



## THE CIVIL AVIATION ORDINANCE, 1960



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# THE CIVIL AVIATION ORDINANCE, 1960

## <sup>1</sup>ORDINANCE No. XXXII OF 1960\*

[27th July, 1960]

**An Ordinance to make better provision for the control of manufacture, possession, use, operation, sale, import and export of aircraft, the control and regulation of air transport services, and the control and development of aerodromes in Pakistan.**

WHEREAS it is expedient to make better provision for the control of manufacture, possession, use, operation, sale, import and export of aircraft, the control and regulation of air transport services, and the control and development of aerodromes in Pakistan;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

**1. Short title, extent and application.**— (1) This Ordinance may be called the Civil Aviation Ordinance, 1960.

(2) It extends to the whole of Pakistan, and applies to all citizens of Pakistan and persons on any aircraft registered in Pakistan, wherever such citizens or persons may be, and to all persons on any aircraft while in Pakistan, <sup>2</sup>[and to all persons carrying on any business relating to or connected with, the purposes of this Ordinance.] but nothing in this Ordinance or the rules or in any order made thereunder—

(a) shall apply to or in respect of any aircraft belonging to or exclusively employed in the naval, military or air force of Pakistan,

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<sup>1</sup>This Ordinance has been temporarily amended during the continuance of the Defence of Pakistan Ordinance, 1965 (23 of 1965), see sub-section (7) of section 7 of the said Ordinance.

<sup>2</sup>Ins. by the Civil Aviation (Amdt.) Act, 1974 (46 of 1974), s.2.

\* Section 1, 9, 12 & 12A to 12F of the Civil Aviation Ordinance, 1960 (XXXI of 1960) has been amended/inserted to the extent of F.A.T.A. by S.R.O. 1312(I)/97, dt.25-11-97.

or persons employed in connection with any such aircraft, unless the <sup>1</sup>[Federal Government], by notification in the official Gazette, applies to any such aircraft or person, with or without modification, any of the provisions of this Ordinance or the rules; or

- (b) shall apply to or in respect of any lighthouse to which the Light house Act, 1927 ([XVII of 1927](#)), applies, or prejudice or affect any right or power exercisable by any authority under that Act.

**2. Definitions.** In this Ordinance, unless there is anything repugnant in the subject or context,—

- (a) “aerodrome” means any areas of land or water designed, equipped, set apart or commonly used or intended to be used, either wholly or in part, for affording facilities for the landing and departure of aircraft, and includes all buildings, sheds, vessels, piers, and other structures thereon or appertaining thereto;
- (b) “aircraft” means any machine which can derive support in the atmosphere from reactions of the air, and includes balloons, whether captive or free, airships, kites, gliders and flying machines;
- (c) “airport” means an aerodrome at which facilities have, in the opinion of the <sup>1</sup>[Federal Government] been sufficiently developed to be of importance to civil aviation;
- (d) “air transport service” means a service of aircraft for the purpose of effecting public transport of passengers, goods, mails and other things;
- (e) “commercial flying” means flying for carriage by air of any passenger, mail or goods for hire or reward and such other flying for the purposes of any trade or

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<sup>1</sup>Subs. by the Civil Aviation (Amdt.) Act, 1974 (46 of 1974), s.4, for “Central Government”.

business as may be specified by the <sup>1</sup>[Federal Government] and “commercial flight” shall be construed accordingly;

- (f) “export” means taking out of Pakistan;
- (g) “import” means bringing into Pakistan;
- (h) “landing area” means the part of the movement area intended for the landing or take off run of aircraft;
- (i) “prescribed” means prescribed by rules;
- (j) “purposes of civil aviation” include all purposes connected with air navigation except purposes of defence by air;
- (k) “rules” means the rules made under this Ordinance.

**3. Power to exempt, etc.** The <sup>1</sup>[Federal Government] may, by notification in the official Gazette, either exempt from all or any of the provisions of this Ordinance any aircraft or class of aircraft, and any person or class of persons, or may direct that all or any of such provisions shall apply to any aircraft or person subject to such modifications or conditions as may be specified in the notification.

**4. Power to make rules to implement certain International Conventions.** The <sup>1</sup>[Federal Government] may, by notification in the official Gazette, make such rules as appear to it to be necessary for carrying out the provisions of—

- (a) the Convention on International Civil Aviation signed in Chicago on the seventh day of December, 1944, and any amendments of the Convention or annex thereto made in accordance with the provisions of Article 94 of the Convention;
- (b) the Convention on International Recognition of Rights in Aircraft signed in Geneva on the nineteenth day of June, 1948, and any amendment thereto;

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<sup>1</sup>*Subs. by the Civil Aviation (Amdt.) Act, 1974 (46 of 1974), s.4, for “Central Government”.*

- (c) the Convention on Damage caused by Foreign Aircraft to Third Parties on the Surface signed in Rome on the seventh day of October, 1952, and any amendment thereto; and
- (d) any other treaty, agreement or convention between Pakistan and any other country or any decision taken at any international body relating to civil aviation.

**5. Power to make rules generally.**— (1) The <sup>1</sup>[Federal Government] may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for one or more of the following matters, that is to say,—

- (a) the authorities by which any of the powers conferred by or under this Ordinance are to be exercised;
- (b) the regulation of air transport services and commercial flying, and the prohibition of the use of aircraft in such services and in commercial flights except under the authority of, and in accordance with, a licence authorizing the establishment of any such service or flight;
- (c) the information to be furnished by an applicant for, or the holder of, a licence authorizing the establishment of an air transport service to such authorities as may be prescribed;
- (d) the licensing, inspection and regulation of aerodromes or airports, the conditions under which aerodromes or airports may be maintained, and the fees which may be charged for the use of, and for services provided at, such aerodromes or airports, and the prohibition or regulation of the use of unlicensed aerodromes or airports, and the regulation of conduct of persons at aerodromes or airports or in the vicinity of aerodromes or airports;

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<sup>1</sup>Subs. by the Civil Aviation (Amdt.) Act, 1974 (46 of 1974),s.4, for "Central Government".