



# Part 607

# Non-scheduled flights regulations

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**SUBPART A**  
**607.1-Applicability**

Applied non-scheduled flights regulations

- (a) These regulations govern the approval of non-scheduled flights by Egyptian Aviation Authority (ECAA) to and from Egypt.
- (b) These regulations apply to the carriage by air of passengers and /or cargo for non-scheduled on international & domestic flights.

## SUBPART B

### 607.3-Definitions

#### (a) **Air carriers**

- (1) **An air carrier** is an enterprise that engages in provision of transportation services by aircraft for remuneration or hire.
- (2) Air carriers can be identified by the type of operations they offer:
  - (i) **A scheduled air carrier** or airline is one that engages mainly in scheduled services (though it may also operate some non-scheduled flights).
  - (ii) **A non-scheduled air carrier** is one whose primary activity is non-scheduled operations;
  - (iii) **A charter carrier** is a non-scheduled air carrier that operates only charter flights.
- (3) An international carrier is one that provides air transport services on routes involving more than one State and that may also operate domestic air services.
- (4) A scheduled international carrier is a carrier authorized to operate scheduled international air services, while a non-scheduled international carrier is one authorized to operate international non-scheduled flights.
- (5) A domestic carrier is one that primarily provides air transport services wholly within the territory of its home state.
- (6) A national carrier is an expression used to refer to an air carrier, established in accordance with the national law of a State, which is usually the only or the principal air carrier of that State in the provision of air transport services including international air services, and which is regarded as a national instrument in air transport.
- (7) A flag carrier is a term often used interchangeably with “national carrier” but more from an international perspective because the aircraft of such carrier usually bears the national flag of the State in the provision of international air services. Note, however, that Article 20 (Display of marks) of the Chicago Convention only requires that aircraft engaged in international air navigation bear its appropriate nationality and registration marks (States generally use letters and numerical numbers for this purpose). Therefore, there is no legal requirement under international law that the aircraft of a national carrier engaged in the operation of international air services must bear the national flag.
- (8) Carriers may be categorized by the type of traffic they transport. Thus:
  - (i) A passenger air carrier is primarily involved in the transportation of passengers by aircraft (although such aircraft may also carry freight);
  - (ii) A cargo air carrier will primarily be involved in the transportation of freight and mail by aircraft.

#### (b) **Aircraft**

- (1) **The nationality of aircraft** is the State of its Registry (see Article 17 of the Convention on International Civil Aviation).

- (2) **Transport aircraft** are aircraft that are designed for the purpose of transporting persons and/or cargo. Commercial transport aircraft are transport aircraft that are used for remuneration or hire.
- (3) **State aircraft** include any aircraft used for military, customs, police or other law enforcement services of a State (see Article 3 of the Convention on International Civil Aviation).
- (4) **Private aircraft** are any non-State aircraft used for non-commercial purposes.
- (5) In the context of economic regulation, aircraft are often categorized according to the type of traffic they are designed to carry:
  - (i) A **passenger aircraft** is an aircraft primarily designed and configured for the transport of persons and their accompanying baggage;
  - (ii) An **all-cargo aircraft** or freighter is an aircraft configured for the carriage of freight only (although persons who accompany certain kinds of cargo, such as livestock or oil rig machinery, may also be carried);
  - (iii) A **combination aircraft** (often referred to as combo aircraft in the airline industry) is a transport aircraft capable of carrying both passengers and cargo on the main deck, often in varied configurations.
  - (iv) Increase their fleet capacity is through leasing;
  - (v) A **leased aircraft** is an aircraft used under a contractual leasing arrangement;
  - (vi) A **wet-leased** aircraft includes a crew;
  - (vii) A **dry-leased** aircraft does not include a crew;
  - (viii) A **damp-leased** aircraft is a term used in some cases to refer to a wet-leased aircraft that includes a cockpit crew but not cabin attendants.

In this connection, the term lessor means the party from which the aircraft is leased and the term lessee is the party to which the aircraft is leased.
- (c) **Air services**
  - (1) **Air service**, in its broadest sense, includes any service performed by aircraft for public transportation, whether on a scheduled or non-scheduled basis. For regulatory purposes, however, the term always has a specific meaning and refers to any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.
  - (2) A **commercial air service** means an air service performed by aircraft for the public transport of passengers, mail or cargo for remuneration or hire.
  - (3) Air services can be classified by the geographical areas they serve, for example:
    - (4) A **domestic air service**, i.e. an air service operated wholly within the territory of a State;
    - (5) An **international air service**, i.e. an air service that passes through the airspace over the territory of more than one State;
  - (6) In economic regulation, air services are often categorized according to the type of traffic carried by the air carrier:
    - (7) A **passenger air service** is an air service performed primarily for the transport of passengers;
    - (8) A **cargo air service** is an air service provided for the public transport of freight and mail;

- (9) **A combination service** refers to one that carries both passengers and cargo on board the same aircraft.
- Air services can also be distinguished by their operational features:
- (i) **A scheduled air service** is typically an air service open to use by the general public and operated according to a published timetable or with such a regular frequency that it constitutes an easily recognizable systematic series of flights;
  - (ii) Conversely, any air service that is performed other than as a scheduled air service is regarded as a non-scheduled operation, including but not limited to charter operations. Note that “non-scheduled” is a public law term, while “charter” is a private law term pertaining to the contract between an air carrier and a charterer (although these two terms have come to be used interchangeably).
  - (iii) In international air transport regulation, air services have been regulated under different regimes depending on whether they are performed on a scheduled or non-scheduled basis a schedule international air service is a series of flights that possesses all of the following characteristics:
    - (A) It passes through the airspace over the territory of more than one State.
    - (B) It is performed by aircraft for the transport of passengers, mail or cargo for remuneration, in such a manner that each flight is open to use by members of the public; and
    - (C) it is operated so as to serve traffic between the same two or more points, either according to a published timetable or with flights so regular or frequent that they constitute a recognizable systematic series.
  - (iv) Any international flight performed other than as a scheduled international air service is a **non-scheduled international flight**.
- (10) **The term air taxi service** can have two meanings:
- (i) A type of on-demand air service usually performed by small capacity aircraft on short notice in a very similar way to an automobile taxi service; or
  - (ii) In some cases, a service operated on a scheduled basis with stops made only at points where passengers and cargo are to be picked up or discharge.

**SUBPART C**  
**607.5- General provisions**

- (a) All flights to/ from or over flying A.R.E territory should be complied with the current A.R.E regulations relating to civil aviation. These regulations correspond in all essentials to the Standards and Recommended Practices on International Civil Aviation.
- (b) Any civilian ACFT performs non-scheduled flights to/ from or over flying or into A.R.E territory must get permission from ECAA early enough prior operation.
- (c) Any Egyptian or foreign carrier must get permission or authorization from Ministry of Civil Aviation (Civil Aviation Authority) before performing any type of air movements or any flights within A.R.E territory.
- (d) Applications for flights from or to or overflying or within A.R.E territory should be submitted to the Head of Central Air Transport Department – Egyptian Civil Aviation Building airport road through authorized agents or companies’ office in A.R.E.
- (e) Aircraft entering into or departing from A.R.E territory must make their first landing at and final departure from an international airport.
- (f) Operators must adhere to ECAA permission.
- (g) Aircraft operators must comply with the following:
  - (1) Terms & restrictions mentioned in authorization issued regarding operation or flying, which allow the right to take passengers or cargo in remuneration
  - (2) Valid air traffic control procedures
  - (3) Local flying restrictions
  - (4) Laws and rules governing immigration.
- (h) Any foreign ACFT is not permitted to carry passengers or cargo or mail for remuneration or hire between two points located in A.R.E.
- (i) The operation of any flight to / from and over flying A.R.E territory is forbidden before receiving the Egyptian Civil Aviation Authority clearance otherwise the ACFT will be intercepted & forced to land and held responsible for any financial consequences and the safety of ACFT will be jeopardized as well as fines & penalties stipulated in the Egyptian laws & legislations.
- (j) Civil Aviation Authority will inspect airlines periodically to make sure the accuracy of implementation of legislations of applicable rules and the issued regulations.

**SUBPART D**  
**607.7- Types of non-scheduled flights**

Non-scheduled flights include the following:-

**(a) Inclusive Tourist Flights (Charter)**

Charter flight means any flight carrying tourist group in accordance with a comprehensive tourist program on condition that the program of each group must include prices of accommodation, air transport, internal transportation, visits as well as name of travel agent organizing the authorized tourist program.

The following rules shall be applied on the charter flights to & from A.R.E operated by Egyptian & foreign airlines.

Permission may be granted to Egyptian & foreign air carriers operating charter tourist flights to carry international tourists without restrictions from any foreign airports to land at all civilian airports in A.R.E territory except Cairo international airport.

Permission may be granted to Egyptian & foreign air carriers operating charter tourist flights carrying international tourists to land at Cairo international airport carrying the same tourist group from the first destination airport in Egypt & back to point of origin.

Permission may be granted to Egyptian & foreign air carriers operating charter tourist flights carrying international tourists to land at Cairo international airport according to rules and resolutions issued in this regard.

Inspectors from Central Air Transport Department at Civil Aviation Authority shall ensure that international departing tourists by charter flights are those who had been arrived within a tourist group. All of this is done according to determined regulations & to make sure that those flights are carrying tourist groups (not individual passengers) according to charter program submitted by air carriers

Requests for inclusive tourist flights to or from A.R.E must be submitted by operators or their authorized agents at least 15 days before operation.

Operations requests for inclusive tourist flights must include the following data:-

- (1) Air carrier's name, address & nationality
- (2) Name, address & nationality of the foreign carrier's organizing flights
- (3) Name, address, TEL & FAX NR of Egyptian air services agent
- (4) Name, address, TEL & FAX NR of Egyptian tourist agent
- (5) Beginning & end date of the program with the price per person
- (6) Copy of the contract between air carrier & travel agent
- (7) Aircraft type
- (8) Capacity & number of passengers
- (9) Lease price of a round trip flight

- (10) Period of operation
- (11) Route / routes
- (12) Operation days
- (13) Flights frequency for each route
- (14) Arrival / departure time in UTC
- (15) Tourist program
- (16) Number of tourist nights per tourist group
- (17) Hotels & different cities list & period of reservations
- (18) Means of internal transportation

The air carrier will not be permitted to sell individual tickets or deal directly with the passengers but through tourist groups within a program including travel & accommodation, in this sequence the Central Administration of Air Transport shall be provided with a model of travel tickets or travel coupon used at the beginning of every operation.

The air carrier is obliged to return tourists groups which are carried to/from A.R.E to the state of origin.

Permission must be obtained from Civil Aviation Authority for any amendment to the approved flight program for the inclusive tourist flights. Passengers are not permitted to be carried except those who had been reserved their seats through the designated tourist agents or concerned air carrier and who paid the total price including air transport, hotel accommodation & ground transportation.

The air carrier is obliged to strictly adhere to limits & conditions of the permission concerning either timing or ACFT types or capacity or routes.

Breaching of the above regulations will subject the air carrier to legal penalties and in case of breaching them again the suspension of his permission will be in terms of discussion.

#### (b) **Public Charter Flights**

Flights rented by a single organization (a person or an organization or governmental entity) and used exclusively for personal use to transport passengers or goods or both of them, leased party will bear the flight cost without sharing of others, either direct or indirect, for example:-

- (1) Charter flights belonging to a designated party (transporting members of federation or club or certain entity)
- (2) Charter flights for a common purpose (attending conference or specific event)
- (3) Charter flights to evacuate citizens
- (4) Charter flights for personal use

Applications must be submitted according to procedures established at least a week before operation, including the following data:-

- (i) Carrier's name & its nationality

- (ii) ACFT type, registration & seats capacity
- (iii) Route / routes
- (iv) Operation days
- (v) Flight frequency.
- (vi) Arrival / departure time in UTC
- (vii) Flight levels in A.R.E FIR
- (viii) Purpose of flight
- (ix) Copy of contract between air carrier & leased party of flight
- (x) Nature of load
- (xi) Nationality & number of passengers
- (xii) Names of passengers on flights less than 10 passengers
- (xiii) Name & address of passengers' representative in A.R.E

**(c) Taxi flights**

Flights which rent their whole payload capacity to a certain entity, operating without timetable & ACFT capacity should not exceed (50 seats) including crew members.

Applications must be submitted at least one week prior operation, including the following data:-

- Carrier's name & nationality
- ACFT type, registration & seats capacity
- Route / routes
- Operation days
- Flights frequency
- Arrival / departure time in UTC
- Flight levels in A.R.E FIR
- Purpose of flight
- Copy of the contract between air carrier & leased party of flight
- Nationality & NR of passengers
- Passengers name on flights less than 10 passengers
- Name & address of passengers' representative in A.R.E

**(d) Over flying, Technical Landing & Ambulance Flights:**

Applications must be submitted early enough prior operation, including the following data:-

- (1) Carrier's name & nationality
- (2) ACFT type, registration & seats capacity
- (3) Route / routes
- (4) Operation days
- (5) Flights frequency
- (6) Arrival / departure time in UTC
- (7) Flight levels in A.R.E FIR
- (8) Purpose of flight
- (9) Copy of contract between air carrier & leased party of flight
- (10) Nature of load
- (11) Passengers' nationality

**(e) Private Flights (Non-Commercial Purposes)**

Flights which are flying for non-commercial purposes & used by the owner or his subordinates. Applications must be submitted before operation including the following data:-

- (1) ACFT type, registration & seats capacity
- (2) Route / routes
- (3) Operation days
- (4) Flights frequency
- (5) Arrival / departure time in UTC
- (6) Purpose of flight
- (7) Passengers' nationality

**(f) Non-scheduled Cargo Flights**

Flights rented by cargo carriers, companies for collecting cargo, shippers associations & Express mail services to sell them.

Applications must be submitted at least a week before operation, including the following data:-

- (1) Carrier's name & nationality
- (2) ACFT type, registration & maximum capacity
- (3) Route / routes
- (4) Operation days
- (5) Flights frequency
- (6) Shipping agent name
- (7) Arrival / departure time in UTC
- (8) Purpose of flight
- (9) Copy of contract between air carrier & leased party of flight
- (10) Nature of load
- (11) Amount of cargo to/from A.R.E

**SUBPART E**  
**607.9 - Fees & Charges**

ECAA may levy charges in some cases for the approval of charter and non-scheduled flights, these charges will be levied in accordance with the applicable civil aviation fees and charges regulations.

**SUBPART F**  
**607.11- Provision & required attachments**

Any civilian ACFT carrying passengers or military equipments or dangerous goods is not permitted to over fly A.R.E territory or land or take off unless a special request for the flight/ flights is submitted to central Air Transport Department and completing the forms prepared for that purpose at least 20 days before operation to get the necessary permissions.

Some flights in some cases require the following attachments:

- (a) Air Operating Certificate (AOC).
- (b) Certificate of Registration (C of R).
- (c) Certificate of Airworthiness (C of A).
- (d) Operations specifications.
- (e) Insurance policy (Aircraft, Passengers/Cargo, Third party) & (war risk if required).
- (f) Noise Certificate.
- (g) Radio License.

Any attached document should be true, correct and complete Signature& Stamped

**SUBPART G**  
**607.13- Permanent instructions**

In order to organize and facilitate travel procedures for passengers on charter carriers from the Egyptian airports, it was decided that:-

- (a) Arrived tourist passengers groups whom willing to extend their program up to three month (12 weeks) can use charter carriers in condition that; this period must be illustrated in the travel document issuing abroad.
- (b) Employees belongs to either Egyptian civil aviation ministry or Ministry of Tourism ( in tourism field, airlines and aviation services companies can use charter carriers according to their career nature) in condition that, the application must be submitted with the following documents :-
  - (1) A letter from the Egyptian charter carrier or the Egyptian aviation Authorized agent of foreign air carriers in A.R.E.
  - (2) Copy of passport clarifying the current post or,
  - (3) Copy of the ID authorized (by the civil aviation Ministry or Ministry of Tourism).
  - (4) Free ticket.
  - (5) Copy of the invitation in case of request to attend a tourism conference abroad or conclude contract for the tourist programs to be implemented with the other side.

The application will be submitted to the Egyptian Civil Aviation Authority to issue the necessary permission in this regard, note that it will not be permitted to travel one of the previous categories, unless the required documents must be implemented.

## **References**

- Chicago convention
- ICAO doc.9626
- Law no28&its amendments/law.93 for 2003
- Egyptian A.I.P
- Ministerial decrees
- Rules &National regulations