

## **DRAFT NATIONAL AVIATION POLICY 2013**

1. Air Transport plays a key role in the promotion of trade, tourism & economic growth of a country. Pakistan with a population of 170 million has a great potential for growth in aviation sector. The growing domestic and international aviation sector in Pakistan needs an environment which not only serves the public interest and the aviation sector but also supplements the growth of trade, tourism and national economy. The policy is aligned with National Trade Corridor (NTC), which encompasses government's vision to develop and encourage international trade, tourism and passenger traffic through Pakistan. It also aims to provide the public direct connections from Pakistan while ensuring safe, affordable and quality services.

### **Vision**

2. A progressive, liberalized, and **efficient** aviation sector based on competition and fair opportunities; regulated to safeguard public & national interest, provide impetus to national economy and to achieve international standards of **safety** and **security**.

### **3. Objectives**

- (a) To serve national and public interests.
- (b) To comply with ICAO standards of Safety, Security and Regularity aspects.
- (c) To promote aviation sector in the country by allowing market forces to determine the price, quality, frequency and range of air services options.
- (d) To encourage development of passenger hubs and cargo transshipment hubs to support and facilitate the objectives of National Transport Master Plan (NTMP) and National Trade Corridor (NTC).
- (e) To regulate standards of services of air navigation services, airports and airlines.

### **Paid Up Capital & Fleet Registration**

4. Airline licenses granted to financially unsound operators gave rise to opportunism in the past. Safety and Security oversight functions of CAA were also compromised besides undermining employment opportunities for Pakistani nationals. The requirement of enhanced paid up capital, fleet registration, its size, and restriction on wet lease operations on foreign registered aircraft in the country, will ensure better safety oversight, besides giving boost to local job market and training activities. Therefore:

- (a) The paid up capital (free of losses) for various types of licenses shall be as under:

LICENCE	CLASS/CATEGORY	PAID UP CAPITAL
Regular Public Transport (RPT)	Passengers & Cargo	Rs. 500 Million
Regular Public Transport (RPT)	Cargo	Rs. 500 Million
Charter Domestic	Class-I	Rs. 25 Million
Charter Domestic	Class-II	Rs. 50 Million
Charter International	Class-I	Rs. 25 Million
Charter International	Class-II	Rs. 50 Million
Aerial Work Domestic	Class-I	Rs. 13 Million
Aerial Work Domestic	Class-II	Rs. 25 Million
Aerial Work International	Class-I	Rs. 13 Million
Aerial Work International	Class-II	Rs. 25 Million
Flying School	Class-I	Rs. 25 Million
Flying School	Class-II	Rs. 25 Million
Ground School		Rs. 13 Million

- (b) Paid up capital shall be free of losses and reviewed periodically by CAA Board. The current RPT and other operators will enhance their paid up capital to the above requirement within a period of two years from the date of approval of the policy.
- (c) Owner's equity (networth) shall not be negative at any point in time. Minimum Equity (networth) to Assets Ratio should be at least 5%, in 2013-14 financial year, gradually increasing by at least 1% per annum upto minimum of 10% over a period of next five years.
- (d) Fleet registration in Pakistan shall be mandatory for all Pakistani aircraft operators except for pure air cargo aircraft.
- (e) Requirement of minimum fleet size for a RPT license holder shall be at least 03 airworthy aircraft for domestic operations and at least 05 airworthy aircraft for international operations.
- (f) There shall be no permanent addition to capacity by inducting foreign registered aircraft on wet lease other than pure cargo aircraft. Temporary induction of

foreign registered aircraft on wet lease may be permitted under extra ordinary circumstances (such as aircraft accident or hajj operations etc) subject to a maximum of 90 days. Wet leased capacity (Available Seat Kilometers) shall not exceed more than 20% of the registered fleet in a calendar year. Special consideration may be given by DG CAA for Hajj Operations.

- (g) For induction of aircraft, the criteria of minimum remaining operational cycles/hours shall be prescribed by the DG CAA through Air Navigation Orders.

## 5. Tariffs

- (a) CAA as a regulator shall oversee and intervene in case of predatory pricing or collusion by a group of operators, in the interest of the traveling public. When so required such cases shall be referred to Competition Commission of Pakistan, which is the appropriate forum to adjudicate the matters pertaining to anticompetitive practices. .
- (b) All fares shall remain deregulated.
- (c) CAA shall make rules, regulations and procedures to redress public grievances and adjudicate these on merit.

## Domestic Operations

6. A liberalised market structure and reliance on competition is the best way to deliver efficient aviation services for the benefit of consumers. This would be achieved through bare minimum government-imposed restrictions on the commercial behaviour of air carriers. However, Public Service Obligation requires that the Government and the air carriers work together in establishing air link on secondary & primary routes. There shall be no landing and housing charges at secondary airports for scheduled services. Hence Pakistani Scheduled air carriers shall operate to at least one primary or one secondary route as under:

- (a) Pakistani scheduled air carriers shall be required to operate part of their total capacity—Available Seat Kilometres (ASKs)—floated on domestic Trunk Routes to Primary and Secondary routes as under:

### Primary Routes:

At least 10% of the total capacity (ASKs) floated on Trunk Routes

or

### Secondary Routes

At least 5% of the total capacity (ASKs) floated on Trunk routes;

To qualify for the approval of the forthcoming seasonal (Summer / Winter) schedule. The license of RPT operators not adhering to the above requirements shall be suspended for 90 days and cancelled after 180 days.

- (b) CAA Pakistan shall facilitate Joint Ventures / commercial agreements between Pakistani Scheduled Air Carriers and Pakistani Charter Operators for operations to Primary and Secondary routes, by allowing a Pakistan registered aircraft to operate on the AOC of two different Pakistani operators.
- (c) Pakistani scheduled air carriers shall operate on domestic routes for at least two years before commencing operations on international routes.

### **International Operations**

7. The interest of users will be best served if airlines are free to compete according to their commercial judgment:

- (a) Pakistani designated airlines shall be eligible to commence operations on international routes after two years of continued satisfactory operations on domestic routes.
- (b) Airlines satisfactorily meeting the requirements of domestic operations and fleet registration for two years shall be eligible to apply to operate on international routes, to countries pursuing open skies or where there are no bilateral constraints on capacity.
- (c) Where there are bilateral constraints on capacity; the available capacity shall be allocated amongst the competing air carriers' proportionate to their capacity [Available Seat Kilometers (ASK)] floated on domestic routes in the previous two scheduling periods. Additionally airlines' regularity, punctuality & safety record, fleet registration and financial conditions shall also be quantified and considered while allocating capacity.
- (d) Allocated capacity unutilized by an air carrier for two scheduling periods shall be allocated to another Pakistani air carrier desirous of utilizing it unless the air carrier was in a force majeure situation.
- (e) Where there are bilateral constraints on multiple designations of air carriers the designation of an offline Pakistani carrier shall be replaced with an air carrier desirous of operating to that destination.

### **8. Charter Operations**

- (a) Domestic charter operations will be allowed to Pakistani operators only using Pakistan registered aircraft including helicopters, flown by Pakistani pilots

- (b) International Charters originating from Pakistan will be allowed to Pakistani operators only (except Hajj, Umrah and other religious pilgrimage operations to and from other countries which may be regulated as per bilateral arrangements with those countries).
- (c) There shall be no restriction on round trip tourist passenger charter groups on all international routes irrespective of the scheduled operations.
- (d) On routes adequately served by scheduled operators, one way passenger service will not be allowed with an aircraft having more than 19 seats.

**Note:** Inclusive Tourist Package (ITP) attached as Annexure-B.

### **Commuter Service**

9. Pakistani charter operators would be encouraged to operate Scheduled commuter services on primary & secondary routes.

### **Passenger, Crew, and Third Party Insurance:**

10. Air Operator Certificate holders shall arrange for insurance in respect of passengers, crew, and third party liability as per Government/CAA Regulations in vogue.

### **Market Access**

11. Restricted market access raises prices, creates monopoly and suppresses aviation growth. Liberal air services agreements remove limitations on airlines' freedom to increase service, lower fares and promote economic growth. All international airports are to be developed as business & tourists hubs. Pakistan is strategically located on the confluence of international routes. Liberal arrangements with our bilateral partners, in addition to providing direct and convenient connections to the local traffic from these airports, shall encourage and enhance the movement of international air traffic through our airports. Following shall, therefore, be the essential features of our future bilateral initiatives:

#### **(a) Passenger Services**

- (i) Pakistan shall liberalize bilateral arrangements on reciprocal basis with our bilateral partners to improve connectivity at major Pakistani international airports required for promotion of trade & tourism.
- (ii) While finalizing new Air Services Agreements (ASAs) the Government shall incorporate, multiple airlines designation clause and article on code-share. The Civil Aviation Authority will coordinate technical arrangements to enable efficient application of ASAs.
- (iii) There shall be no mandatory commercial agreements as part of bilateral agreements. However; airlines shall be free to enter into such co-operative marketing arrangements as are mutually agreeable, which will be outside of air services agreements.

## **(b) Cargo Services**

For an efficient and quick transit a single window clearing mechanism comprising airlines, freight forwarders, customs house agents, customs, regulatory agencies and airline ground handling agents, insurance & banks facilities etc shall be made available under one roof. Infrastructure of a Cargo village shall include multi-modal transport, cargo terminals, cold storage centres, automatic storage and retrieval systems, mechanized transport of cargo, dedicated express cargo terminals with airside and city side openings, computerization and automation.

- (i) Pakistan will continue to allow open skies policy for cargo operations to the designated foreign airlines of our bilateral partners, based on 3<sup>rd</sup>/4<sup>th</sup> and 5<sup>th</sup> freedom traffic rights, while simultaneously trying to convert the unilateral policy of the Government into bilateral open skies with major commercial / business destinations of the world.
- (ii) All major international airports shall be promoted as transshipment hubs through development of requisite infrastructure.
- (iii) Cargo villages shall be established on public-private partnership at major international airports and linked with NTC.

## **Promotion / Development of Aviation Sector**

12. Pakistan CAA has completed a restructuring program, which has increased its capability and capacity to regulate and manage its given responsibility with enhanced effectiveness, to ensure international standards of Safety, Security and Efficiency. This would also encourage development of airports in private sector e.g. Sialkot International Airport and to efficiently absorb investment in various segments of the aviation sector.

### **Airports**

- (i) Airports shall be made safer & user friendly while ensuring world class airport infrastructure in accordance with demand, ensuring maximum capacity utilization and efficient management. Participation by the private sector would be encouraged
- (ii) Construction of new commercial airports in the private sector will be permitted to meet the growth in air traffic.
- (iii) Private sector shall be free to construct and / or operate new / existing airports / airstrips / water lakes for amphibian aircraft operations / helipads / heliports, including cargo complexes on BOO, BOT or any other management arrangement, and to raise non aeronautical revenues from these premises.

- (iv) Privatization of airports shall be pursued to make them more efficient and productive within the given by laws.
- (v) Fair and equal opportunities shall be afforded to public and private sector airports to market themselves within the framework of national aviation policy & bilateral air services agreements. Private sector shall be encouraged to develop additional revenue streams i.e. passenger charges, cargo levies and commercial activities. However, CAA shall have the responsibility of economic oversight of all airports.

## **Security**

13. Stringent but subtle security measures would be in place, to enable user friendly environment for international air carrier operators and passengers through a carefully planned programme, screening and surveillance systems. All systems are to be carefully monitored for regular technology upgradation. This will be a consistent policy at all airports.

## **14. Commercial Activities at Airports**

- (a) "Airport cities" shall be developed, including hotels on public private partnership basis at all major airports.
- (b) Vacant land at airports shall be evaluated and developed for construction of aviation related facilities (e.g. cargo complexes and aircraft maintenance facilities, etc).
- (c) Land at remote and non operational airports shall be utilized for non aeronautical commercial and recreational purposes. CAA shall formulate land lease policy to make it commercially viable for private investors without jeopardizing aviation activities.

**Note:** Development, restructuring and commercialization of CAA, its land and airports is to be done in a manner that supports and facilitates the goals & objectives of government's National Transport Master Plan (NTMP) and NTC.

## **15. Import of Aircraft**

- (a) DG CAA shall permit the induction of fixed wing aircraft as well as helicopters of all weight categories on lease and purchase basis, including privately owned aircraft, through a simplified procedure to be published in the form of an Air Navigation Order (ANO).
- (b) Security clearance for the import of fixed wing aircraft and helicopters on purchase basis, shall not be required in respect of Pakistani companies and nationals holding valid licenses. Where security clearance is required the process shall be completed by security agencies within 40 days. Already security cleared operators shall need no further security clearance for import of aircraft, provided

there is no change in their Board of Directors. However, such aircraft could be subject to security check on arrival.

- (c) DG CAA will have the right to revoke an earlier approval if any technical or security rule / SOP is found in violation.

## 16. **Aviation Support Services**

### **(a) Maintenance / Manufacturing / Assembling**

To encourage such activities, Pakistan shall facilitate setting up of infrastructure / facilities by private operators and related companies.

### **(b) Ground Handling Agencies**

- (i) At all public and private airports competition between Ground Handling agencies shall be encouraged. The FDI shall be allowed to the extent that the controlling interests remain in local hands. CAA shall ensure strict safety and quality oversight of all such agencies.
- (ii) Pakistani carriers shall be free to undertake self-handling to improve services and reduce cost.

## **Airport and Air Navigation Charges**

17. Airport and Air Navigation charges (aeronautical charges) shall be cost based. However, the infrastructure constraints at some of our airports result in aircraft parking problems and congestion in passenger lounges, baggage / cargo handling areas and land side parking / traffic areas. This could lead to administrative, operational and security related issues. This problem can be partially resolved by introducing variable charges at these airports to stagger the flights evenly over a period of 24 hours. Therefore;

- (a) CAA aeronautical charges shall be cost based as per ICAO guidelines stipulated in the relevant ICAO documents i.e. Doc 9082 etc. The losses being incurred as a result of operating small domestic airports for socio economic reasons may be bundled up in the aeronautical charges of major airports as well as air navigation services charges.
- (b) For optimum utilization of airports aeronautical charges will be reviewed periodically on the basis of peak and off peak periods.
- (c) Air carriers operating to secondary routes may be exempted from landing and housing charges.

## **General Aviation and Helicopter Operations**

18. About 64 % of the Pakistani population lives in rural areas, with little or no access to air travel even in emergent conditions, for want of air strips, heliports / helipads and suitable aircraft to commute to / from remote areas. There are a fairly large number of cities which are

developed to adopt the concept of air taxi and privately owned aircraft for commuting. In order to develop the taxi service concept:

- (a) The procedures for acquisition and operation of aircraft, including helicopters, micro-light / ultra-light aircraft, light sports aircraft, amphibian aircraft and hot air balloons etc shall be liberalized to encourage travel and sports activities.
- (b) Use of helicopters for tourism, emergency operations and adventure sports shall be promoted and encouraged. No charges shall be imposed for such operations.
- (c) Liberalized guidelines shall be formulated, in consultation with users, to promote and encourage private investment in flying clubs, air taxi service, private ownership of aircraft, airships, light sports aircraft, amphibian aircraft and Aero-sports activities i.e hang-gliding, ballooning, heli-skiing and para-jumping etc.
- (d) Flying Clubs shall be facilitated to overcome shortage of pilots in the country e.g. to develop airstrips outside control zones of major airports for exclusive use of training flights and to lease CAA facilities to flying clubs where available.

**Note:** Aero-sports activities and helicopter services shall be restrained or encouraged according to prevailing security situation in the country. Only security cleared locations and personnel shall be considered for the activity.

### **Air Traffic Services**

19. To ensure safe, efficient, orderly and expeditious flow of air traffic within Pakistan's airspace; state of the art Communication, Navigation & Surveillance (CNS) and Air Traffic Management (ATM) systems shall be ensured in the country.

### **Human Resource Development**

20. Academies / institutions in collaboration with foreign universities and the private sector, shall be set up to develop human resource of world class standard for national and international airports, airlines and regulators.

### **Consumer Protection**

21. Passenger interests and development of aviation sector shall be at the core of all policies / rules and regulations by CAA. Therefore;

- (a) To protect the interests of the users, facilitation committees consisting representatives of the Government, passengers, tour & travel operators, aircraft operators, airport operators, exporters & importers, cargo handling agents, aero sports and flying clubs etc, will be set up at national, regional and local levels.
- (b) CAA Pakistan shall make institutional arrangements at different levels for constant interaction with and amongst all categories of users for implementation of policy and constant improvement in services.

- (c) Suitable mechanisms shall be set up to monitor standards of services and to redress grievances.

**Environment Control**

22. CAA shall act to reduce carbon emission and noise pollution at and around all airports in Pakistan in line with ICAO guidelines. CAA shall also seek to meet the standards of Environmental Management Systems specified in ISO 14001.

**Occupational Health and Safety Management Systems**

23. CAA shall act to implement the standards of Occupational Health and Safety Management Systems specified in OHSAS 18001.

**Quality Management Systems**

24. CAA shall act to implement the standards of Quality Management Systems in CAA as specified in ISO 9001.

**Implementation of Policy**

- 25. Director General CAA shall implement National Aviation Policy.
- 26. Draft National Aviation Policy-2012 supersedes National Aviation Policy-2000.

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## **CATEGORIES OF ROUTES**

**1. Trunk Routes**

Routes between any two of the following cities would form a Trunk Route:

Karachi, Lahore, Islamabad, Peshawar and Quetta

**2. Primary Routes**

Airlink with the following destinations would form a Primary Route:

Multan, Faisalabad, Sukkur, Sialkot, D.G. Khan, Rahim Yar Khan, Bhawalpur, Nawabshah and Gwadar,

**3. Secondary Routes**

Airlink with the following would form a Secondary Route:

Skardu, Moenjodaro, Zhob, Saidu Sharif, Dalbadin, Bannu, Parachanar, Sehwan Sharif, D.I. Khan, Hyderabad, Ormara, Khuzdar, Rawalakot, Muzaffarabad, Chitral, Gilgit, Panjgur, Turbat, Jiwani, Pasni, Jacobabad and Mirpurkhas

**OPERATIONS OF INCLUSIVE TOUR PACKAGE (ITP)**

**CHARTER FLIGHTS TO AND FROM PAKISTAN**

**1. Introduction**

1.1. Government of Pakistan has reviewed the guidelines for operation of tourist charter flights to and from Pakistan in line with National Aviation Policy in vogue.

**2. Charter Flight**

2.1. A non-scheduled flight operated according to the national laws and regulations of the country being served, as provided for in Article 5 of the Chicago Convention. A flight on which all (or almost all) the capacity which is occupied by passengers or cargo has been sold to one or more charters for resale.

**3. Inclusive Tour Package (ITP)**

3.1. Inclusive Tourist Package is defined as a round trip for a predetermined period for one or several pre-determined places charging an inclusive consolidated price for the airfare for all segments, hotel accommodation and other ground arrangement services.

**4. Application For The Tourist Charter Flights**

4.1. The application for operating inclusive tourist charter flights to Pakistan shall be submitted to the Director General of Civil Aviation Authority on the prescribed form (Attachment 'I') at least seven working days prior to the proposed date of operation of the first flight. Only a Pakistani Tour Operator recognised by Ministry of Tourism, Government of Pakistan can file the applications.

4.2. One or more than one tour operator can apply for the same tourist charter flight. In such a case, the application should clearly state the number of tourists booked by each tour operator on the flight and authorised signatory of each tour operator should jointly sign the application, as this information would be used while processing the applications for outbound tourist charter flights.

4.3. It may be noted that any application submitted with incomplete information would be summarily rejected. However, series of tourist charter flights (total duration not less than one month) operated by airlines approved by their Governments for international passenger charter operations may be cleared without information relating to the registration of aircraft and name and nationality of pilot, provided that the application is submitted at least one month in advance and the aircraft is not capable of air dropping.

4.4. Application for operating outbound tourist charter flights from Pakistan with Pakistan registered aircraft may be submitted three working days prior to the proposed date of operation of the first flight along with additional information on the prescribed form (Attachment 'II'). However, in case any tour operator proposes to use an aircraft belonging to Pakistani scheduled airlines for outbound tourist charters, a notice period of seven working days will be required and the airline would be required to satisfy

DGCAA that there would be no cancellation or delay to the scheduled flights operated by that airline.

## **5. Conditions for Operation of ITP Charter Flights**

### **5.1. Foreign ITP Charter Flights to Pakistan (Inbound Tourist Charters)**

5.1.1. The foreign ITP charter flights shall originate from any place outside Pakistan.

5.1.1.1. All tourists carried on these flights should have booked the inclusive tour package in the originating countries.

5.1.1.2. The duration of stay of charter tourists in Pakistan shall not be less than one week and not more than four weeks.

5.1.1.3. All arrangements in Pakistan for the tourists will be through Pakistani Tour Operators recognised by the Ministry of Tourism and the charges for arrangements will be paid in advance.

5.1.1.4. Pakistani passport holders are also permitted to travel by ITP charter flights on the routes not sufficiently served by Scheduled Operators.

5.1.1.5. ITP charter flights may be operated to any airport in Pakistan without any limitations on frequency of flights or size of the aircraft provided customs and immigration facilities are available.

5.1.1.6. ITP charter flights can also be operated to other airports and these facilities would be made available on either ad-hoc or seasonal basis by Customs and Immigration authorities on the request of tour operator.

5.1.1.7. Tourists flying on ITP charter flights can only fly into Pakistan and out of the country by using the services of same charter operator.

5.1.1.8. The charter operators may be permitted to carry one-way passengers not availing 'Inclusive Tour Package', on the first leg of outward operation and on the last leg of inward operation, subject to the condition that the charter operations are in a series of at least eight flights to Karachi, Lahore, Islamabad, and Peshawar.

5.1.1.9. The Pakistan Tour Operator may send two bonafide representatives on such charter flights to finalise arrangements with the principals.

5.1.1.10. Tourists availing ITP charter flights would not be permitted to fly on inward or outward journeys using a scheduled airline. In emergency cases like medical etc., DGCAA may permit tourists, arriving on a charter flight to depart on scheduled flights or vice versa.

5.1.1.11. The embarkation point to Pakistan and the final destination out of Pakistan need not be the same. ITP charter flight may also transport the tourists brought into the country on domestic sectors in Pakistan as part of the package. However, the initial place of arrival and the final place of departure from Pakistan shall be from the airports wherein customs and immigration facilities are available.

5.1.1.12. The tour operator shall ensure the following:

5.1.1.12.1. All foreign aircraft operators operating ITP charter flights must be in possession of valid Air Operator's Certificate (AOC) or

equivalent document issued by their Government as per ICAO requirements.

- 5.1.1.12.2. The flight crew operating such flight(s) is familiar with the regulations, operating procedures, limitations, and restrictions in respect of airport, airspace and facilities intended to be used, that may be in force at the time of operation of the flight(s) in Pakistan.
- 5.1.1.12.3. The aircraft is fitted with ACAS-II/TCAS-II
- 5.1.1.12.4. Advance coordination with the concerned agencies like airport, customs and immigration authorities so that the services and facilities necessary for the operation of the flights are available at the concerned airports in Pakistan.
- 5.1.1.13. The ITP charter flights will not be permitted to be used for purposes other than carrying bona fide ITP tourists and for carriage of cargo under 'Open Sky Policy'.
- 5.1.1.14. The ITP charter flights shall operate to the airport(s) in Pakistan as specified in the flight clearance issued by DGCAA. For any change, the operator shall obtain prior approval of Director General of Civil Aviation Authority.
- 5.1.1.15. Handling of the ITP charter flights shall be done by any authorised handling agency.
- 5.1.1.16. The tour operator shall furnish to DGCAA the names and description of the tourists brought by them on the ITP charter flights within three working days of their arrival in Pakistan for counting the same for outbound charters.
- 5.1.1.17. The flights shall be operated in accordance with the approved flight schedules.
- 5.1.1.18. All ITP charter flights shall operate on promulgated ATS routes for international operations.
- 5.1.1.19. All baggage carried on the ITP charter flights shall be subjected to mandatory checks by Airport Security Force (ASF).
- 5.1.1.20. Compliance with any other condition considered necessary by DGCAA.

## **5.2. ITP Charter Flights from Pakistan (Outbound Tourist Charters)**

- 5.2.1. ITP charter flights may originate from any international airport in Pakistan.
- 5.2.2. All tourists carried on these flights should have booked their inclusive tour package in Pakistan.
- 5.2.3. Only Tour operators recognised by the Ministry of Tourism and cleared by security agencies will be entitled to operate ITP outbound charters.
- 5.2.4. The duration of stay of ITP charter tourist abroad shall not be less than one week and not more than four weeks except for Hajj, Umra or any other religious pilgrimage.
- 5.2.5. All arrangements for the tourists will be through Pakistan Tour Operator recognised by the Department of Tourism and the charges for arrangements will be paid in advance as part of the ITP charter flight.

- 5.2.6. The tour operator shall be responsible for making necessary payments towards navigational charges, landing fees and parking charges to the concerned authorities abroad.
- 5.2.7. The tour operator shall ensure the following:
- 5.2.7.1. The Pakistani aircraft operator operating charter flights has a valid non-scheduled / scheduled air operator's permit.
  - 5.2.7.2. The Operations Manual of the airline operator has Flight Duty Time Limitations and weather minima for international operations at destination and alternate airports.
  - 5.2.7.3. The airline operator has obtained necessary authorisation for operation of the flights directly from the foreign aeronautical authorities concerned and would comply with their rules, regulations and procedures. For this purpose, DGCAA Pakistan may give the operator necessary letter of comfort.
  - 5.2.7.4. The aircraft to be operated has a valid Certificate of Airworthiness and no major inspection falls due when the aircraft is abroad.
  - 5.2.7.5. The aircraft is fitted with mandatory equipment/instruments stipulated by the regulatory authority of the destination country.
  - 5.2.7.6. The flight crew is familiar with operations on international routes intended to be flown and has the required documents like Jeppesen Charts, route guides etc. for planning the flight. The flight crew is experienced and competent to operate the proposed foreign flights and is aware of the operating procedures of the destination airports.
  - 5.2.7.7. For operating charter flights with aircraft of Pakistan scheduled airlines, tour operator shall submit their application at least 7 working days in advance with a certificate from the scheduled airlines that there shall be no cancellation or delay to their scheduled flights. If any flight is to be delayed or cancelled, the same should be clearly indicated along with the alternate arrangements made by the scheduled airlines.
  - 5.2.7.8. The aircraft and the passengers are properly insured.
- 5.2.8. The tour operator shall submit the passenger manifest to DGCAA within three working days of completion of the tourist charter flight to confirm that the number of outbound passengers had not exceeded the stipulated limits for outbound charters.
- 5.2.9. The tour operator shall submit a statement, by tenth of each month, containing details regarding flight clearance obtained, flights operated and tourist carried by him to/from Pakistan with details of embarkation/ disembarkation abroad during the previous month.
- 5.2.10. Compliance with any other condition considered necessary by DGCA.

## **6. Hajj, Umra and Other Religious Pilgrimage Operations**

- 6.1. Notwithstanding anything contained in para 5.1 and 5.2 above; Hajj, Umra, and other religious pilgrimage operations to and from other countries shall be regulated as per bilateral arrangements with those countries.

## **7. Safeguards and Penalties**

- 7.1. The following penalties would be imposed in the event of violation of above guidelines:
- 7.2. All clearances given earlier by DGCAA for operation of charter flights by the tour operator would stand cancelled.
- 7.3. Automatic de-recognition of tour operator by Ministry of Tourism.
- 7.4. Blacklisting of the tour operator and the airline concerned for undertaking any future ITP Charter or any other flight for minimum two years.
- 7.5. Financial penalties under CAR'94.

**APPLICATION FOR INCLUSIVE TOURIST PACKAGE (ITP)**

**CHARTER FLIGHTS TO AND FROM PAKISTAN**

<b>S. No</b>	<b>Particulars</b>	<b>Details</b>
1	Name(s) of the Tour Operator(s)	
2	<b>Details of Tour Package</b> i. Arriving From/Going To (Country) ii. Tour itinerary – Including Mode of Transport iii. Cost a) Land segment b) Air Segment	
3	<b>Aircraft Operator</b> i. Name ii. Nationality iii. Address (with Tel./Fax Nos.) iv. Aircraft Operators Certificate/Permit No. and Validity	
4	<b>Aircraft Details</b> i. Type ii. State of Registry/Nationality iii. Registration Number iv. Telephony Designator (Flight No./Call Sign.) v. Whether the aircraft is capable of air dropping (Yes/No)	

	<p>vi. Whether the maximum certified seating capacity of the aircraft is more than 30 seats (Yes/No)</p> <p>vii. Whether the maximum pay load capacity of the aircraft is more than 3 tonnes (Yes/No)</p> <p>Whether the aircraft is fitted with ACAS -II/TCAS-II</p> <p>viii. Seating capacity of Aircraft</p> <p>ix</p>	
<b>5</b>	<b>Pilot in Command</b>	
	<p>i. Name</p> <p>ii. Nationality</p>	
<b>6</b>	<b>On Board Details</b>	
	<p>i. Number of Crew</p> <p>ii. Number of Tourists *</p> <p>iii. General Description of goods carried</p> <p>iv. Any Arms, Ammunitions, Explosives, Radioactive material, War Equipment or Dangerous Goods. if so, attach a copy of Government/DGCA Permit</p> <p>v. Any special equipment like Aerial Photography, Remote Sensing Cameras, Nigh Vision Cameras on board. If so, attach a copy of DGCA Permit</p>	
<b>7</b>	<b>ATS route to be flown</b>	
	<p>i. Entry and exit point in Pakistani Air Space</p> <p>ii. Complete Route itinerary of the proposed flight with the dates and timings (including true origin and true destination)</p> <p>Arrival and Departure time in Airports in Pakistan</p> <p>iii. Airport of last departure before entering Pakistan air space and Airport of first landing after leaving Pakistan air space</p> <p>iv</p>	
<b>8</b>	<b>Tonnage of cargo to be uplifted from and set down in Pakistan</b>	

9	<b>Undertaking by the Tour Operator(s)</b>	
	<p>i. The Charges for arrangements has been paid in advance as part of inclusive Tourist Charter Flight(s)</p> <p>ii. The flight crew operating inclusive tourist charter flight(s) are familiar with the regulations, operating procedures, limitations and restrictions in respect of airport, air space and facilities intended to be used that may be in force at the time of operation of the flight(s) in Pakistan.</p> <p>iii. Coordination with the concerned agencies like airport, custom and immigration authorities has been achieved. (copies of approval from the concerned agencies to be enclosed when operating to and from an airport where customs and immigrations facilities have been arranged)</p>	

**Note :** 1. The names and descriptions of the tourists on the inclusive Tourist Charter Flight(s) shall be submitted within 3 working days of arrival in Pakistan

2. The stay of tourists in Pakistan shall not be less than one week and more than four weeks.

If the Charter Flight is operated by more than one tour operator, each will submit details of tourists brought by them.

**Certified that the information given above is correct.**

**Signature of Authorised Signatory of Tour Operator(s)**

**ADDITIONAL INFORMATION FOR**  
**OPERATIONS WITH PAKISTANN REGISTERED AIRCRAFT**

S.No.	Particulars	Details
1	Name of the Scheduled/Non-scheduled operator	
2	Name of the Engineer (AME) who would carry out the maintenance checks abroad or the arrangements made for inspection of the aircraft during its stay abroad.	
3	Name of the departure airport, time and date of departure. Name of the Destination airport, time and date of arrival.	
4	<b>Undertaking</b>	
	<p>i The Pakistani aircraft operator operating inclusive tourist charter flight has a valid non-scheduled/scheduled operators permit</p> <p>ii The Operations Manual of the airline Operator has flight duty time limitations and weather minima for international operations at Destination and alternate airports</p> <p>iii The necessary authorization has been obtained directly from the foreign aeronautical authorities concerned and would comply with their rules, regulations and procedures</p> <p>iv The Certificate of Airworthiness is valid and no major inspection falls due, when the aircraft is abroad</p> <p>v The aircraft is fitted with mandatory equipment/ instruments stipulated by the regulatory authority of the destination country</p> <p>vi The flight crew is familiar with the operations on international routes intended to be flown and has the required documents like AIP, Jeppesen Charts, route</p>	

	<p>guide etc. for planning the flight</p> <p>The flight crew is experienced and competent to operate the proposed foreign flight and is aware of the operating procedure of the destination airports</p> <p>The aircraft and passengers are properly insured</p>	
	<p>vii</p>	
	<p>viii</p>	

**Certified that the information given above is correct.**

**Signature of Authorised Signatory of Tour Operator(s)**

## **DRAFT NATIONAL AVIATION POLICY 2013**

### **Definitions**

**Air Service:** **Air Service** means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

**ANO - The Air Navigation Order** : secondary legislation covering the legal requirements under which Pakistan-registered aircraft/airlines operate; providing that operating permits should be required for foreign airlines operating commercial services (scheduled and charter) to Pakistan and setting out the grounds on which permits may be refused and the penalties for infringements of the ANO.

**AOC - Air Operator's Certificate:** the AOC is the key link to safety oversight. It attests to an airline's competence as to safe operation and it determines who is responsible for an airline's safety oversight. In Pakistan it is the Flight Standard Directorate of the *Civil Aviation Authority*. An AOC is one of the criteria required in order for the *CAA* to grant an operating licence.

**ASA - Air Services Agreement:** a treaty containing bilaterally-agreed legal framework upon which scheduled air services may operate. This is negotiated by the Government with other governments on a bilateral basis.

**CAA - Civil Aviation Authority:** Pakistan's aviation safety & economic regulator.

**Capacity:** the **frequency of flights** or **number of seats** which the designated carriers of each side are permitted to operate. These arrangements are usually set out in the Memorandum of Understanding (MOU) and can involve a stated limit on capacity, an agreed step increase in capacity or another formula for covering the need for future growth in capacity.

**Charter:** a non-scheduled flight operated according to the national laws and regulations of the country being served, as provided for in Article 5 of the Chicago Convention. A flight on which all (or almost all) the capacity which is occupied by passengers or cargo has been sold to one or more charters for resale.

**Code Sharing:** an increasingly common marketing device whereby an airline places its designator code on a service operated by another airline. When selling a service, the marketing carrier is required to tell passengers that the service will be operated by another carrier.

**Designation: nomination by a state of the airline or airlines** to operate a particular route. The bilateral partner can be informed of the nomination by letter, Diplomatic Note or inclusion of the details in an Memorandum of Understanding (MOU) / Agreed Record. **Multiple designation** arrangements permit an unlimited number of scheduled carriers to operate. **Dual designation** allows only two carriers from each side to operate and single designation permits only one carrier from each side to operate.

**Freedoms of the Air** (these definitions relate to aircraft registered in state A):

1st freedom - the right to flight over state B without commercial or technical stops.

2nd freedom - the right to land in state B for *technical* purposes, e.g. refueling.

3rd freedom - the right to set down traffic from state A in state B.

4th freedom - the right to pick up traffic in state B destined for state A.

5th freedom - the right to pick up traffic in state B destined for state C or put down traffic in state B originating in state C.

6th freedom - a service taking passengers between states B and C which flies via state A.

7th freedom - a service between state B and state C operated by airline of state A - a "free-standing fifth freedom".

8th freedom – Cabotage: domestic services in one country operated by a carrier of another country.

NOTES: 3rd and 4th freedoms are always granted together. 6th freedoms are effectively two 3rd/4th freedom services linked together, each of which are operated under the relevant bilateral agreement. These are not rights "granted" under an [Air Services Agreement \(ASA\)](#) but they are controlled under the tariff and primary justification provisions of an ASA.

**ICAO - International Civil Aviation Organization:** a United Nations body formed in December 1944 under the auspices of the Chicago Convention with the objectives of developing the principles and techniques of international air navigation and fostering the planning and development of international air transport so as to: ensure safe and orderly growth of international aviation throughout the world; encourage the arts of aircraft design and operation for peaceful purposes; encourage the development of airways, airports and air navigation facilities for civil aviation; meet the needs of peoples of the world for safe, regular and efficient and economical air transport; prevent economic waste caused by unreasonable competition; ensure the rights of states are respected; avoid discrimination between states; and promote the safety of flight. Detailed standards and recommendations are included in the Annexes to the Convention eg Annex 6 on safety and Annex 9 on "facilitation" (customs, immigration, security checks etc).

**Interlining: changing, at an intermediate point** on a journey, from one aircraft to an aircraft of a different airline but without any sharing of the airline codes. Compare code sharing.

**Lease:** an arrangement whereby an airline operates **services on behalf of another airline**. Leases can involve provision by the lessor airline of an aircraft (**dry lease**), aircraft and crew (**wet lease**) or aircraft and flight crew (**damp lease**).

**Operating Licence:** granted by the Civil Aviation Authority, the operating licence attests to the competence of an airline to operate air services. The criteria for granting a licence, covered by CAA Rules on Licensing of Air Carriers, relate principally to the place and nature of business; nationality of ownership and control; adequacy of financial resources; the holding of an *Air Operator's Certificate*; fitness; and passenger and third party insurance.

**Operating permit:** a permit issued **allowing** a carrier **to operate a service** to Pakistan. Permits are required for scheduled and non-scheduled passenger, cargo and combi services where these services are operated for reward. Empty flights to position aircraft or for aircraft maintenance and flights operated on a non-commercial basis (eg a corporate-owned aircraft flying company members) do not require permits. Pakistani

airlines similarly need to seek permits from the aviation authorities of the country to which they wish to operate.

**Predatory fare:** a **below-cost fare** set by an airline with the intention of forcing competitors out of the market.

**Route:** the **permitted points** to or through which a carrier may fly **under the bilateral arrangements with third/fourth freedom traffic rights**. It is usually contained in the *route schedule/annex* to an *ASA* but amendments to the route may be set out in subsequent exchanges of notes.

**Scarce capacity:** where bilateral restrictions prevent Pakistani airlines from operating all of the services they plan to provide. The *CAA* will allocate scarce capacity between competing Pakistani airlines.

**Scheduled service:** an **air service operated on a regular basis** by a carrier in accordance with a published timetable or with flights so regular or frequent that they constitute a recognizably systemic series. It requires bilateral agreement to operate by virtue of Article 6 of the Chicago Convention.

**Tariff:** the **price charged** for the public transport of passengers, baggage and cargo (excluding mail) **on scheduled air services**, including the conditions governing the availability or application of such price and the charges and conditions for services ancillary to such transport.