CAR-FRO

OPERATIONS UNDER THE 7TH FREEDOM TRAFFIC RIGHTS

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FOREWORD

(a) This Civil Aviation Regulations – Operations under 7th Freedom Traffic Rights (CAR-FRO) is developed by the General Civil Aviation Authority (GCAA) of the United Arab Emirates (UAE) pursuant to the provisions of the UAE Civil Aviation Law and in conformity with the Chicago Convention and related Annexes.

(b) All operators and organisations under the purview of this regulation shall comply with the provisions therein to ensure the safe conduct of aircraft operations, unless otherwise approved by the GCAA.

(c) This document will be revised and updated as and when necessary. Depending on the nature, impact and size of the amendment, the GCAA may decide to consult the industry through a Notice of Proposed Amendment (NPA) process.

(d) This regulation prescribes the requirements for air operators intending to operate under 7th freedom traffic rights whether these operators are:

(1) UAE air operators intending to establish a base of operations in a foreign state with whom the UAE has an Air Services Agreement (ASA) that includes 7th freedom traffic rights or a Memorandum of Understanding (MoU) or other arrangement to this effect; or

(2) Foreign designated air operators from a foreign state with whom the UAE has an ASA that includes 7th freedom traffic rights or an MoU or other arrangement to this effect and intending to establish a base of operation in the UAE.

(e) Acceptance of all designations of foreign operators remains subject to the relevant ASA, MoU, or other arrangement as well as compliance with the policy of the Government of the UAE, safety, and security requirements.

Record of Amendments

Issue	Date of Issue	Date of Applicability
Issue 01	31st July 2023	1st of September 2023

Summary of Changes

Initial Issue

PART 1: DEFINITIONS AND ABBREVIATIONS

FRO.DEF.001 Definitions

For the purpose of this regulation, the following definitions shall apply**:**

7th Freedom Traffic Rights: The right or privilege, in respect of scheduled international air services, granted by one State to another State, of transporting traffic between the territory of the granting State and any third State with no requirement to include on such operation any point in the territory of the recipient State, i.e the service need not connect to or be an extension of any service to/from the home State of the carrier.

Foreign Competent Authority: The concerned Aeronautical Authority of the Foreign State.

Basing operations: The utilization of 7th freedom traffic rights by an air operator in a state other than their state of operator.

Specified Route: A specific defined route which has predetermined stopping points at which passengers and/or cargo may be embarked or disembarked.

Designated Air Operator: An airline or airlines duly designated and authorized according to the Air Services Agreement, a Memorandum of Understanding or other arrangement between two states.

GM to FRO.DEF.001 Definitions

Aviation Security (AVSEC), definitions are provided in Civil Aviation Regulation (CAR Part VII) – AVSEC, UAE National Civil Aviation Security Programme (NCASP).

FRO.DEF.005 Abbreviations

UAE	The United Arab Emirates
AOC	Air Operator Certificate
NCASP	National Civil Aviation Security Programme
AVSEC	Aviation Security
OPS SPECS	Operations Specifications
AOSP	Aircraft Operator Security Programme
NOC	No Objection Certificate
MoU	Memorandum of Understanding
GCAA	The General Civil Aviation Authority
NCASQCP	National Civil Aviation Security Quality Control Programme
PSMP	Psychoactive Substances Management Programme
ASA	Air Services Agreement
SMS	Safety Management System
NPA	Notice of Proposed Amendment
CAR	Civil Aviation Regulation
SRA	Safety Risk Assessment
SAFA	Safety Assessment of Foreign Aircraft
AMC	Acceptable Means of Compliance
GM	Guidance Material

PART 2: OPERATION REQUIREMENTS

SUBPART 1: BASING OPERATIONS OF UAE AIR OPERATORS IN A FOREIGN STATE

FRO.OPN.001 Applicability

This subpart applies to UAE air operators basing their operations in a foreign state.

FRO.OPN.005 Pre-Requisites

(a) The UAE air operator shall have a valid Air Operator Certificate (AOC) issued by the UAE GCAA.

(b) The air operator shall be designated by the GCAA and accepted by the foreign State.

(c) There shall be an ASA or an MoU or other arrangement which includes 7th freedom traffic rights between the UAE and the foreign State to this effect.

(d) An AVSEC Risk Assessment conducted by the GCAA in coordination with the UAE Air operator shall be undertaken to verify the feasibility of any such operation.

GM to FRO.OPN.005 (b) Pre-Requisites

Prior to the process of reviewing compliance with the requirements, the applicant should submit a letter of Intent to the GCAA including the specified routes. The GCAA will request a preliminary approval or No Objection Certificate (NOC) from the foreign State.

GM to FRO.OPN.005 (d) Pre-Requisites

Without prejudice to additional requirements of the foreign state, and, if required by the foreign state, a formal letter may be issued by the GCAA stating that UAE Aircraft Operator Security Programme (AOSP) meets the requirements of UAE NCASP and other requirements.

FRO.OPN.010 Application

(a) Once the agreement/ no objection is obtained from the foreign state, an application request shall be submitted to the GCAA Flight Operations Department at least 60 days prior to the date of the intended operation.

(b) The application shall be supported with a compliance matrix.

(c) Management of change plan shall be provided to the GCAA to identify external and internal changes that may have an adverse effect on safety. The plan shall include a Safety Risk Assessment (SRA) pertaining to the intended operation.

AMC to FRO.OPN.010 (b) Application

(a) The compliance matrix is intended to capture the provisions of CARs which needs to be stressed upon as a result of basing operation in a foreign state.

(b) Additional requirements may be determined during the review process.

AMC to FRO.OPN.010 (c) Application

The management of change plan should also include:

(a) compliance monitoring programme (audits and inspections) pertaining to the intended operation.
(b) ensuring availability of appropriate ground handling facilities.
(c) arranging operational support facilities appropriate for the area and type of operation.
(d) ensuring availability of maintenance support in accordance with CAR 145 requirements.
(e) ensuring availability of sufficient office accommodation for personnel whose actions may affect the safety of flight operations.
(f) ensuring implementation of the Psychoactive Substances Management Programme (PSMP) in accordance with CAR-PSMP.
(g) how Safety Management System (SMS) interface is achieved with the base of operation in the foreign state.

Note: In case a need arises for pilots to undergo medical examinations in relation to their licences in a foreign state, the Aeromedical Examiners and/or Aeromedical Centres shall be approved by the GCAA.

FRO.OPN.015 Additional Requirements

The air operator shall:

(a) Appoint and communicate to GCAA the contact details of the company focal point with regard to the operation in the foreign base.

(b) Establish, and maintain written supplementary station procedures that meet the requirements of the foreign state's NCASP, if required by the foreign state.

(c) Implement AVSEC requirements from the UAE CAR Part VII, NCASP, Security Directives, GCAA Security Instructions and other relevant requirements.

GM to FRO.OPN.015 (c) Additional Requirements

Additional security measures may be required, depending on the reports received from other federal entities as well as the AVSEC Risk Assessment by GCAA.

FRO.OPN.020 Issuance of Authorisation to Base Operations in a Foreign State

(a) Upon satisfactory review of the application, the GCAA shall follow up on the communications made with the foreign state and reconfirm the intention and the satisfactory review from its side.

(b) The GCAA may perform an on-site audit to verify the suitability of the arrangements and compliance with this regulation.

(c) Upon receiving a confirmation from the foreign state, the GCAA shall issue an authorisation to base operations in the foreign state. The authorisation is issued by means of reflecting it in the Operations Specifications (OPS SPECS).

GM to FRO.OPN.020 (a) Issuance of Authorisation to Base Operations in a Foreign State

The foreign state may prescribe additional requirements that shall be complied with by the UAE air operator.

FRO.OPN.025 Inspections and Audits

(a) The GCAA shall perform safety audits on the foreign base of operation.

(b) AVSEC Affairs Sector shall perform audits, inspections on foreign bases in accordance with NCASP, National Civil Aviation Security Quality Control Programme (NCASQCP) and other national requirements as per the agreement with the foreign state.

FRO.OPN.030 Revocation, Suspension and Limitation

The GCAA shall suspend, revoke or limit an authorisation issued for UAE air operators if the conditions for the authorisation are not satisfied**.**

SUBPART 2: BASING OPERATIONS OF FOREIGN DESIGNATED AIR OPERATORS IN THE UAE

FRO.OPF.001 Applicability

This subpart applies to foreign designated air operators basing their operations in the UAE.

FRO.OPF.005 Pre-Requisites

(a) The foreign designated air operator shall have a valid AOC issued by the State with which the UAE has an ASA and MoU or other arrangement that includes 7th freedom traffic rights.

(b) The foreign state shall provide a Letter from the foreign state specifying and detailing the specific routes, its oversight responsibilities pertaining to the intended operation and confirming that the designated air operator's AOSP meets the requirements of the concerned State's NCASP.

(c) If there is no objection from the local civil aviation authority of the concerned Emirate, the local civil aviation authority shall issue a NOC specifying the route(s) accepted.

(d) AVSEC Risk assessment shall be carried out by the GCAA AVSEC Affairs Sector in coordination with other federal entities prior to processing the application.

FRO.OPF.010 Application

(a) Foreign air operators applying for basing operations in the UAE shall submit an application letter including specified routes and shall append the Basing Operations Application Form No. FAF-VII-001.

(b) Subject to a satisfactory review, the GCAA shall issue an authorisation to the applicant.

FRO.OPF.015 Validity of GCAA Authorisations to Foreign Operators

(a) The authorisation issued by the GCAA to a foreign air operator is valid for a period of 2 years. It is renewable and subject to continued compliance with this regulation.

(b) A NOC from the local authority of civil aviation of the concerned Emirate is required for renewal.

(c) Security clearance is required for renewal.

FRO.OPF.020 Inspection & Audits

(a) Oversight responsibility shall remain with the foreign state of the operator, unless otherwise agreed between the GCAA and the foreign state of operator.

(b) The GCAA shall carry out SAFA inspections on the foreign operator.

(c) Aviation Security audits shall be carried out by the GCAA AVSEC Affairs Sector in accordance with the UAE NCASP, NCASQCP and other requirements.

(d) The foreign state can also conduct aviation security assessments in agreement with GCAA.

FRO.OPF.025 Revocation, Suspension & Limitation

The GCAA shall limit, suspend, or revoke an authorisation issued for foreign air operators in case the conditions of authorisation are not maintained.