



Part 129

Operations: Foreign Air Carriers and Foreign Operators of Egyptian Registered Aircraft Engaged in Common Carriage

**TABLE OF
CONTENTS**

ITEM	TITLE
<u>PART 129</u>	<u>Operations: Foreign Air Carriers and Foreign Operators of Egyptian Registered Aircraft Engaged in Common Carriage</u>
<u>129.1</u>	Applicability
<u>129.2</u>	Definitions
<u>129.3</u>	Inspection authorization
<u>129.4</u>	Requirement For A Validation of AOC
<u>129.5</u>	Airworthiness and registration certificates
<u>129.6</u>	Issue, Suspension Or Revocation Of Aoc Validation
<u>129.7</u>	Maintenance program and minimum equipment list requirements for Egyptian registered aircraft
<u>129.9</u>	Cockpit crewmember certificates
<u>129.11</u>	Radio equipment
<u>129.13</u>	ACAS II requirement
<u>129.15</u>	Air traffic rules and procedures
<u>129.17</u>	Control of traffic
129.19	[Reserved]
<u>129.21</u>	Aircraft security program
<u>129.23</u>	Carriage of dangerous goods
<u>129.25</u>	Prohibition against carriage of weapons
<u>129.27</u>	Prohibition against smoking
<u>129.28</u>	Flight deck security
<u>129.29</u>	Foreign air carrier traffic rights

PART 129
Operations: Foreign Air Carriers and Foreign Operators of Egyptian Registered Aircraft Engaged in Common Carriage

129.1 Applicability

- (a) Except as provided in paragraph (b) of this section, this Part prescribes rules governing the operation within the Arab Republic of Egypt of each foreign air carrier holding a permit issued by the ECAA.
- (b) Section 129.7(b) applies to Egyptian registered aircraft operated in common carriage by a foreign person or foreign air carrier solely outside the Arab Republic of Egypt. For the purpose of this Part, a foreign person is any person, not a citizen for the Arab Republic of Egypt, who operates an Egyptian registered aircraft in common carriage solely outside the Arab Republic of Egypt.

129.2 Definitions

For this part, the following definitions shall apply:

- (a) **Foreign air operator:** Any operator, not being an air operator holding an Air Operator Certificate issued by ECAA , which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of ARE, whether on a scheduled or charter basis.
- (b) **Foreign Authority:** The civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator.
- (c) **Validation of Air Operator Certificate (VAOC):** Document issued by ECAA in accordance with Part 129.

129.3 Inspection authorization

- (a) Subject to the Convention on International Civil Aviation, a foreign air operator shall ensure that any inspector authorized by the ECAA will be permitted at any time, without prior notice, to board any aircraft within ARE operated for commercial air transportation, to inspect the documents and manuals and to perform inspections to ensure compliance with these regulations.
- (b) When ECAA identifies a case of non-compliance or suspected non-compliance by a foreign operator with laws, regulations and procedures applicable within Egypt , or a similar serious safety issue with that operator, ECAA shall immediately notify the operator and, if the issue warrants it, the State of the Operator. When the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
- (c) In the case of notification to states as specified above, if the issue and its resolution warrant it, ECAA shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.
- (d) ECAA shall establish a program with procedures for the surveillance of operations in Egypt by a foreign operator for taking appropriate action when necessary to preserve safety.

129.4 Requirement for a Validation of AOC

An operator shall not perform an operation to which this Part applies except under and in accordance with ministerial decree and an air operator certificate that has been validated under this Part.

129.5 Airworthiness and registration certificates

- (a) No foreign air carrier may operate any aircraft within the Arab Republic of Egypt unless that aircraft carries a current registration certificate and displays the nationality and registration markings of the State of Registry, and an airworthiness certificate issued or validated by:
 - (1) The State of Registry; or
 - (2) The State of the Operator, provided that the State of the Operator and the State of Registry have entered into an agreement under Article 83bis of the Convention on International Civil Aviation that covers the aircraft . In this case,

the aircraft shall carry certified true copy of this agreement.

- (b) No foreign air carrier may operate a foreign aircraft within the Arab Republic of Egypt except in accordance with the limitations of the maximum certificate weights prescribed for that aircraft and that operation by the country of manufacture of the aircraft.

129.6 Issue, Suspension or Revocation of AOC Validation

(a) General:

- (1) Subject to item (2) of this section, a Validation of Air Operator Certificate remains in force as long as the Air Operator Certificate on which it is based remains valid or until it is suspended or revoked by the President of ECAA.
 - (2) A Validation of Air Operator Certificate shall expire immediately at the end of the twelfth month following the last air transport operation in The Arab Republic of Egypt to which the validation applies.
 - (3) The holder of a Validation of Air Operator Certificate that expires or is suspended or revoked shall forthwith return the validation to the president of ECAA.
 - (4) A foreign air carrier or foreign person applying to the ECAA for validation of air operator certificate under this part must submit an application:
 - (i) In a form and manner prescribed by the ECAA; and
 - (ii) At least 90 days before the intended date of operation for operators intend to start after 1 July, 2013 and within 3 months for existed operators.
- (b) Validation of Air Operator Certificate:
- (1) A Validation of Air Operator Certificate shall contain:
 - (i) The operator's full name;
 - (ii) The date of issue, expire and term of the air operator certificate;
 - (iii) Aircraft used by type and registration
 - (iv) The operator's business address and contact details for operational management;
 - (v) Airports authorized to be used
 - (vi) The operator's ARE business address and contact details; (vii) any limitations;
 - (viii) A statement that the Validation is issued on the basis of an AOC that is in effect and that any changes to the original AOC or related conditions or limitations affecting operations by the operator in ARE must be notified by the operator in writing to ECAA within 30 days of such a change;
 - (ix) A statement that the Validation ceases to have effect immediately upon the expiry, suspension, revocation, cancellation or any similar action in respect of the air operator certificate.
 - (2) Conditions imposed on an operator by the operations specifications of an Air Operator Certificate issued by the State of the Operator are also conditions of the Validation of Air Operator Certificate issued by ECAA.
- (c) Exemptions in the case of equivalent standards:
- (1) ECAA may exempt the operator of an aircraft engaged in operations under an Air Operator Certificate from compliance with a provision of this Part in respect of the aircraft only if:
 - (i) ECAA is satisfied that, under the operator's air operator certificate, the operator is required to comply with an equivalent provision of no less a standard in respect of the safe operation of the aircraft than the provision of this Part from which an exemption is sought; and
 - (ii) The operation is conducted on an infrequent, non-scheduled basis.
- (d) Compliance
- (1) A foreign air operator shall not operate an aircraft in commercial air transportation operations contrary to the requirements of :
 - (i) Part 129;
 - (ii) Applicable paragraphs of ECAR Part 91;
 - (iii) The foreign AOC issued to that operator;
 - (iv) The Validation of Air Operator Certificate;
 - (v) The rules of the state of registry of the aircraft and the state of the operator that give effect to the Standards and Recommended Practices contained in Annexes 1, 6,7,8,16 and 18 to the Chicago Convention.

- (2) Despite paragraph (1) v), if a requirement of these Regulations is more stringent than the comparable requirement of a rule of the state of registry or the state of the operator mentioned in that paragraph, the requirement of these Regulations applies.
- (e) Continued Validity of Operations Specifications
 - (1) A foreign air operator shall, when conducting operations in and to ARE, ensure that it complies at all times with the requirements of:
 - (i) Its Operations Specifications;
 - (ii) Its approved Aircraft Operator Security Programme; and
 - (iii) The security requirements for aircraft operators operating in ARE.

129.7 Maintenance program and minimum equipment list requirements for Egyptian registered aircraft

- (a) Each foreign air carrier and each foreign person operating an Egyptian registered aircraft within or outside the Arab Republic of Egypt in common carriage shall ensure that each aircraft is maintained in accordance with a program approved by the ECAA.
- (b) No foreign air carrier or foreign person may operate an Egyptian registered aircraft with inoperable instruments or equipment unless the following conditions are met:
 - (1) A master minimum equipment list exists for the aircraft type;
 - (2) The foreign operator submits for review and approval its aircraft minimum equipment list based on the master minimum equipment list, to the ECAA. The foreign operator must show, before the minimum equipment list approval can be obtained, that the maintenance procedures used under its maintenance program are adequate to support the use of its minimum equipment list;
 - (3) For leased aircraft maintained and operated under the Egyptian operator's continuous airworthiness maintenance program and an ECAA approved minimum equipment list, the foreign operator submits the Egyptian operator's continuous airworthiness maintenance program and approved minimum equipment list to the ECAA for review and evaluation. The foreign operator must show that it is capable of operating under the less or's approved maintenance program and that it is also capable of meeting the maintenance and operational requirements specified in the less or's approved minimum equipment list;
 - (4) The ECAA letter of authorization permitting the operator to use an approved minimum equipment list is carried aboard the aircraft;
 - (5) The approved minimum equipment list provides for the operation of the aircraft with certain instruments and equipment in an inoperable condition;
 - (6) The aircraft records available to the pilot must include an entry describing the inoperable instruments and equipment; and
 - (7) The aircraft is operated under all applicable conditions and limitations contained in the minimum equipment list and the letter authorizing the use of the list.

129.9 Cockpit crewmember certificates

Each person acting as a cockpit crew member must hold a certificate or license that shows the person's ability to perform duties in connection with the operation of the aircraft. The certificate or license must have been issued or rendered valid by:

- (a) The State in which the aircraft is registered; or
- (b) The State of the Operator, provided that the State of the Operator and the State of Registry have entered into an agreement under Article 83bis of the Convention on International Civil Aviation that covers the aircraft . In this case, the aircraft shall carry certified true copy of this agreement.

129.11 Radio equipment

Subject to the applicable laws and regulations governing ownership and operation of radio equipment, each foreign air carrier shall equip its aircraft with such radio equipment as is necessary to properly use the air navigation facilities, to maintain communications with ground stations along or adjacent to their routes in the Arab Republic of Egypt, and to fully comply with applicable ECARs and AIP requirements. These equipment has to be in accordance with radio license issued by the appropriate authority of the state of

registry or the State of the Operator, provided that the State of the Operator and the State of Registry have entered into an agreement under Article 83bis of the Convention on International Civil Aviation that covers the aircraft. In this case, the aircraft shall carry certified true copy of this agreement.

129.13 ACAS II requirement

- (a) After 1 July 2001, no aircraft with a maximum gross takeoff weight of over 15,000 kg or seating over 30 passengers, and no aircraft after 1 January 2003 with a maximum gross takeoff weight of over 5,700 kg or seating over 19 passengers operating shall operate in Egyptian airspace unless it is equipped with Aircraft Collision Avoidance System II (ACAS II) and the appropriate mode S transponder.
- (b) An ACAS II system shall operate in accordance with the relevant provisions of ICAO Annex 10, Volume IV, as amended.

129.15 Air traffic rules and procedures

- (a) Each pilot must be familiar with the applicable rules, the navigational and communications facilities, and the air traffic control and other procedures, of the areas to be traversed by him within the Arab Republic of Egypt.
- (b) Each foreign air carrier shall establish procedures to assure that each of the pilots has the knowledge required by paragraph (a) of this section and shall check the ability of each of its pilots to operate safely according to applicable rules and procedures.
- (c) Each foreign air carrier shall conform to the practices, procedures, and other requirements prescribed by the ECAA for Egyptian air carriers for the areas to be operated in.

129.17 Control of traffic

- (a) Subject to applicable laws and regulations, each foreign air carrier shall furnish the ground personnel necessary to provide for the two-way voice communication between its aircraft and ground stations, at places where the ECAA finds that voice communication is necessary and that communications cannot be maintained in a language with which ground station operators are familiar.
- (b) Each person furnished by a foreign air carrier under paragraph (a) of this section must be able to speak both English and the language necessary to maintain communications with the aircraft concerned, and shall assist ground personnel in directing traffic.

129.19 [Reserved]

129.21 Aircraft security program

- (a) Each foreign air carrier is required to adopt and use a security program acceptable to ECAA. A foreign air carrier's security program is acceptable only if ECAA finds that the security program provides passengers a level of protection similar to the level of protection provided by Egyptian air carriers serving the same airports.
- (b) The security program required by paragraph (a) of this section shall be designed to:
 - (1) Prevent or deter the carriage aboard aircraft of any explosive, incendiary device or a deadly or dangerous weapon on or about each individual's person or accessible property through screening by weapon detecting procedures or facilities;
 - (2) Prohibit unauthorized access to aircraft;
 - (3) Ensure that baggage is accepted by a responsible agent of the foreign air carrier; and prevent cargo and checked baggage from being loaded aboard its aircraft unless handled in accordance with the foreign air carrier's security procedures; and;
 - (4) Each foreign air carrier required to use a security program by paragraph (a) of this section shall upon request of ECAA and in accordance with the applicable law, provide information regarding the implementation and operation of its security program.

129.23 Carriage of dangerous goods

- (a) No person may, while on board an aircraft being operated by a foreign air carrier in

the Arab Republic of Egypt, carry-on or about his person unauthorized dangerous goods.

- (b) No foreign air carrier may knowingly permit any passenger to carry, while aboard an aircraft being operated in the Arab Republic of Egypt by that carrier, in checked baggage, or cargo freight any dangerous goods not complying with the Technical Instructions as amended.

129.25 Prohibition against carriage of weapons

- (a) No person may, while on board an aircraft being operated by a foreign air carrier in the Arab Republic of Egypt, carry-on or about his person a deadly or dangerous weapon, either concealed or unconcealed. This paragraph does not apply to:
- (1) Officials or employees of the country of registry of the aircraft who are authorized by that country to carry arms; and
 - (2) Crewmembers and other persons authorized by the foreign air carrier to carry arms.
- (b) No foreign air carrier may knowingly permit any passenger to carry, while aboard an aircraft being operated in the Arab Republic of Egypt by that carrier, in checked baggage, a deadly or dangerous weapon, unless:
- (1) The passenger has notified the foreign air carrier before checking the baggage that the weapon is in the baggage; and
 - (2) The baggage is carried in an area inaccessible to passengers.

129.27 Prohibition against smoking

No person may smoke and no operator shall permit smoking in the passenger cabin or lavatory during any scheduled airline flight segment in air transportation, which is between any two points within the Arab Republic of Egypt.

129.28 Flight deck security.

- (a) Except for a newly manufactured airplane on a non-revenue delivery flight, no foreign air carrier covered by 129.1(a), may operate:
- (1) A passenger carrying transport category airplane within the ARE , except for over flights, unless the airplane is equipped with a door between the passenger and pilot compartment that incorporates features to restrict the unwanted entry of persons into the flight deck that are operable from the flight deck only; or
 - (2) A transport category all-cargo airplane within the ARE , except for over flights, that has a door installed between the pilot compartment and any other occupied compartment, unless the door incorporates features to restrict the unwanted entry of persons into the flight deck that are operable from the flight deck only.
- (b) No person other than a person who is assigned to perform duty on the flight deck may have a key to the flight deck door that will provide access to the flight deck:
- (1) Except when it is necessary to permit access and egress by persons authorized by the operator's authority, a pilot in command of an airplane that has a lockable flight deck door in accordance with 129.28(a) and that is carrying passengers shall ensure that the door separating the flight crew compartment from the passenger compartment is closed and locked at all times when the airplane is being operated.
 - (2) No person may admit any person to the flight deck of an airplane unless the person being admitted is:
 - (i) A crewmember;
 - (ii) An inspector of the civil aviation authority responsible for oversight of the part 129 operator; or
 - (iii) Any other person authorized by the civil aviation authority responsible for oversight of the part 129 operator.
- (c) The requirements of paragraph (a) and (b), do not apply to transport category passenger carrying airplanes originally type certificated with a maximum passenger seating configuration less than 60, or to all-cargo airplanes with maximum certificated take-off mass of 45 500 kg or less.

129.29 Foreign air carrier traffic rights

Foreign air carriers are not allowed to conduct any domestic flights within Egypt unless authorized by ECAA.