Fly an aircraft in a negligent or reckless manner that jeopardises lives or properties.

Article (183)

Any person who transports, carries, or ships any cargo onboard an aircraft in contravention of Article (13) of this law shall be punished by imprisonment and a fine of LYD 3,000 or by either penalty.

Article (184)

Any person who transports, carries, or ships any items onboard an aircraft with the intention of smuggling such items or committing a crime, even if such crime is not committed, shall be punished by imprisonment and a fine of LYD 5,000 or by either penalty.

Article (185)

Any person who performs a job without acquiring or renewing the permits, certificates, qualifications, or licences required by such job, acts beyond the limits authorised therein, or fails to abide by the conditions stipulated therein, shall be punished by imprisonment for a period not exceeding six months and a fine not exceeding LYD 1,000 or by either penalty.

Article (186)

Any person who flies an aircraft in a state of intoxication or under the influence of narcotics and psychotropic substances shall be punished by imprisonment for a period not exceeding five years and a fine of LYD 10,000 or by either penalty.

Article (187)

Any person who intentionally omits recording or alters in bad faith the data that must be recorded by the operator or its affiliates in the aircraft documentations and records, or who records false data, shall be punished by imprisonment and a fine not exceeding LYD 10,000 or by either penalty.

Article (188)

Any person who enters or allows animals or objects to enter an area that is prohibited to access without authorisation under the regulations or instructions of the airport shall be punished by imprisonment and a fine not exceeding LYD 10,000 or by either penalty.

Article (189)

A fine of LYD 10,000 shall be imposed on any person who operates an air route without acquiring:

- a. A valid air operator licence authorising air services.
- b. A valid permit for the air route granted under this law.

Article (190)

Any person who commits any of the acts stated in Articles (166) and (168) of this law shall be punished by imprisonment for a period not exceeding five years. If such an act results in the death of one or more persons, or in the destruction of the aircraft or of air navigation aids and facilities, the penalty incurred shall be life imprisonment.

Article (191)

Without prejudice to any provision of this law, the Director-General may suspend or revoke any licence, certificate, permit, authorisation, or approval. He may also withdraw any approval that has been granted, issued, or ratified under the provisions of this law and the implementing decisions and regulations thereof.

Article (192)

Without prejudice to the provisions of the foregoing article, the Director-General shall have the right to take the necessary procedures to prevent, stop, or eliminate the violations of Articles (23), (25), and (26), binding the violators to pay all the expenses incurred by the State in this regard.

Article (193)

1. The Director-General may place national or foreign aircraft under provisional detention if such aircraft fail to meet the requirements set forth by this law and the regulations and decisions issued thereunder until such requirements are fulfilled.
2. The Director-General may ban the flight of any aircraft if he believes for plausible reasons that such flight would be conducted under inappropriate circumstances or in contravention of the provisions of this law.

Article (194)

The Director-General may suspend for a limited period or withdraw permanently any license he issues or approves if the licence holder is convicted of a criminal offence or a crime of moral turpitude.

Article (195)

The provisions of this law shall not prejudice any harsher penalty stipulated by the Penal Code or by other laws.

Article (196)

Libyan courts shall have jurisdiction over the crimes committed in contravention of the provisions of this law or the implementing decisions, rules, and regulations thereof if such crimes are committed in Jamahiriyan territory or onboard an aircraft registered in the Jamahiriya while in flight over high seas or unclaimed lands.

Article (197)

The confiscation of aircraft may be ordered in the following cases:

1. If an aircraft carries incorrect nationality or registration marks or lacks any such marks.
2. If the aircraft owner or operator transports weapons or ammunition for the purpose of smuggling the same or committing a crime against the security of the State.

Article (198)

Any person who commits a prohibited act under the provisions of this law or omits an act required by such provisions shall be punished by imprisonment for a period not exceeding six months and a fine not exceeding LYD 1,000, or by either penalty, if no penalty for such act has been set by this law or any other law.

Article (199)

The Director-General and the civil aviation authority employees of the tenth grade and above and designated by a Secretary decision, shall act in the capacity of judicial officers with regard to the crimes committed in contravention of the provisions of this law and of the implementing regulations and decisions thereof.

Part (15) Military Aircraft

Article (200)

All military aircraft shall comply with the rules of air set forth in this law and in the regulations and decisions issued thereunder upon flying or passing over controlled airspace or upon using civilian airports.

Article (201)

It shall be prohibited for military aircraft to fly over or land in Jamahiriyan territory unless by virtue of an international treaty or agreement to which the Jamahiriya is party or by special authorisation by the competent authorities. The identifying mark of such aircraft shall be displayed thereon in a visible manner.

Part (16) Final Provisions

Article (202)

The provisions stipulated by this law and by the implementing regulations and decisions thereof, particularly those pertaining to aircraft currently in use, shall apply to all the other types of air vehicles unless the nature, structure, or technical and economic relevance of such vehicles preclude so, or unless the present law or any other laws and regulations provide for a special text in their respect.

Article (203)

The executive regulation of this law shall be issued by virtue of a resolution by the General People's Committee at the proposal of the Secretary.

Article (204)

Law No. (2) of 1965 on civil aviation and any provision that contravenes the provisions of this law shall be repealed. The regulations in force at the time of entry into force of this law shall remain valid until their replacement or amendment, unless they contravene the provisions of this law.

Article (205)

This law shall enter into force from its date of issuance. It shall be published in the Legal Register.

The General People's Congress – Libya

Issued in Sirte

On 2 Dhu al-Hijja

Corresponding to 12 January 1373 FDP

<http://qistas.com/legislations/jor/view/100731>

https://www.icao.int/publications/Documents/7300_cons.pdf