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AIR REGS — CHAPTER 1

International Organisations and Conventions

 Notes  4 hrs 9 sections · 19 annexes · 90 questions  [Chapter Quiz](#)
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SECTION
01

Paris Convention, 1919 — The First International Air Agreement

QUICK IDENTITY FACTS

- **Full Name:** Convention Relating to the Regulation of Aerial Navigation
- **Date Signed:** 13 October 1919
- **Signed at:** Peace Conference held in Paris under the auspices of the League of Nations
- **Body Created:** International Commission on Air Navigation (**ICAN**) — forerunner to ICAO
- **Superseded by:** Chicago Convention (7 December 1944)

⚠ EXAM TRAP — ICAN VS ICAO

ICAN (International Commission on Air Navigation) was created by the **Paris Convention 1919**.

ICAO (International Civil Aviation Organization) was created by the **Chicago Convention 1944**.

These are two *different bodies*. ICAN is the predecessor; ICAO replaced it.

The Paris Convention laid down **preliminary technical standards** for international civil aviation. It was **later superseded** by the Chicago Convention signed on 7 December 1944.

SECTION 02

Chicago Convention, 1944 — The Bedrock of Modern Aviation

QUICK IDENTITY FACTS

- **Full Name:** Convention on International Civil Aviation
- **Date Signed:** 7 December 1944
- **Number of Articles:** Exactly 96 Articles
- **India's Status:** India has **RATIFIED** this convention

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- **Superseded:** The Paris Convention, 1919
- **Created:** ICAO (International Civil Aviation Organization)

Part I: Air Navigation — Articles 1–16

ART. 1 Sovereignty

Every State has **complete and exclusive sovereignty** over the **airspace above its territory**. This is the foundational principle of international aviation law.

Memory: “Complete AND Exclusive” — both words are examinable. Not “partial”, not “shared”.

ART. 2 Territory

The **territory** of a State shall be deemed to be the **land areas** AND the **territorial waters** adjacent thereto, under the sovereignty, suzerainty, protection or mandate of such State.

ART. 3 Civil and State Aircraft

Applies TO (Civil Aircraft): All civilian aircraft used for private or commercial purposes.

Does NOT Apply TO (State Aircraft): Aircraft used in **military**, **customs**, or **police** services.

⚠ CRITICAL RULE

No state aircraft of a contracting State shall fly over the territory of another State **without authorization by special agreement**.

ART. 4 Misuse of Civil Aviation

Each contracting State agrees **not to use civil aviation** for any purpose **inconsistent with the aims** of this Convention.

ART. 5 Right of Non-Scheduled Flight

Aircraft engaged in **non-scheduled flights** enjoy the right to fly into or across the territory of another State and make stops for **non-traffic purposes** (1st & 2nd Freedom). However, the State flown over can require the aircraft to **land** and follow prescribed routes.

ART. 6 Scheduled Air Services

No scheduled international air service may be operated over or into the territory of a contracting State **except with special permission** or other authorization of that State.

ART. 7 Cabotage

Each contracting State has the **right to REFUSE permission** to aircraft of other States to take on passengers, mail, and cargo carried for remuneration **destined for another point within its own territory**.

Permission = Mandatory for scheduled flights.

Cabotage = DOMESTIC air services.

ART. 8 Pilotless Aircraft (Drones/UAVs)

No aircraft capable of being flown **without a pilot** shall fly over the territory of a contracting State **without special authorization** by that State. Such flights must be **controlled** to avoid danger to civil aircraft.

ART. 10 Landing at Customs Airport

The State can require that landing be made at a **designated customs airport**. Similarly, departure from the territory can be required to be from a designated customs airport.

ART. 12 Rules of the Air

Each contracting State undertakes to adopt measures ensuring every aircraft flying over or manoeuvring within its territory complies with the **rules and regulations relating to flight and manoeuvre** in force there.

⚠ HIGH-SEAS RULE (ART. 12)

Over the HIGH SEAS, the rules in force shall be those established under THIS Convention. (ICAO rules govern — not the rules of any individual state.)

ART. 13 Entry & Clearance Regulations

Laws relating to **entry, clearance, immigration, passports, customs, and quarantine** shall be complied with by passengers, crew, and cargo upon entrance into or departure from the territory of that State.

ART. 15 Airport & Similar Charges

Airport and similar charges will **not be more than** those paid by its national aircraft. Non-discriminatory charges apply.

ART. 9 Prohibited Areas

Each contracting State may **restrict or prohibit** flying over certain areas of its territory for **military necessity or public safety**. Such areas must be applied **uniformly** to all aircraft.

ART. 11 Applicability of Air Regulations

All aircraft are to be treated **equally** while operating from or in the territory of a nation, **irrespective of their nationality**.

ART. 14 Prevention of Spread of Disease

Each contracting State agrees to take effective measures to prevent the spread by air navigation of: **cholera, typhus (epidemic), smallpox, yellow fever, plague**, and such other communicable diseases.

ART. 16 Search of Aircraft

Appropriate authorities have the right, **without unreasonable delay**, to search aircraft of other contracting States on landing or departure, and

inspect certificates and documents prescribed by this Convention.

Part II: Nationality of Aircraft — Articles 17–21

ART. 17 Nationality of Aircraft

Aircraft have the **nationality of the State in which they are registered**. (e.g., VT-AXY is Indian because registered in India.)

ART. 18 Dual Registration — INVALID

An aircraft **cannot be validly registered in more than one State at a time**. However, its registration **may be changed** from one State to another.

DUAL REGISTRATION = INVALID at any given moment.

ART. 19 National Laws Governing Registration

Registration or transfer of registration in any contracting State shall be made **in accordance with its law and regulations**.

ART. 20 Display of Marks

Every aircraft engaged in **international air navigation** shall bear its appropriate **nationality and registration marks**.

ART. 21 Report of Registrations

The registering State must report to ICAO data revealing the **ownership and control** of aircraft it registers. Information must be made available to other contracting States, or ICAO, **on demand**.

Part III: Measures to Facilitate Air Navigation — Articles 22–28

ART. 22 Facilitation of Formalities

Each State agrees to adopt all practicable measures to **facilitate and expedite navigation** — preventing unnecessary delays to aircraft, crews, passengers, and cargo.

ART. 23 Customs & Immigration Procedures

Each State undertakes to establish **customs and immigration procedures** affecting international air navigation in accordance with practices established under this Convention.

ART. 24 Customs Duty

Aircraft flying to, from, or across the territory shall be admitted **temporarily free of duty**. Also exempt: Fuel, Oil, Spare parts, Regular equipment & aircraft stores retained on board.

ART. 25 Aircraft in Distress

Each contracting State undertakes to provide such measures of assistance to **aircraft in distress** in its territory as it may find practicable.

ART. 26 Investigation of Accidents

In the event of an accident involving **death, serious injury, or indicating serious technical defect**:

- The **State where the accident occurs** will institute an inquiry.
- The **State of registration** shall be given the opportunity to appoint **observers** at the inquiry.
- The State holding the inquiry shall communicate the **report and findings** to the State of registration.

ART. 27 Exemption from Seizure on Patent Claims

An aircraft **on flight cannot be seized** for violation of patent laws of a State.

ART. 28 Air Navigation Facilities & Standard Systems

Each State should provide **airports, navigation facilities, met facilities, radio, charts, maps** etc., to conform to the Convention specifications.

GHOST AVIATOR

Part IV: Conditions to Be Fulfilled With Respect to Aircraft — Articles 29–36

⚠ ARTICLE 29 — ESSENTIAL AIRCRAFT DOCUMENTS (HIGH EXAM PRIORITY)

Every aircraft of a contracting State **engaged in international navigation** shall carry the following **7 documents**:

#	Document	Notes
a)	Certificate of Registration	Proof of aircraft nationality
b)	Certificate of Airworthiness (CofA)	Aircraft is airworthy
c)	Appropriate Crew Licenses	For each member of the crew
d)	Journey Log Book	Aircraft journey record
e)	Aircraft Radio Station License	Only if equipped with radio apparatus
f)	Passenger List (Names, Embarkation & Destination)	Only if it carries passengers
g)	Cargo Manifest & Declarations	Only if it carries cargo

MNEMONIC (R-A-C-J-R-P-C)

“Real Aircraft Carries Journals, Radio Permit, Cargo-list”

Registration · Airworthiness · Crew License · Journey Log · Radio License · Passenger List · Cargo Manifest

ART. 30 Aircraft Radio Equipment

ART. 31 Certificates of Airworthiness

Radios must be **licensed and used per the regulations of the State of registration**.
Radios may only be used by **flight crew members suitably licensed** by the State of registration.

Every aircraft engaged in international navigation shall be provided with a CofA **issued or rendered valid by the State in which it is registered**.

ART. 32 Licences of Personnel

(a) The pilot and operating crew of every aircraft engaged in international navigation shall be provided with **certificates of competency and licenses issued or rendered valid by the State of registration**.

IMPORTANT CLAUSE (B)

Each contracting State reserves the right to **refuse to recognize** certificates of competency and licenses granted to **its own nationals** by another contracting State.

ART. 33 Recognition of Certificates & Licenses

Certificates and licenses issued by the State of registration shall be **recognized as valid** by other contracting States, **provided** the requirements under which they were issued are **equal to or above the minimum standards** established under the Convention.

ART. 34 Journey Log Books

There shall be maintained in respect of every aircraft in international navigation a **journey log book** in which shall be entered particulars of the aircraft, its crew, and of each journey.

ART. 35 Cargo Restrictions

No **munitions of war or any item prohibited** to be carried by a State shall be carried.

ART. 36 Photographic Apparatus

Each contracting State may **prohibit or regulate the use of photographic apparatus** in aircraft over its territory.

Part V: International Standards & Recommended Practices — Articles 37–42

ART. 37 Adoption of International Standards and Procedures

Each contracting State undertakes to **collaborate in securing the highest practicable degree of uniformity** in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways, and auxiliary services. To this end, ICAO shall adopt and amend **SARPs** as necessary.

ART. 38 Departures from International Standards — THE 60-DAY RULE

Any State which finds it **impracticable to comply** in all respects with any international standard, or which **deems it necessary to adopt different regulations**, shall give **immediate notification** to ICAO

of differences between its own practice and that established by the international standard.

⚠ THE CRITICAL NUMBER

In case of **amendments** to international standards, any State which does not make the appropriate amendments shall give notice to the Council within **SIXTY (60) DAYS** of the adoption of the amendment.

ART. 39 Endorsement of Certificates & Licenses

Any aircraft **not satisfying international airworthiness requirements**, or any person not satisfying international licence requirements, shall get the certificate/licence **endorsed giving full details** of the shortfall.

ART. 40 Validity of Endorsed Certificates

No aircraft or personnel having **endorsed** certificates or licenses shall participate in international navigation **except with the permission** of the State or States whose territory is entered.

ART. 41 Recognition of Existing Standards — Airworthiness

These provisions shall not apply to aircraft whose **prototype was submitted for certification prior to 3 years** after the date of adoption of an international standard of airworthiness for such equipment.

ART. 42 Recognition of Existing Standards — Personnel

These provisions shall not apply to personnel whose licences are originally issued **prior to 1 year** after initial adoption of an international standard. However, they shall apply to all personnel whose licenses remain valid **5 years after the date of adoption** of such standard.

SECTION 03 ICAO — International Civil Aviation Organization

KEY IDENTITY FACTS

Field	Details
Full Name	International Civil Aviation Organization
Created By	Chicago Convention, 1944
UN Status	Became a Specialized Agency of the United Nations linked to Economic and Social Council in 1947
Headquarters	Montreal, Canada
Members	193 members of the United Nations (including a non-UN member: Cook Islands)

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Field	Details
Non-members	Liechtenstein, Niue, Tuvalu, Vatican City, and states with limited recognition
Structure	Assembly + Council + such other bodies as may be necessary

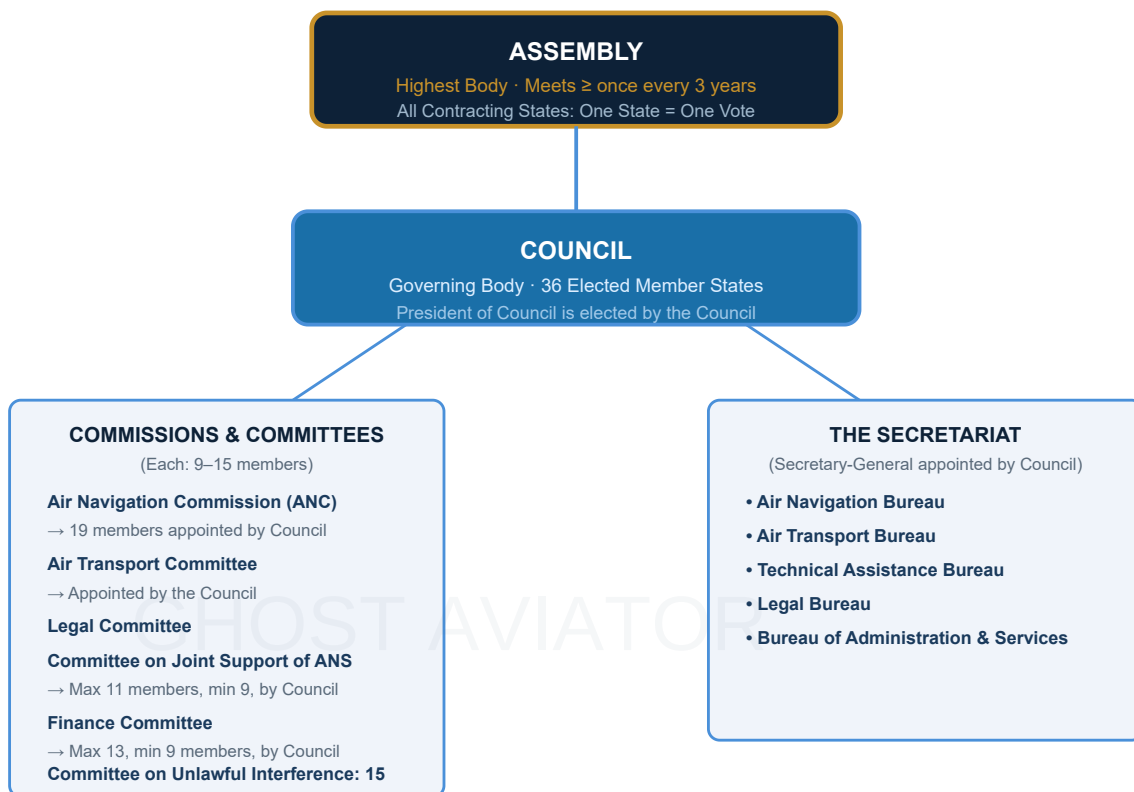
ICAO Objectives (from the Convention)

✅ ICAO'S AIMS — TO DEVELOP PRINCIPLES AND TECHNIQUES OF INTERNATIONAL AIR NAVIGATION SO AS TO:

1. Insure the **safe and orderly growth** of international civil aviation throughout the world
2. Encourage the arts of **aircraft design and operation for peaceful purposes**
3. Encourage the development of **airways, airports, and air navigation facilities**
4. Meet the needs of the peoples of the world for **safe, regular, efficient and economical air transport**
5. Prevent **economic waste** caused by unreasonable competition
6. Insure that the **rights of contracting States are fully respected** and that every contracting State has a **fair opportunity to operate international airlines**
7. **Avoid discrimination** between contracting States
8. **Promote safety of flight** in international air navigation
9. Promote generally the development of **all aspects of international civil aeronautics**

ICAO Organisational Structure

GHOST AVIATOR



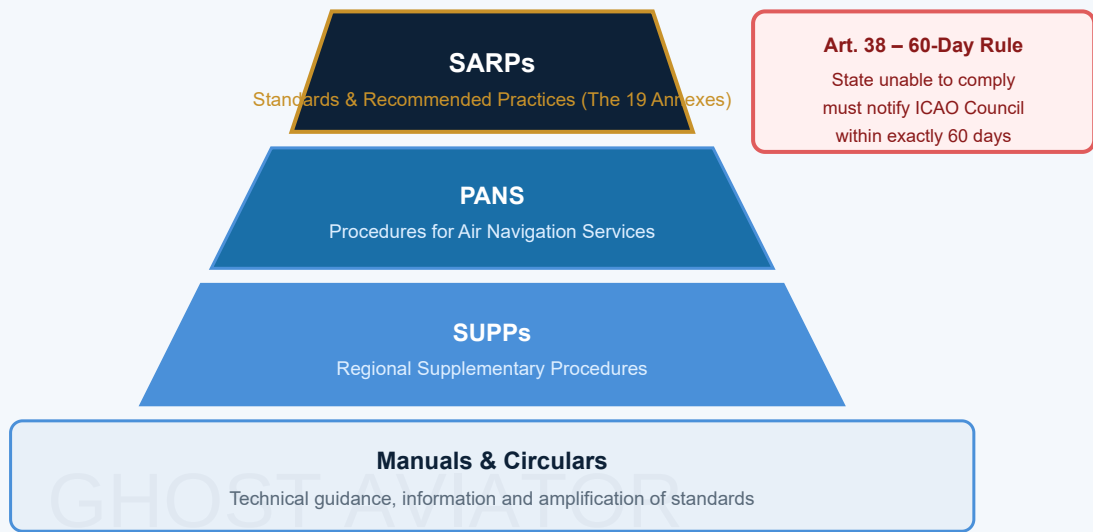
ICAO Regional Offices (7 offices serving 9 regions)

#	Region	Office Location
1	Asia and Pacific	Bangkok, Thailand
2	Middle East	Cairo, Egypt
3	Western and Central Africa	Dakar, Senegal
4	South America	Lima, Peru
5	North America, Central America and Caribbean	Mexico City, Mexico
6	Eastern and Southern Africa	Nairobi, Kenya
7	Europe and North Atlantic	Paris, France

SECTION 04

ICAO Technical Publications — SARPs, PANS, SUPPS, Manuals

ICAO Publication Hierarchy



SARPs Standards & Recommended Practices

Adopted by the Council under Articles 54, 37, and 90. Designated as **Annexes to the Convention**.

- **International Standard:** Uniform application necessary for *safety or regularity*.
MANDATORY
- **Recommended Practice:** Uniform application desirable in the *interest of safety, regularity or efficiency*. **DESIRABLE**

PANS Procedures for Air Navigation Services

Approved by the Council for **worldwide application**. Contain operating procedures not yet having attained a sufficient degree of maturity for adoption as SARPs, or material too **detailed for an Annex**.

SUPPs Regional Supplementary Procedures

Have a status **similar to PANS** in that they are approved by the Council, but only for application in **specific geographic regions**.

DOCS Technical Manuals & Circulars

Provide **guidance and information in amplification** of the SARPs and PANS. ICAO Circulars make available **specialized information of interest to Contracting States**.

The 19 Annexes to the Chicago Convention

⚠ **CRITICAL EXAM FACT — ANNEXES WITH ONLY INTERNATIONAL STANDARDS (NO RECOMMENDED PRACTICES)**

Annexes 2, 5, 7 & 8 contain ONLY International Standards — NO Recommended Practices.

The remaining 15 Annexes contain both.

ANNEX 1
Personnel Licensing

ANNEX 2 🚩
Rules of the Air

ANNEX 3
Meteorological Service for
International Air Navigation

ANNEX 4
Aeronautical Charts

ANNEX 5 🚩
Units of Measurement

ANNEX 6
Operation of Aircraft (Parts I, II, III)

ANNEX 7 🚩
Aircraft Nationality & Registration
Marks

ANNEX 8 🚩
Airworthiness of Aircraft

ANNEX 9
Facilitation

ANNEX 10
Aeronautical Telecommunication
(5 Volumes)

ANNEX 11
Air Traffic Services

ANNEX 12
Search and Rescue

ANNEX 13
Aircraft Accident Investigation

ANNEX 14 ★
Aerodromes (Vol I: Design & Ops;
Vol II: Heliports)

ANNEX 15
Aeronautical Information Service

ANNEX 16
Environmental Protection (Vol I:
Noise; Vol II: Emissions)

ANNEX 17 ★
Safeguarding International Civil
Aviation against Acts of Unlawful
Interference

ANNEX 18 ★
Safe Transport of Dangerous
Goods by Air

ANNEX 19
Safety Management

🚩 = Standards ONLY (no recommended practices). ★ = Frequently asked in exams.

SECTION 05 **Freedoms of the Air — Air Services Agreements**

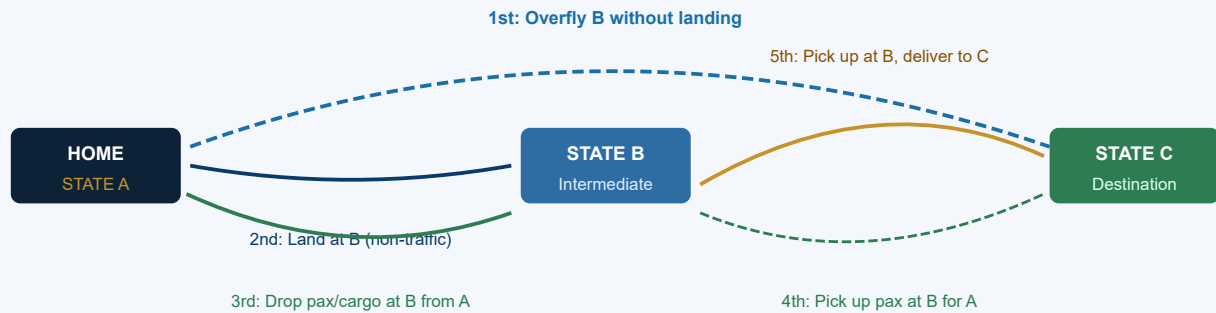
❏ IASTA 1944 — INDIA HAS RATIFIED

- Signed at Chicago on **7 Dec 1944**
- **India HAS Ratified ✓**
- Grants the **Technical Freedoms** (1st and 2nd)

⚠ IATA 1944 — INDIA HAS NOT RATIFIED

- Signed at Chicago on **7 Dec 1944**
- **India has NOT Ratified ✗**
- Grants both **Technical AND Commercial Freedoms** (1st–5th)

Freedoms of the Air — Visual Reference



#	Type	Description	Agreement	India Ratified?
1st	TECHNICAL	The privilege to fly across the territory of another State without landing.	IASTA 1944	YES ✓
2nd	TECHNICAL	The privilege to land for non-traffic purposes (e.g., fuel stop, technical stop — no pax/cargo loaded or unloaded).	IASTA 1944	YES ✓
3rd	COMMERCIAL	The privilege to put down (drop off) passengers, mail, and cargo taken on in the territory of the State whose nationality the aircraft possesses.	IATA 1944	NO ✗
4th	COMMERCIAL	The privilege to take on (pick up) passengers, mail, and cargo destined for the territory of the State whose nationality the aircraft possesses.	IATA 1944	NO ✗
5th	COMMERCIAL	The privilege to take on passengers, mail, and cargo destined for any other Contracting State, AND the privilege to put down passengers, mail, and cargo coming from any such territory. (Between two foreign states.)	IATA 1944	NO ✗

SECTION 06 Security & Unlawful Acts Conventions

✓ ALL OF THESE CONVENTIONS HAVE BEEN RATIFIED BY INDIA

Tokyo 1963, Hague 1970, Montreal 1971 & 1991, and Montreal Protocol 1988 — all ratified by India.

Convention	Year	Core Focus	Key Provision	India
Tokyo Convention	1963	Offences on board aircraft	Grants Aircraft Commander powers to impose reasonable restraint on unruly persons	Ratified ✓
Hague Convention	1970	Hijacking — Unlawful Seizure of aircraft in	Defines act of unlawful seizure; requires extradition of offenders; severe	Ratified ✓

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Convention	Year	Core Focus	Key Provision	India
		flight	punishment	
Montreal Convention	1971	Sabotage — Acts against safety of civil aviation	Acts of violence on board; destroying an aircraft; damaging navigation facilities; transmitting false info	Ratified ✓
Montreal Protocol	1988	Aerodromes — Extended Montreal 1971 to airports	Covers violence at aerodromes serving international civil aviation; destruction of airport facilities	Ratified ✓
Montreal Convention	1991	Plastic Explosives — Marking for detection	Convention on the marking of plastic explosives for the purpose of detection	Ratified ✓

Tokyo Convention 1963 — Detailed Clauses

FULL NAME & SCOPE

Convention on Offences and Certain Other Acts Committed on Board Aircraft — Signed at Tokyo on 14 September 1963.

- Applies to: (a) offences against penal law; (b) acts which may **jeopardize the safety of the aircraft, persons or property therein, or jeopardize good order and discipline on board.**
- Applies to aircraft registered in a contracting State, while **in flight or on the surface of the high seas or any other area outside the territory of any State.**
- Aircraft is considered “**in flight**” from the moment when **power is applied for the purpose of take-off until the moment when the landing run ends.**
- **Does NOT apply** to aircraft used in military, customs, or police services.

Art. 2 No Political Offences

No provision of this Convention shall be interpreted as authorizing or requiring any action in respect of offences against penal laws of a **political nature or based on racial or religious discrimination.**

Art. 3 Jurisdiction

The **State of registration** of the aircraft is competent to exercise jurisdiction over offences and acts committed on board. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Art. 5 & 6 Powers of the Aircraft Commander ★ HIGH PRIORITY

The aircraft commander may, when he has **reasonable grounds to believe** that a person has committed, or is about to commit, an offence on board, impose upon such person **reasonable measures including restraint** which are necessary:

1. To protect the **safety of the aircraft**, or of persons or property therein
2. To maintain **good order and discipline on board**
3. To enable him to **deliver such person to competent authorities**

ADDITIONAL POWERS

- Commander may **require or authorize** assistance of other crew members.
- Commander may **request but NOT require** assistance of passengers.
- Any crew member or passenger may take **reasonable preventive measures WITHOUT authorization** when immediately necessary.

⚠ EXAM GOLDEN RULE

If a question involves the Aircraft Commander's powers of restraint, the answer is **ALWAYS** the TOKYO CONVENTION.

Art. 7 Duration of Restraint

Measures of restraint imposed **shall not be continued beyond any point at which the aircraft lands, UNLESS:**

- Such point is in a **non-Contracting State** whose authorities refuse to permit disembarkation
- The aircraft makes a **forced landing** and the commander is unable to deliver that person to competent authorities
- That person **agrees to onward carriage under restraint**

Hague Convention 1970 — Hijacking

⚠ FOCUS AREA

Following Tokyo Convention and politically motivated terrorist hijackings, ICAO called a convention hosted by the Dutch government. The *Convention for the Suppression of Unlawful Seizure of Aircraft* defines the act of unlawful seizure and the measures to be taken by contracting states to enforce **severe punishment** upon perpetrators. This agreement specifies **extradition of offenders** and obliges contracting states to extradite offenders.

Montreal Convention 1971 — Sabotage

⚠ OFFENCES UNDER MONTREAL 1971 (SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION)

Makes it an offence to:

- Commit **acts of violence on board aircraft** that endanger people, property, and the safety of the aircraft
- **Destroy an aircraft in service** or cause damage rendering it incapable of flight
- **Place a device on board** an aircraft that is likely to destroy the aircraft or damage it
- **Destroy or damage any navigation facility** or interfere with its correct operation

- **Interfere with aircraft communications** or transmit false information that endangers an aeroplane in flight

Montreal Protocol 1988 — Extension to Aerodromes

Extended the Montreal Convention 1971 to include offences committed at **aerodromes serving international civil aviation**, including the intentional use of any device, substance, or weapon likely to:

- Cause serious injury or death
- Destroy or seriously damage the **facilities of an airport**
- Destroy or damage **aircraft not in service** at the airport
- Disrupt the **services at an airport**

SECTION 07

Liability & Ownership Conventions

Warsaw Convention 1929 — Passenger Liability

FULL NAME & KEY FACTS

Convention for the Unification of Certain Rules Relating to International Carriage by Air — Signed at Warsaw on 12 October 1929

- **India Ratified: Warsaw Convention + Hague Protocol**
- 152 States are party — one of the most widely accepted unifications of private law.
- Applies to all international carriage of **persons, luggage, or goods performed by aircraft for reward**, and to gratuitous carriage by an air transport undertaking.
- Does **NOT apply** to carriage performed under terms of any **international postal Convention**.

Amendments to Warsaw Convention

- | | |
|------|--|
| 1929 | Warsaw Convention
Original treaty signed. India ratified. |
| 1955 | Hague Protocol
India ratified. Increased liability limits. |
| 1961 | Guadalajara Convention
India did NOT ratify. |
| 1971 | Guatemala City Protocol
India did NOT ratify. |

1975 Additional Montreal Protocols 1–4

India did NOT ratify.

1999 Montreal Convention

Aimed at replacing Warsaw Convention system. India did NOT ratify. No financial limits on liability for passenger injury or death. For damages up to 113,100 SDRs, air carrier cannot contest claims.

What does Warsaw Unify?

- Documentation on the carriage of **passengers, baggage, and cargo**
- The **financial liability of airlines (operators)**
- The question of **jurisdiction**, by defining the courts before which any action may be brought

Passenger Ticket Requirements (Warsaw)

✓ A PASSENGER TICKET SHALL CONTAIN

- The **place and date of issue**
- An indication of the **place of departure and destination**
- The **agreed stopping places**
- The **name and address of the carrier or carriers**
- A statement that the carriage is subject to the **rules relating to the liability** established by this convention

⚠ ABSENCE/IRREGULARITY OF TICKET — CRITICAL RULE

The absence, irregularity, or loss of the passenger ticket **does NOT affect the validity of the contract of carriage**. However, if a carrier accepts a passenger **without a ticket**, the carrier will **NOT be able to fall back on the provisions of the convention that limit liability**.

Liability of the Carrier (Warsaw)

📄 LIABILITY LIMITS

- The Treaty imposed **limitations on the liability of the operator**. However, where **gross negligence can be proved, the limit of liability is removed**.
- Under **Montreal Convention 1999**: No financial limits on liability for passenger injury or death.
- For damages up to **113,100 SDRs** — the air carrier **cannot contest** claims for compensation.
- Above 113,100 SDRs — the air carrier **can defend itself** against a claim by proving it was not negligent.

Carriage by Air Act, 1972 (India)

📄 INDIAN LEGISLATION

The rights and liabilities of air carriers are governed by the **Carriage by Air Act, 1972** [as amended in 2009]. **The Act extends to the whole of India**. Applicable to Indian citizens involved in domestic carriage by air and in international carriage by air, irrespective of the nationality of the aircraft performing the carriage.

Rome Convention 1952 — Surface Damage

KEY FACTS

- Full Name: *Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface*
- Replaced Rome Convention 1933 and Brussels Protocol 1938
- The operator is liable, but liability is **limited to a sum proportionate to the weight of the aircraft**
- Makes it **compulsory to insure** against this liability
- **India has NOT ratified this convention**
- **Montreal Protocol 1978** amended Rome Convention by including operators living in another contracting state.

Geneva Convention 1948 — Finance Rights

PURPOSE

This convention protects the **rights of seller for aircraft bought on Hire Purchase, Lease, or Mortgage**. Secures rights in aircraft bought on hire purchase, lease, or mortgage.

Cape Town Convention & Protocol, 2001 — Asset Security

KEY FACTS

- Full Name: *Convention on International Interests in Mobile Equipment as applied to Aircraft Objects*
- Signed at **Cape Town on 16 November 2001**
- Aims at introducing a **legally certain, effective, and prompt system of enforcement** that can assure and encourage **investments in Aircraft objects**
- Meets the particular requirements of **aircraft finance** and extends contracts of sale of aircraft equipment
- **India ratified this convention and protocol in 2008 ✓**

Summary — All Liability & Ownership Conventions

Convention	Year	Protected Entity	Core Function	India
Warsaw Convention	1929	Passengers, Baggage, Cargo	Defines financial liability for airlines, ticketing, carriage rules	Ratified ✓
Rome Convention	1952	Third parties on the surface	Defines liability for damage caused on ground by foreign aircraft	NOT Ratified X
Geneva Convention	1948	Sellers & Financiers	Secures rights in aircraft bought on hire purchase, lease, or mortgage	—

Convention	Year	Protected Entity	Core Function	India
Cape Town Convention	2001	Mobile equipment investments	Secures international interests in aircraft finance and object enforcement	Ratified 2008 ✓

SECTION 08 Indian Aviation Organisations — MoCA, DGCA & AAI

Ministry of Civil Aviation (MoCA)

❑ IDENTITY

Located at **Rajiv Gandhi Bhavan, Safdarjung Airport, New Delhi**. Responsible for:

- Formulation of national policies and programmes for the **development and regulation of Civil Aviation**
- Administration of the **Aircraft Act, 1934**, Aircraft Rules, 1937 and various other legislations
- Administrative control over: **DGCA, Bureau of Civil Aviation Security (BCAS), IGRUA, AAI, Air India, Pawan Hans Helicopters**
- Commission of Railway Safety (under this Ministry)

Directorate General of Civil Aviation (DGCA)

❑ ROLE

The **primary regulatory body in the field of Civil Aviation, primarily dealing with safety issues**. Responsible for regulation of air transport services to/from/within India, enforcement of civil air regulations, air safety, and airworthiness standards. Coordinates all regulatory functions with ICAO.

Functions of DGCA (12 Key Functions)

✅ DGCA'S FUNCTIONS

1. **Registration of civil aircraft**
2. Formulation of standards of airworthiness for civil aircraft registered in India and grant of **Certificates of Airworthiness**
3. **Licensing of pilots, AMEs, and flight engineers**; conducting examinations and checks
4. **Licensing of air traffic controllers**
5. Certification of **aerodromes and CNS/ATM facilities**
6. Granting of **Air Operator's Certificates (AOCs)** to Indian carriers; regulation of air transport services

7. Conducting investigation into **accidents/incidents** and taking accident prevention measures; implementing Safety Aviation Management programmes
8. Carrying out amendments to the **Aircraft Act, the Aircraft Rules** and Civil Aviation Requirements (CARs)
9. Coordination at national level for **flexi-use of airspace** by civil and military air traffic agencies
10. Keeping a check on **aircraft noise and engine emissions** in accordance with ICAO Annex 16
11. Promoting **indigenous design and manufacture** of aircraft and aircraft components
12. Approving training programmes for operators for carriage of **dangerous goods**; issuing authorizations for carriage of dangerous goods

Airports Authority of India (AAI)

FORMATION

Formed on **1st April 1995** by merging the **International Airports Authority of India** and the **National Airports Authority**. Purpose: To accelerate the integrated development, expansion, and modernization of airports in India conforming to international standards.

Functions of AAI (10 Main Functions)

1 Design & Maintenance

Design, Development, Operation, and Maintenance of international and domestic airports and civil enclaves.

2 Airspace Management

Control and Management of the Indian airspace extending beyond the territorial limits of the country, as accepted by ICAO.

3 Passenger Terminals

Construction, Modification, and Management of passenger terminals.

4 Cargo Terminals

Development and Management of cargo terminals at international and domestic airports.

5 Passenger Facilities

Provision of passenger facilities and information systems at passenger terminals.

6 Runways, Aprons & Taxiways

Expansion and strengthening of operation areas viz. Runways, Aprons, Taxiways, etc.

7 Visual Aids

Provision of visual aids (approach lighting, runway lighting, etc.).

8 CNS — Communication & Nav

Provision of Communication and Navigation aids viz. ILS, DVOR, DME, Radar, etc.

9 Air Traffic Services

10 Aeronautical Information

Provision of Air Traffic Services at airports under its jurisdiction.

Provision of aeronautical information services: publication of AIP, NOTAMs, AIRRACs, PIBs, etc.

SECTION 09 Captain's Exam Checklist — Golden Rules to Memorize

★ Golden Rules — These Come Up Again & Again in DGCA Exams

1. **Paris Convention (1919)** established **ICAN**. The Chicago Convention (1944) established **ICAO**. These are **DIFFERENT** bodies.
2. **Chicago Convention** was signed on **7 December 1944** and consists of exactly **96 Articles**.
3. **Cabotage (Article 7)** strictly refers to **DOMESTIC air services** — the right to refuse foreign airlines from carrying passengers/cargo between two points within the **SAME** territory for remuneration.
4. For aircraft flying over the **HIGH SEAS**, the rules established under the **Convention (ICAO rules)** apply — NOT the rules of any individual state.
5. If a question involves the Aircraft Commander's powers of **restraint**, the answer is **ALWAYS the Tokyo Convention (1963)**.
6. States have exactly **60 DAYS** to notify ICAO Council if they cannot comply with an International Standard after an amendment (Article 38).
7. **Annexes 2, 5, 7 & 8** contain **ONLY International Standards** — NO Recommended Practices.
8. India **HAS ratified** IASTA 1944 (Technical Freedoms — 1st & 2nd). India has **NOT ratified** the International Air Transport Agreement 1944 (Commercial Freedoms).
9. The **Warsaw Convention** defines liability for carriers for passengers, baggage, and cargo. **Rome Convention 1952** covers damage to third parties on the surface.
10. AAI was formed on **1st April 1995** by merging IAAI and NAA.
11. Aircraft **"in flight"** (Tokyo Convention definition): from the moment when **power is applied for takeoff until the landing run ends**.
12. ICAO became a **specialized agency of the United Nations** in **1947**.

Quick Reference: India's Ratification Status

Convention	Year	Subject	India
Paris Convention	1919	First international aviation agreement	—
Chicago Convention	1944	Core aviation convention; established ICAO	Ratified ✓
IASTA (Technical Freedoms)	1944	1st & 2nd Freedoms (overflight, tech stop)	Ratified ✓
IATA (Commercial Freedoms)	1944	1st–5th Freedoms (commercial traffic)	NOT Ratified ✗
Warsaw Convention	1929	Passenger / cargo liability	Ratified ✓
Hague Protocol	1955	Amendment to Warsaw	Ratified ✓
Montreal Convention 1999	1999	Replace Warsaw system	NOT Ratified ✗
Rome Convention	1952	Surface damage by foreign aircraft	NOT Ratified ✗
Tokyo Convention	1963	Onboard offences; Commander's powers	Ratified ✓
Hague Convention	1970	Hijacking / unlawful seizure	Ratified ✓
Montreal Convention	1971	Sabotage / acts against civil aviation	Ratified ✓
Montreal Protocol	1988	Offences at aerodromes	Ratified ✓
Montreal Convention	1991	Marking of plastic explosives	Ratified ✓
Cape Town Convention	2001	Aircraft finance / asset security	Ratified 2008 ✓



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