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**Law No. (4) of 2022 amending Some Provisions of the Civil Aviation Law promulgated by Law No. (14) of 2013**

We Hamad bin Isa Al Khalifa King of the Kingdom of Bahrain.

Having reviewed the Constitution;

And Civil Aviation Law promulgated by Law No. (14) of 2013;

The Shura Council and the Council of Representatives have approved the following law, which we have ratified and enacted:

**Article One**

The definitions of (Civil Aviation Affairs), (National Aircraft) and(Unit or Investigation Unit) contained in Article (1) of the Civil Aviation Law promulgated by Law No. (14) of 2013 shall be replaced with the following definitions, and the texts of Articles (3), paragraph (2), (21), (34), paragraph (3), (57), (67), (69), (90), (94), (96), (97), (135) and(136) of the same law shall be replaced with the following texts:

**Civil Aviation Affairs:** The entity responsible for the authorities, competencies and powers related to civil aviation, represented by the Undersecretary for Civil Aviation Affairs.

National Aircraft: Aircraft that is registered in the National Register of Aircrafts.

Unit or Investigation Unit: The Aircrafts Accidents and Serious Incidents Investigation Unit established under Article (90) of this law.

**Article (3), Paragraph (2):**

The Minister may, when necessary and subject to the availability of public interest requirements, exempt certain state aircrafts, airport operators, and service providers from complying with certain provisions of this law. Furthermore, the Minister may, by his decision, delegate the exercise of this authority to the Undersecretary for Civil Aviation Affairs. However, this delegation shall not cover matters that affect aviation safety and civil aviation security. The Civil Aviation Affairs shall be responsible for preparing the conditions and requirements for such exemptions. The details of such exemptions shall be published on the official website of the Civil Aviation Affairs.

**Article (21):**

**Types of Airports**

The Civil Aviation Affairs shall define the various types of airports and the classification of each airport according to the technical regulations of air navigation.

**Article (34), Paragraph (3):**

Decision regarding the transport of security officers on board aircraft shall be taken at the discretion ‎of the Civil Aviation Affairs based on its assessment of the existing threat. Such officers must be state ‎officials who have received special training on security rules and techniques on board aircrafts.‎ The Civil Aviation Affairs shall adopt training programs provided to national security officers on board aircraft and shall prepare the necessary regulations for the transportation of security officers in accordance with national and international requirements.

**Article (57):**

**Meteorological Services**

The state shall be committed to providing meteorological services. The Civil Aviation Affairs shall establish a meteorological facility to contribute to serving international air navigation at state airports and at the "Bahrain Aeronautical Information Region." This shall be done in accordance with the provisions of this Law and as stipulated by the annexes and conventions emanating from the World Meteorological Organization and the International Civil Aviation Organization. The Civil Aviation Affairs may grant a license to any institution or authority to provide part or all of the meteorological services, subject to the conditions and procedures determined by the Minister.

**Article (67):**

**Authorization to Undertake Aviation Activities**

No authority, company, or institution shall be allowed to engage in any activity in the field of air transport, aviation services or related activities without obtaining a license from the Civil Aviation Affairs in accordance with the conditions and procedures it determines.

**Article (69):**

**Compliance with the Civil Aviation Affairs’ Directives and Instructions**

National and foreign air transport companies and institutions, as well as aircrafts owners or operators, including unmanned aircrafts, and airport operators and those licensed to carry out aviation activities and related activities, shall comply with all orders and instructions issued by Civil Aviation Affairs. This includes, in particular, the following:

1- air transport fares and rates and other related conditions, including type and duration of operation.

2- airline operations.

3- Inspection of the offices of air transport companies and institutions, aircrafts owners or operators, including unmanned aircrafts, airport operators, service providers, and those licensed to conduct aviation activities and related activities. This inspection shall involve reviewing their documents and necessary records to ensure their compliance with the orders and instructions issued by Civil Aviation Affairs.

**Article (90):**

**Authority Responsible for Investigating Aircraft Accidents and Serious Incidents**

1- An independent unit called the (Investigation Unit) shall be established by a decision from the Minister to investigate aircraft accidents and serious incidents.

3- The Investigation Unit shall be composed of at least three members, designated by a decision from the Minister. No member may be dismissed except by a reasoned decision from the Minister. The unit may seek the assistance of persons with special expertise from inside or outside the state to participate in the investigation. The unit shall submit its reports directly to the minister.

3- The Investigation Unit has the following responsibilities:

a-Investigating accidents and serious incidents involving national aircrafts in international waters or aircrafts operated by an air operator whose headquarters is located in the state.

b-Collecting, recording, and analysing safety information related to aircraft accidents and serious incidents.

c-Identifying the contributing causes and factors of accidents or serious incidents.

d-Preparing a report on the circumstances and conditions related to each investigated aircraft accident or serious incident, detailing their causes, results, and any recommended measures or regulations to prevent their recurrence in the future.

**Article (94):**

**Investigation Committee**

When necessary by a decision of the minister and at the request of the head of the investigation unit, a committee or committees subordinate to the Investigation Unit may be established provided that the number of members of the committee shall not be less than three, including its president, in order to investigate any accident or serious incident of an aircraft.

The committee may engage experts with specialized expertise from within or outside the country to participate in its work. The Minister may as well appoint advisors to assist the committee in conducting investigations.

The head of the Investigation Unit shall supervise the activities of the investigation committee without intervening or influencing its decisions.

**Article (96):**

**Representation of the State in Investigation of Accidents involving National Aircrafts Abroad**

In the event of an accident involving a national aircraft or in cases where there are victims or wounded who are citizens of the state over the territory of another country, the Minister shall appoint an accredited representative on behalf of the state to participate in the investigation conducted by the authorities of that country.

The Minister may, based on a mutual agreement, grant some or all of the authorities of the Aircraft Accidents and Serious Incidents Investigation Unit to another contracting state or an authority to represent the state in the investigation conducted by the foreign authorities.

**Article (97):**

**Powers of the Investigation Unit and Investigation Committees in Aircraft Accidents and Serious Incidents**

Members of the Investigation Unit or Investigation Committee - each according to their expertise - in aircraft accidents and serious incidents shall have access to the scene of the accident and other related ‎locations. They shall conduct inspections, review documentation, records of conversations and other records, ‎references, drawings and papers, and seize any material that may be of interest to the investigation. They ‎shall also question and hear witnesses and obtain information or documents deemed necessary by the Investigation Unit or Investigation Committee for fact-finding purposes, take the necessary measures to preserve the aircraft or wreckage, cargo and parts, and ‎remove such items in whole or in part for conducting any necessary tests.‎

**Article (135):**

**Judicial Investigation Officers**

1- The Minister concerned with justice affairs, in agreement with the Minister, shall issue a decision to grant authorized employees the status of judicial investigation officers to take necessary actions for the detection of violations related to civil aviation laws and regulations, and to verify the implementation of the provisions of this Law, its regulations, and implementing decisions as well as violations pertaining to the safety and security of civil aviation. Authorized employees shall have the right, for the purpose of achieving this objective, to access places and premises designated for aviation activities and related activities, as well as all airport facilities and installations. They shall as well have the right to enter aircraft and conduct necessary inspection operations in accordance with the applicable laws and regulations.

2- Authorized employees with the status of judicial investigation officers shall be responsible for preparing the necessary violation reports and submitting reports on all violations related to the safety and security of civil aviation or any violations of civil aviation laws and regulations to the Undersecretary for Civil Aviation Affairs.

3- It is prohibited for any person or entity licensed by the Civil Aviation Authority to prevent or obstruct any of the authorized employees with the status of judicial investigation officers from performing the tasks and authorities assigned to them in accordance with the provisions of this law. Whoever violates this provision shall be subject to the penalties stipulated in Article (136) of this Law.

**Article (136):**

**Administrative Penalties imposed by the Civil Aviation Affairs**

Without prejudice to the penalties established by the provisions of this Law, the Civil Aviation‎ Affairs may take the following administrative actions in case of violation of the provisions of this Law, the regulations and the decisions issued in implementation thereof:

1- Suspend temporarily the authorization or permit issued to the aircraft operator or the aircraft or revoke of ‎such authorization or permit.

2- Suspend temporarily the certificate of airworthiness or revoke such certificate.

3- Suspend temporarily the flying license or any other license, or revoke such license.

4- Ground the aircraft temporarily or force it to land after issuing a warning.

5- Prohibit flight of the aircraft in the territory of the State either temporarily or permanently.‎

6- Withdraw licenses and permits, suspend authorizations for individuals or institutions, and close offices, airlines, air cargo companies, ground service companies, or any activities related to aviation or airport operations in the event of non-compliance with the conditions and provisions upon which they were granted.

7- Except for the crimes stipulated in Articles (122), (123), and (124) of this Law, an administrative fine not exceeding ten thousand dinars may be imposed provided that the severity of the violation, the apparent negligence of the violator, the benefits gained, and the damage caused to others as a result shall be taken into account. The fine shall be collected through the prescribed methods for collecting the amounts due to the state.

**Article Two**

The title of Article (133) of the Civil Aviation Law, promulgated by Law No. (14) of 2013 shall be replaced with the following:

(Fees and Charges for Services).

**Article Three**

The phrase (National Aircrafts Registry) shall be replaced by the phrases (National Aircrafts Registration Registry) and (National Aviation Registry) wherever they appear in the Civil Aviation Law promulgated by Law No. (14) of 2013.

**Article Four**

The following definitions shall be added to Article (1) of the Civil Aviation Law promulgated by Law No.(14) of 2013 as follows:

**Serious Incident**: An incident whose circumstances indicate that there is a significant risk of an accident related to the operation of the aircraft.

**Aerial Operations:** All aerial activities except for passenger and cargo transportation, such as fire fighting, agricultural spraying, aerial photography and aerial advertising.

**Aerial Easement Rights:** Rights placed on properties and adjacent lands to airports for the purpose of ensuring aviation safety.

**National Air Transport Facilitation Program:** A program that outlines measures and procedures to be followed by the relevant authorities in the State to achieve compliance with the standard rules and recommended practices of the Ninth Annex to the Chicago Convention of 1944. Its goal is to avoid unnecessary obstacles and unjustified delays to facilitate the movement of aircraft, crews, passengers, cargo and mail.

**Unmanned Aircrafts:** An aircraft designed for operation without a pilot on board, controlled remotely by a pilot using any remote control means.

**Article Five**

A new clause No. (c) shall be added to paragraph (1) of Article (3), and a new paragraph No. (3) shall be added to Article (56), and a new paragraph No. (5) shall be added to Article (91) and new clauses No. (e), (f), and (g) shall be added to paragraph No. (3) of Article (122), and a new paragraph No. (3) shall be added to Article (133),and a new paragraph No. (3) shall be added to Article (139) of the Civil Aviation Law promulgated by Law No. (14) of 2013 and new articles shall be added to the same Law under the numbers (32) bis, (50) bis, and (90) bis with the following texts:

**Article (3) Paragraph (1) Clause (c):**

c- Any aircraft registered in a foreign country and operated or maintained by a Bahraini national service provider under a lease, exchange, or any similar agreement stipulated between the State and the state of registration of the aircraft.

**Article (56), Paragraph (3):**

3- Without prejudice to the provisions of paragraph (1) of this Article, the Civil Aviation Affairs may grant licenses to third parties to carry out in all or part of air navigation services in accordance with the conditions and procedures specified by them.

**Article (91), Paragraph (5):**

5 - Anyone who witnesses an aircraft accident within the State's territory shall immediately notify the Civil Aviation Affairs by any possible means.

**Article (122) Paragraphs (2), clauses No. (e), (f), and (g):**

e- Disclosing confidential information related to the safety and security of aviation.

f- Photographing civil aviation facilities and installations related to aviation safety and security, as indicated by what prohibits their photography without permission from the Civil Aviation Affairs.

g- Operating unmanned aircrafts without authorization or license from the Civil Aviation Affairs.

**Article (122), Paragraph (3):**

3- Whoever uses laser beams or any devices or electronic programs against aircraft during take-off or landing phases that jeopardize their safety shall be considered a perpetrator of a crime.

**Article (133), Paragraph (3):**

3- All providers of aviation services at licensed airports shall obtain the approval of the Civil Aviation Affairs for the charges of their services.

**Article (139), Paragraph (3):**

3- Whoever commits any of the acts stipulated in paragraph (3) of Article (122) of this Law shall be punished with imprisonment and a fine of not less than three thousand dinars and not exceeding one hundred thousand dinars. If the act results in the destruction of an aircraft, aviation facilities or structures, the penalty shall be intensified to life imprisonment. The punishment of death or life imprisonment shall be imposed if the act results in the death of one or more persons.

**Article (32) bis:**

**Facilities Provisions**

1- The Civil Aviation Authority, in coordination with the competent authorities in the State, airport operators and airline operators, shall issue the National Air Transport Facilitation Program, approve its amendments and work on reviewing, updating, and developing it, as well as determining the responsibilities of all parties involved in its implementation.

2- A national committee for air transport facilities shall be established. Its formation and determination of its powers, membership and controls of its convening shall be issued by a decision of the Prime Minister.

3- A facilities committee shall be established at each international airport, and its responsibilities and work procedures shall be determined in coordination with the National Air Transport Facilitation Committee.

**Article (50) bis:**

**Aircrafts Not Subject to Precautionary Seizure**

1-The precautionary seizure means any act whereby the aircraft is prevented from taking off, based on a judicial order issued by a competent authority within the State, taking into account the special interest of the creditor, the owner or the holder of the right in rem on the aircraft.

2-The precautionary seizure shall not be signed on the following:

a- Aircrafts designated for the service of the state.

b- Aircrafts actually and permanently used on a regular air route, as well as reserve aircrafts for the operation of this route.

c- Every other aircraft intended for the transport of persons or property for a fee whenever it is about to take off for such transport, except in the case where the matter relates to a debt that has arisen due to the flight that the aircraft will undertake or that has arisen through the flight.

**Article (90) bis:**

Except for aircraft accidents and serious incidents, the concerned directorates within the Civil Aviation Affairs shall undertake, each within their respective domain, the investigation into any aircraft incident and submit their investigation reports on the findings to the Undersecretary for Civil Aviation Affairs.

**Article Six**

The Prime Minister and the ministers- each within his jurisdiction- shall implement the provisions of this Law, and it shall come into force from the day following the date of its publication in the Official Gazette.

**King of the Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

issued in Riffa Palace:

On: 20 Rajab 1443 A.H.

Corresponding to: 21 February 2022