

## RECOGNITION OF AIRWORTHINESS OF FOREIGN AIRCRAFT

The *Rules of Ensuring Airworthiness and Serviceability of Civil Aircraft Registered in Foreign State and Implementing Requirements for Flight Crew and Flight Documentation* are approved by Resolution No. 468, dated 31 October 2024, of the Cabinet of Ministers. The Resolution is passed pursuant to Presidential Decree No. 1 of 15 February 2024 for the implementation of the Law of Aviation. The Rules further refer to the *Convention on International Civil Aviation* of 7 December 1944 (the Chicago Convention) and its annexes as well as the *ICAO Manual of Procedures for Operations Inspection, Certification and Continued Surveillance* (Doc 8335, AN/879).

An operator of civil aircraft registered in another state landing in or taking off from Azerbaijan must operate based the operator's certificate and the aircraft must be equipped with appropriate navigation, communication, and surveillance equipment.

Foreign aircraft must have an airworthiness certificate issued by the State, a party to an agreement with the member states of the ICAO, of registry or operator. In the latter case, the responsibility to issue the airworthiness certificate must be transferred from the State of registry of aircraft to the State of operator of aircraft pursuant to Article 83 bis of the Chicago Convention.

The Rules further list the pre-flight measures, necessary documents that must be onboard the aircraft, and requirements for a flight crew.

An operator of foreign-registered aircraft must ensure availability onboard the aircraft of emergency and rescue (fire extinguishers, lifeboats, first aid kits) and flight data recording equipment among others.

Documents onboard the aircraft must include *inter alia* its registration and airworthiness certificates and NOTAMs (Notices to Air Missions).

Flight crew must have certificates, licenses, as well as documents confirming the medical examination of each member of the crew. Crew members are restricted from taking substances, precursors, and medications that may affect flight safety.

The State Civil Aviation Agency under the Ministry of Digital Development and Transport of the Republic of Azerbaijan is enforcing the Rules.

## ESTABLISHMENT OF AZCON

The president of the Republic decreed on 7 November 2024 to establish a new public legal entity, Azerbaijan Transport and Communication Holding (AZCON). AZCON is a single institution to manage state-owned enterprises, business companies with state shareholding in them, and public entities in the transportation and communications industry:

- “Azerbaijan Airlines” Closed Joint Stock Company,
- “Azerbaijan Railways” Closed Joint Stock Company,
- “Azerbaijan Caspian Shipping” Closed Joint Stock Company,
- “Baku Metro” Closed Joint Stock Company,

- “Baku International Sea Trade Port” Closed Joint Stock Company,
- “BakuBus” Limited Liability Company,
- the Baku Shipyard,
- “Space Agency of Republic of Azerbaijan (Azercosmos)” public legal entity,
- “Aztelekom” Limited Liability Company,
- “Azerbaijan International Telecom” (AzInTelecom)” Limited Liability Company,
- “Azerpocht” Limited Liability Company (post service),
- “Baku Taxi Service” Limited Liability Company,
- “Radio-Television Broadcasting and Satellite Communications” Production Unit, and
- entities and enterprises established or held by any of the above.

AZCON’s own operations will be coordinated by its supervisory board (members have already been appointed by the president of the Republic *ex officio*). Operational management of AZCON rests with its executive director appointed by the president.

The authorized capital of AZCON is set at AZN 10 million.

The powers of a participant of AZCON are divided between the president of the Republic (including among others termination and reorganization of AZCON) and AZCON, itself, *vis-à-vis* all powers of a participant of a public entity except those reserved for the president of the Republic.

The Cabinet of Ministers is instructed to ensure the state registration of AZCON within three days of approval of the AZCON charter. The Ministry of Digital Development and Transport must draft the charter and submit it to the president of the Republic for the approval before 7 December.

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**Republic of Azerbaijan**

**For Further Information:**

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\*Information does not, and is not intended to, constitute legal advice

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