

GEN 1.6 Summary of national regulations and international agreements / conventions

1.6.1 International agreements / conventions

1.6.1.1 International agreements and conventions ratified by the UAE are incorporated in Federal Decrees. Copies of decrees are available in Arabic language from the Ministry of Justice.

1.6.2 Summary of national regulations

1.6.2.1 Aviation operations are to be conducted in accordance with UAE law. Detailed list of ordinances may be obtained from the Director General of Civil Aviation.

1.6.2.2 Civil Aviation Law

1.6.2.2.1 The provisions of Civil Aviation law shall apply in respect of:

- a. Civil aviation in the territory of the state;
- b. Civil aircraft registered in the state, wherever they may be, subject to the laws of any foreign state in which they are operating;
- c. Civil airports in the state, including all technical activities such as air traffic control and the installation, operation and maintenance of communications equipment, navigation aids, meteorology etc, and;
- d. Air transport in general.

1.6.2.2.2 The following terms used in this AIP are defined by Civil Aviation law:

- a. Competent Authority - The General Civil Aviation Authority is the competent authority.
- b. Appropriate authority - The concerned authorities of the respective Emirates.

1.6.2.3 Civil Aviation Regulations

The sections of the UAE national Civil Aviation Regulations are available on the GCAA website (<https://www.gcaa.gov.ae>), under Publications > Civil Aviation Regulations (CARs).

To subscribe to the GCAA E-publications, individuals or organizations will have to access the GCAA website under Services > E-Publication Subscription link and follow the process.

All guidance is available in the link once you visit the page.

For any clarification, contact P&R@gcaa.gov.ae.

1.6.3 Recognition of foreign licences

1.6.3.1 Subject to conditions specified in CAR-PART II FLIGHT CREW LICENSING CAR-FCL, Appendix 11 the holder of a foreign licence may be granted reciprocal recognition provided;

- a. The foreign country is an ICAO contracting state, and;
- b. Foreign CAA verifying the details of the foreign licence, and
- c. The licence and the medical certificate are current and valid, and
- d. The applicant passes the required written examination, and
- e. Only one foreign licence is used as the basis for recognition, and
- f. Meet the English Language Proficiency requirements for pilots and Air Traffic Controllers, and
- g. Meet the age requirements

1.6.3.2 The following foreign licenses are eligible for reciprocal recognition:

- a. Private pilot (Aeroplane & Helicopter)
- b. Commercial pilot (Aeroplane & Helicopter)
- c. Airline transport pilot (Aeroplane & Helicopter)
- d. Flight Engineer (Aeroplane & Helicopter)
- e. Balloon pilot licence
- f. Cabin Crew
- g. Air Traffic Controller
- h. Flight Dispatcher

1.6.3.3 Complete details are published in CAR-PART II FLIGHT CREW LICENSING CAR-FCL, Appendix 11 .

1.6.4 Minimum insurance requirements in the UAE

1.6.4.1 Applicability

1.6.4.1.1 The Minimum insurance requirements specified in this section shall apply to all UAE and foreign aircraft operators (including private operators) flying within, into, out of, or over the territory of the UAE.

1.6.4.1.2 Aircraft operators shall ensure a proper minimum level of insurance as reviewed by the ICAO by reference to the inflation factor that corresponds to the accumulated rate of inflation since the date of entry into force of the Montreal Convention which the UAE is one of the State parties.

1.6.4.1.3 The current requirements shall not apply to:

- a. State aircraft as referred to in Article 3(b) of the Convention on International Civil Aviation, signed at Chicago on 07 DEC 1944;
- b. model aircraft with a MTOM of 25 KG or less;
- c. aircraft qualified as light sport aircraft and falling under CAR PART II;
- d. kites;
- e. parachutes (including parascending parachutes);

1.6.4.2 Background

1.6.4.2.1 The UAE ratified the Convention for the unification of certain rules relating to International Carriage by Air, agreed at Montreal on 28 MAY 1999 (Montreal Convention), which lays down new rules on liability in respect of the international carriage by air of persons, baggage and cargo. These rules are expected to replace those of the Warsaw Convention of 1929 and its subsequent amendments.

1.6.4.2.2 Article 50 of the Montreal Convention requires State parties to ensure that air carriers are adequately insured to cover liability under that Convention. Warsaw Convention of 1929 and its subsequent amendments will continue to exist alongside the Montreal Convention for an indefinite period. Both Conventions provide for the possibility of unlimited liability.

1.6.4.2.3 Article 7(6) of Federal Law (20) of 1991 establishing the UAE Civil Aviation law requires aircraft operators to be insured to cover liability in case of accidents, in particular in respect of passengers, baggage, cargo, mail and third parties, albeit without specifying minimum amounts and conditions of insurance.

1.6.4.2.4 It is, then, necessary to define minimum insurance requirements to cover passengers, baggage, cargo and third parties for aircraft operators flying within, into, out of, or over the territory of the UAE, including its territorial waters.

1.6.4.3 Definitions

- a. 'Aircraft operator' means an operator undertaking an air transport activity with a valid Air Operator Certificate or equivalent document;
- b. 'UAE aircraft operator' means an operator undertaking an air transport activity with a valid Air Operator Certificate or equivalent document granted by GCAA in accordance with applicable CAR-OPS;
- c. 'Foreign aircraft operator' means an operator undertaking an air transport activity with a valid Air Operator Certificate or equivalent document granted by a State other than UAE;
- d. 'Flight' means:
 - i. with regard to passengers and unchecked baggage, the period of transport of the passengers by aircraft including their boarding and disembarkation,
 - ii. with regard to cargo and checked baggage, the period of transport of baggage and cargo from the moment the baggage or cargo is handed to the air carrier until the moment of delivery to the entitled recipient,
 - iii. with regard to third parties, the use of an aircraft from the moment when power is applied to its engines for the purpose of taxiing or actual take-off until the moment when it is on the surface and its engines have come to a complete stop; additionally, it shall mean the moving of an aircraft by towing and push-back vehicles or by powers which are typical for the drive and the lift of aircraft, particularly air streams;
- e. 'SDR' means a Special Drawing Right as defined by the International Monetary Fund;
- f. 'MTOM' means the Maximum Take Off Mass, which corresponds to a certified amount specific to all aircraft types, as stated in the certificate of airworthiness of the aircraft;
- g. 'Passenger' means any person who is on a flight with the consent of the air carrier or the aircraft operator, excluding on-duty members of both the flight crew and the cabin crew;
- h. 'Third party' means any legal or natural person, excluding passengers and on-duty members of both the flight crew and the cabin crew;
- i. 'Commercial operation' means an operation for remuneration and/or hire.

1.6.4.4 Principles of insurance

- a. Aircraft operators referred to in the [GEN 1.6.4.1](#) section shall be insured in respect of passengers, baggage, cargo and third parties and shall ensure that their insurance cover is equal to or higher than the latest limits of liability prescribed in [GEN 1.6.4.7](#) and in the Montreal Convention of 1999, published on the ICAO website.
- b. The insured risks shall include acts of war, terrorism, hijacking, acts of sabotage, unlawful seizure of aircraft and civil commotion.
- c. The aircraft operators referred to in the [GEN 1.6.4.1](#) section shall:
 - i. ensure that any insurance certificate or other evidence of valid insurance first issued, amended, or renewed to comply with the requirements includes a declaration indicating that the minimum insurance values prescribed are complied with;
 - ii. ensure that a copy of the insurance certificate or other evidence of valid insurance is carried on board the aircraft;
 - iii. demonstrate compliance with the insurance requirements by submitting to the GCAA an insurance certificate or other evidence of valid insurance; and
 - iv. notify the GCAA of any change to their insurance coverage that may impact their level of compliance.
- d. The requirements prescribed in paragraphs (iii) and (iv) above do not apply to foreign aircraft operators.

1.6.4.5 Enforcement and Sanctions

- a. Sanctions for infringement of the requirements prescribed in this section:
 - i. shall be those stated in the Federal Act No. 20 of 1991 and applicable Civil Aviation Regulations for all aircraft operators; and
 - ii. with regards to foreign aircraft operators using aircraft registered outside the UAE, the sanctions may include refusal of the right to fly over or land in the territory of the UAE.
- b. Where the GCAA is not satisfied that the conditions of this section are met, the GCAA may not allow an aircraft to take off, before the aircraft operator has produced evidence of adequate insurance cover in accordance with this section.

1.6.4.6 Amendment of minimum insurance cover

In the event of a discrepancy between the values prescribed in this section and those prescribed by the Montreal Convention, the values prescribed by the Montreal Convention shall apply. It is the aircraft operator's responsibility to establish a robust system to ensure compliance with the latest minimum insurance cover as adopted by ICAO.

1.6.4.7 Minimum insurance values

1.6.4.7.1 Insurance in respect of liability for passengers, baggage and cargo

1.6.4.7.1.1 For liability in respect of passengers, the minimum insurance cover shall be 250,000 SDRs per passenger. However, in respect of non-commercial operations by aircraft with a MTOM of 2,700 KG or less, the GCAA may accept a lower level of minimum insurance cover, provided that such cover is at least 128,821 SDRs per passenger.

1.6.4.7.1.2 For liability in respect of baggage, the minimum insurance cover shall be 1,288 SDRs per passenger in commercial operations. For liability in respect of cargo, the minimum insurance cover shall be 22 SDRs per KG in commercial operations.

1.6.4.7.1.3 Section [GEN 1.6.4.7.1](#) shall not apply with respect to flights over the territory of the UAE carried out by non-UAE aircraft operators using aircraft registered outside the UAE which do not involve a landing on, or take-off from, the territory of the UAE.

1.6.4.7.2 Insurance in respect of liability for third parties

1.6.4.7.2.1 In respect of liability for third parties, the minimum insurance cover per accident, for each and every aircraft, shall be:

Category	Aircraft Mass (MTOM-KG)	Minimum Insurance Coverage-SDRs
1	MTOM ≤ 500	750,000
2	500 < MTOM ≤ 1,000	1,500,000
3	1,000 < MTOM ≤ 2,700	3,000,000
4	2,700 < MTOM ≤ 6,000	7,000,000
5	6,000 < MTOM ≤ 12,000	18,000,000
6	12,000 < MTOM ≤ 25,000	80,000,000
7	25,000 < MTOM ≤ 50,000	150,000,000
8	50,000 < MTOM ≤ 200,000	300,000,000
9	200,000 < MTOM ≤ 500,000	500,000,000
10	MTOM > 500,000	700,000,000

1.6.4.7.2.2 The minimum insurance values prescribed are applicable to aircraft operations in the territory of the UAE airspace.

1.6.4.7.2.3 If at any time insurance cover for damage to third parties due to risks of war or terrorism is not available to any aircraft operator on a per-accident basis, such aircraft operator may satisfy its obligation to insure such risks by insuring on an aggregate basis. The GCAA will closely monitor the application of this provision to ensure that such aggregate is at least equivalent to the relevant amount set out in the table.

1.6.4.8 Contacts for further information

- Aircraft Operators holding an AOC or equivalent authorization issued by the GCAA: airworthiness@gcaa.gov.ae
- Aircraft Operators holding an AOC or equivalent authorization issued by a foreign state: foa@gcaa.gov.ae

1.6.5 Substance Abuse

1.6.5.1 With reference to CAR PART IV, CAR-FOR - FOREIGN OPERATORS REGULATION (FOR) and Safety Decision 2018-02, no person shall act as a crew member under the influence of any substance which may impair his/her capacity to effectively perform his/her duties. In all circumstances, he/she shall not use any such substance while on duty.

1.6.5.2 A crew member can be subject to substances testing at any time whilst on duty within the UAE.

1.6.5.3 Any positive test or refusal to be tested shall be subject to actions stated under CAR PART IV, CAR-FOR - FOREIGN OPERATORS REGULATION (FOR) FOR.GEN.025.

1.6.5.4 A crew member is considered to be acceptable to the GCAA if:

1. The crew member has not consumed alcohol 12 hours prior to the specified reporting time for flight duty or the commencement of standby;
2. The crew member has not commenced a flight duty period with a blood alcohol level in excess of 0.2 promille;
3. The crew member has not consumed alcohol during the flight duty period or whilst on standby.

1.6.5.5 For queries or any additional information regarding tests, please contact: foa@gcaa.gov.ae.