

Republic of Iraq  
Ministry of Transport  
Iraq Civil Aviation Authority



**REGULATIONS**  
**(10)**  
**FOREIGN AIR**  
**OPERATORS**

**REPUBLIC OF IRAQ**

**THE CIVIL AVIATION ACT, NO.148**

**REGULATIONS**

**THE CIVIL AVIATION (NO. 10) FOREIGN OPERATOR REGULATIONS, 2014**

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**REPUBLIC OF IRAQ**  
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**REGULATIONS**

CIVIL AVIATION (NO. 10) FOREIGN OPERATOR REGULATIONS, 2014

Citation                    1.    These Regulations may be cited as the Civil Aviation (No.10) Foreign Operator Regulations, 2014.

Interpretation            2.    In these Regulations –

**“approved aircraft security programme”** means a programme submitted by a foreign operator and approved for providing for the safety of -

- (a)    passengers, crew and their property;
- (b)    the aircraft; and
- (c)    related aviation support facilities against acts,

of unlawful interference;

**“Foreign Air Operator”** means an operator, not being a Iraq air operator, who undertakes, whether directly, indirectly, by lease or any other arrangement, to engage in commercial air transport operations within the airspace of Iraq whether on a scheduled or charter basis;

**“Foreign Authority”** means the Civil Aviation Authority that issued an Air Operator Certificate to a foreign air operator who does not hold an air operator certificate issued by the Authority;

**“Foreign Operator”** means an operator, not being an Iraq operator, who undertakes, whether directly, indirectly, by lease or any other arrangement, to engage in air operations within the airspace of Iraq.

*Applicability of Regulations*

Applicability of Regulations

3. (1) These Regulations apply to the operations of a civil aircraft within Iraq for –

- (a) the purpose of commercial air transport operations by an air operator whose air operator certificate was issued by a Foreign Authority; and
- (b) general aviation operations of a foreign operator.

(2) These Regulations shall not apply to operations of aircraft when used by the military, customs and police services which are not used for compensation or hire.

**PART I  
GENERAL REQUIREMENTS**

General applicability of Part I

4. This Part prescribes the requirements for the application, issue and continued validity of a foreign air operator Operations Specifications.

*General Requirements for Application for Foreign Air Operator Operations Specifications*

General requirements

5.(1) An air operator who does not hold an Air Operator Certificate issued by the Authority shall not operate an aircraft in Iraq unless he holds an Operations Specifications issued to him by the Authority.

(2) Where an air operator under subregulation (1), wishes to apply to operate in Iraq he shall –

- (a) make such application to the Authority in the form and manner prescribed; and
- (b) pay the prescribed fee.

(3) An application under subregulation (2), shall be accompanied by–

- (a) a copy of a valid air operator certificate or equivalent document issued by the Foreign Authority;
- (b) a copy of the licence or authorization granted to the air operator by the appropriate authority of the State of the air operator to operate an air transport service to and from Iraq;

- (c) a copy of a Company Operations Manual including the Cabin Attendant Manual where it is published as a separate document;
- (d) a copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the air operator in Iraq;
- (e) a copy of a valid Certificate of Airworthiness for each aircraft type intended to be operated by the foreign air operator in Iraq;
- (f) a copy of a Certificate of Registration issued for the aircraft types proposed to be operated by the air operator in Iraq;
- (g) a copy of a document identifying the maintenance checks that are required to be carried out for aircraft of the air operator while they are operated in Iraq;
- (h) a copy of the maintenance contract between the air operator and the Approved Maintenance Organisation, where the maintenance under subparagraph (g), is carried out by an Approved Maintenance Organization approved by the Foreign Authority;
- (i) a copy of the lease agreement for any aircraft operated by the air operator who does not hold an Air Operator Certificate issued by the Authority which is not registered by the Foreign Authority;
- (j) a copy of any equivalent Operations Specifications issued by the Foreign Authority for any specialized flight operations specifications requested by the foreign air operator for operations in Iraq;
- (k) a proposed Aircraft Operator Security Programme for the foreign air operator who do not hold an Air Operator Certificate issued by the Authority which meets the requirements of the Civil Aviation (No.8) Security Regulations, 2005 for the acceptance and subsequent approval of the Authority; and
- (l) any other document the Authority considers necessary to

ensure that the intended operations will be conducted safely.

(4) An applicant under these Regulations shall apply for the initial issue of a Foreign Air Operator Operations Specifications at least ninety days before the date of commencement of intended operation.

***Conditions for issue of a Foreign Air Operator Operations Specifications***

Issue of  
Operations  
Specifications to  
foreign air  
operator

6.(1) The Director General may recommend the Authority issue Operations Specifications to an air operator who does not hold an Air Operator Certificate issued by the Authority to conduct commercial air operations in Iraq where he is satisfied that such air operator –

- (a) has a valid Air Operator Certificate issued by a Foreign Authority;
- (b) has had his Aircraft Operator Security Programme approved under the Civil Aviation ((No.8) Security) Regulations, 2005;
- (c) meets the applicable requirements of the Civil Aviation Regulations ((No. 20) Operations) 2009; the Civil Aviation Regulations (No. 5) Airworthiness) 2011 and the Civil Aviation Regulations ((No.7) Instruments and Equipment), 2013;
- (d) meets the standards contained in Annex 6, Parts I and III and Annex 8 of the Chicago Convention;
- (e) has sufficient financial resources to conduct safe operations; and
- (f) meets the requirements of these Regulations.

(2) Where a Foreign Operator Operations Specification issued under this regulation to an air operator who does not hold an Air Operator Certificate issued by the Authority (hereinafter referred to as “a foreign air operator”), such foreign air operator may commence commercial air transport operations in and to Iraq.

Content of  
Operations  
Specifications

***Operation Specification***

7. (1) A Foreign Operator Operations Specifications under regulation 6 shall specify which specific operations are authorized, prohibited, limited or subject to certain conditions, in the interest of public safety.

(2) A Foreign Operator Operations Specifications under subregulation (1), shall contain details of the following:

- (a) the purpose of issuance;
- (b) application and duration;
- (c) limitations to, or actions required by, the operator;
- (d) general provisions;
- (e) en-route authorization and limitations;
- (f) aerodrome authorizations and limitations;
- (g) maintenance;
- (h) mass and balance;
- (i) interchange of equipment operations; and
- (j) aircraft leasing operations.

(3) The Operations Specificaiton issued to a Foreign Air Operator by the Authority shall be supplementary to these Regulations.

***Continued Validity of Operations Specifications***

Conditions for  
continued validity

8. A foreign air operator shall when conducting operations in and to Iraq, ensure that he complies at all times with the requirements of -

- (a) his Operations Specifications;
- (b) his approved Aircraft Operator Security Programme; and
- (c) the security requirements for aircraft operators under the Civil Aviation (No.8) Security) Regulations, 2005.

***Aircraft Technical Log***

Contents of  
Aircraft Technical  
Log of foreign air  
operator

9. A foreign air operator shall, when conducting operations in Iraq use an aircraft technical log containing the following in respect of each aircraft:

- (a) information about each flight necessary to ensure



continued flight safety;

- (b) the current Certificate of Release to Service for the aircraft;
- (c) the current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
- (d) all outstanding deferred defects that affect the operation of the aircraft; and
- (e) any necessary guidance instructions on maintenance support.

***Foreign Air Operator Documents to be carried***

Documents  
required to be  
carried by foreign  
air operator

10. A foreign air operator shall ensure that the following are carried on each flight, when conducting operations in Iraq:

- (a) the current parts of the Operations Manual relevant to the duties of the crew;
- (b) those parts of the operations manual which are required for the conduct of a flight are easily accessible to the crew on board the aircraft;
- (c) the current approved aircraft flight manual for the aircraft being flown;
- (d) the current certificate of registration, and airworthiness certificate in force in respect of that aircraft;
- (e) the appropriate licenses of the members of the flight crew;
- (f) the mass and balance document for the aircraft certifying that the load carried is properly distributed and safety secured; and
- (g) appropriate approval for radio operation.

***Additional Information and Forms to be carried***

Additional

11.(1) A foreign air operator shall ensure that, in addition to the

required documents required to be carried by foreign air operator

documents and manuals required by regulations 9 and 10, the following information and forms, relevant to the type and area of operation, are carried on each flight conducted in Iraq:

- (a) an Operational Flight Plan;
- (b) the aircraft technical log containing at least the information required in regulation 9;
- (c) appropriate Notices to Airmen and aeronautical information services briefing documentation;
- (d) appropriate meteorological information;
- (e) copy of applicable operations specifications required under these Regulations;
- (f) notification of special loads including any dangerous goods; and
- (g) current maps and charts for the area of operation.

(2) The Director General may recommend the Authority authorize the information detailed under subregulation (1) or parts thereof, to be presented in a form other than on printed paper, provided the information is accessible for inspection.

#### *Authority to Inspect*

Inspection by Authority

12. A foreign air operator shall ensure that any person authorized by the Authority, is permitted at any time, without prior notice, to board any of his aircraft operated for commercial air transportation in Iraq, inspect the documents and manuals required by regulations 12, , and inspections required by regulation 5, and such other inspections as are deemed necessary under the Chicago Convention.

#### *Production of Documentation, Manuals and Records*

Requirement to produce documentation, manuals and records when requested

13.(1) A foreign air foreign air operator shall -

- (a) give any person authorized by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
- (b) produce all such documents, manuals and records, when requested to do so by the Authority, within a reasonable

period of time.

(2) The pilot in command of an aircraft of a foreign air operator shall, when requested to do so by a person authorized by the Authority, produce to such person the documentation, manuals and records required to be carried on board.

#### ***Preservation of Flight Recorder Recordings***

Requirement to preserve flight data recorder recordings

14. Following an accident, incident in Iraq involving an aircraft of a foreign air operator, or when the Authority so directs, the foreign air operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of sixty days unless otherwise directed by the Authority.

#### ***Computation of Passenger and Baggage Weights***

Requirement to compute passenger and baggage weight

15. (1) A foreign air operator conducting operations in Iraq shall compute the mass of passengers and checked baggage using -

- (a) the actual weighed mass of each person and the actual weighed mass of baggage; or
- (b) the standard mass values specified by the Foreign Authority.

(2) The Authority may require a foreign air operator conducting operations in Iraq to produce evidence validating any standard mass values used.

16. RESERVED

#### ***Approach and Landing Conditions***

Required procedures for approach and landings

17. Before initiating an approach to land in Iraq, the pilot in command of an aircraft of a foreign air operator, shall determine from the information available -

- (a) weather at the aerodrome and the conditions of the runway are safe for the approach and landing; and
- (b) in the case of missed approach, being able to meet the performance requirements contained in the Operations Manual.

***Access to Aircraft and Associated Facilities***

Foreign air operator to give Authority access

18. A foreign air operator, when conducting operations in Iraq, shall -
- (a) give any person authorized by the Authority access to the aircraft and associated facilities to inspect to determine compliance with these Regulations.
  - (b) satisfactorily respond to findings arising under paragraph (a), prior to further flight in the care of finding prejudicing safe flight and for all the findings within reasonable time but no greater than three days.

***PART II  
SECURITY***

Applicability of Part II

19. This Part prescribes the security requirements for a foreign air operator operating in Iraq.

***Prohibition Against Carriage of Weapons***

Carriage of Weapons of War and Munitions of War

20. A foreign air operator conducting commercial air transportation operations to Iraq shall -
- (a) Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned.
  - (b) ensure that weapons of war and munitions of war are-
    - (i) stowed in the aircraft in a place which is inaccessible to passengers during flight; and
    - (ii) in the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph.
  - (c) ensure that the pilot in command is notified before the flight begins of the details and location on board the aircraft of any weapon of war and munitions of war that

are intended to be carried.

***Sporting Weapons and Ammunition***

Carriage of  
Sporting Weapons  
and Ammunition

21. (1) The carriage of sporting weapons and ammunition by any foreign air operator conducting commercial air transportation shall be in accordance with the procedures and requirements of the approved dangerous goods programme approved by the Foreign Authority.

(2) A foreign air operator conducting commercial air transportation operations in Iraq shall take all measures necessary to ensure that where any sporting weapon is offered for transport by air; such transportation is reported to him.

(3) A foreign air operator accepting the transport of sporting weapons shall ensure that such sporting weapons are—

- (a) stowed in the aircraft, in which he conducts or intends to conduct operations, in a place which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures; and
- (b) in the case of firearms or other weapons that can contain ammunition, unloaded.

(4) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in his checked baggage, as approved by the Authority.

***Firearm Import Licence***

Requirement to  
hold Firearm  
Import License  
by passenger  
Chap. 16:02

22. A foreign air operator shall ensure that where a person submits a firearm for transport by air on his aircraft to Iraq, such person holds a Firearm Import Permit for such firearm issued in accordance with the Firearm Act.

***Security Programme for Foreign Air Operator***

Security  
Programme for  
Foreign Air  
Operator

23.(1) A foreign air operator shall -

- (a) ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programs of Iraq;

- (b) establish, maintain and conduct approved training programs which enable the foreign air operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur;
- (c) following an act of unlawful interference on board an aircraft the pilot in command or, in his absence a flight crew member or the foreign air operator, shall submit, without delay, a report of such an act to the designated local authority and the Authority of Iraq;
- (d) ensure that all aircraft carry a checklist of the procedures to be followed for that type in searching for concealed weapons, explosives or other dangerous devices; and
- (e) if installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.

***Unauthorized Carriage***

Unauthorized carriage

24. A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

**PART III  
DANGEROUS GOODS**

Applicability of Part III

25. This Part prescribes the requirements for the transport of dangerous goods by air for foreign air operators.

***Transport of Dangerous Goods by Air***

Offering dangerous goods for transport by air

26. (1) A foreign air operator shall not accept dangerous goods for transport by air in Iraq unless he has-

- (a) been authorized to do so by the Foreign Authority; and
- (b) conducted the required personnel training.
- (c) provided a copy of his approved dangerous goods programme to the Authority.

(2) A foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the dangerous goods programme of the foreign air operator as approved by the Foreign Authority.

(3) The foreign air operator shall state in the Operations Specifications required in regulation 7 whether or not such operator has been authorized to accept dangerous goods by the foreign Authority.

(4) Where the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme authorized by the foreign Authority, the foreign operator shall provide a copy of such dangerous goods program with the Authority

### ***Transitional Provisions***

Transitional provisions

27.(1) Notwithstanding the foreign air operator Operations Specification requirements of these Regulations, where on the commencement of these Regulations a foreign air operator holds a valid licence to operate within Iraq, issued by the Flight Safety Department, Iraqi civil Aviation Authority, he shall continue to operate under such licence and exercise the privileges thereof, for a period of six months from the date of commencement of these Regulations.

(2) A foreign air operator under subregulation (1), who upon the commencement of these Regulations, continues to operate under his existing license, shall apply to the Authority for a new Operations Specification and successfully complete his re-certification at the end of such six month period.

(3) Where the holder of a license referred to under subregulation (1), fails to apply and successfully complete his application for an Operations Specification under these Regulations, within the period specified, he shall not thereafter continue to operate under such license.