
**GACAR PART 119 – CERTIFICATION: SAUDI ARABIAN COMMERCIAL AND
 NONCOMMERCIAL OPERATORS**

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§ 119.1 Applicability.

- (a) This part applies to each person operating or intending to operate civil aircraft in commercial operations or noncommercial operations, whose activities must be conducted in accordance with a certificate as required under Subpart B of this part. For the purposes of this part, commercial operations has the same meaning as commercial air transportation.
- (b) This part prescribes—
- (1) The types of certificates issued by the General Authority of Civil Aviation (GACA), including Air Operator Certificates (AOC) for commercial operators, and Operator Certificates (OC) for noncommercial operators;
 - (2) The certification requirements an operator must meet in order to obtain and hold a certificate authorizing operations under General Authority of Civil Aviation Regulation (GACAR) Part 121, 125, or 135 and operations specifications for each kind of operation to be conducted;
 - (3) The requirements an operator must meet to conduct operations under GACAR Part 121, 125, or 135;
 - (4) Requirements affecting leasing of aircraft; and
 - (5) Requirements for obtaining special authority to perform operations under an Armed Forces contract and special authority to perform an emergency operation.
- (c) Persons subject to this part must comply with the other requirements of the GACAR, except where those requirements are modified by or where additional requirements are imposed by GACAR Part 121, 125, or 135.
- (d) This part does not apply to activities conducted by foreign air carriers under GACAR Part 129.
- (e) This part does not apply to aerial work operations conducted under GACAR Part 133.

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§ 119.3 Certifications, Authorizations, and Prohibitions.

- (a) A person authorized by the President to conduct operations as a commercial operator under GACAR Part 121 or 135 will be issued an AOC.
- (b) A person authorized by the President to conduct operations as a noncommercial operator under GACAR Part 125 will be issued an OC.
- (c) A person authorized to engage in commercial operations under both GACAR Parts 121 and 135 will be issued an AOC with a set of operations specifications for operations under GACAR Part 121 and a separate AOC with a set of operations specifications for operations under GACAR Part 135.
- (d) A certificate holder must conduct operations in compliance with—
- (1) The requirements for the kind of operation conducted and
 - (2) The appropriate authorizations, limitations, and procedures specified in the operations specifications for each kind of operation.
- (e) No person may operate an aircraft under GACAR Part 121, 125, or 135 in violation of an AOC, OC, or appropriate operations specifications issued. No person may operate as a commercial operator or noncommercial operator in violation of any exemption or special authority, if issued to that person or that person's representative.
- (f) No person may operate as a commercial operator under this part without holding appropriate economic authority from the GACA.
- (g) No person may advertise or otherwise offer to perform an operation subject to this part unless that person is authorized by the President to conduct that operation.

§ 119.5 Operations Specifications.

Each certificate holder's operations specifications must contain—

- (a) The authorizations, limitations, and certain procedures under which each kind of operation, if applicable, is to be conducted and

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(b) Certain other procedures under which each class of aircraft is to be operated.

§ 119.7 Safety Management Systems.

(a) Certificate holders authorized to conduct operations under GACAR Part 121, 125 or 135 must have a Safety Management System (SMS) that meets the requirements of GACAR Part 5 and is acceptable to the President.

(b) A person applying to the President for an AOC or OC to conduct operations under GACAR Part 121, 125 or 135 must demonstrate, as part of the application process under GACAR § 119.35, that it has an SMS that meets the standards set forth in GACAR Part 5 and is acceptable to the President.

§ 119.9 Use of Business Names.

(a) A certificate holder under this part must not operate an aircraft under GACAR Part 121 or 135 using a business name other than a business name appearing in the certificate holder's operations specifications.

(b) No person may operate an aircraft under GACAR Part 121 or 135 unless the business name of the certificate holder who is operating the aircraft is legibly displayed on the aircraft and is clearly visible and readable from the outside of the aircraft to a person standing on the ground at any time except during flight time. The means of displaying the business name on the aircraft and its readability must be acceptable to the President.

(c) No certificate holder may operate a wet leased aircraft under GACAR Part 121 or 135 unless the business name of the lessor is legibly displayed on the aircraft and is clearly visible and readable from the outside of the aircraft to a person standing on the ground at any time except during flight time. The means of displaying the business name on the aircraft and its readability must be acceptable to the President.

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**SUBPART B – APPLICABILITY OF OPERATING REQUIREMENTS TO
DIFFERENT KINDS OF OPERATIONS**

§ 119.21 Operators Engaged in Commercial Operations.

- (a) This section applies to commercial operations carrying passenger or cargo.
- (b) Each person who conducts commercial operation using Transport Category aircraft or Commuter Category airplanes, must—
- (1) Comply with the certification and operations specifications requirements of this part and GACAR Part 121 and
 - (2) Be issued an AOC and operations specifications in accordance with those requirements.
- (c) Each person who conducts commercial operations using aircraft not addressed in paragraph (b) of this section must—
- (1) Comply with the certification and operations specifications requirements of this part and GACAR Part 135 and
 - (2) Be issued an AOC and operations specifications in accordance with those requirements.

§ 119.23 Operators Engaged in Noncommercial Operations.

- (a) This section applies to noncommercial operations carrying passenger or cargo.
- (b) Each person who conducts noncommercial operations using turbojet airplanes, Transport Category aircraft, or Commuter Category airplanes, must—
- (1) Comply with the certification and operations specifications requirements of this part and GACAR Part 125 and
 - (2) Be issued an OC and operations specifications in accordance with those requirements.

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**SUBPART C – CERTIFICATION, OPERATIONS SPECIFICATIONS, AND OTHER
REQUIREMENTS FOR COMMERCIAL OPERATIONS**

§ 119.35 Applicability.

This subpart sets out certification requirements and prescribes the content of operations specifications and certain other requirements for commercial operations.

§ 119.37 General Requirements.

A person may not operate as a commercial operator unless that person—

- (a) Is a citizen of the Kingdom of Saudi Arabia,
- (b) Maintains a principal base of operations in the Kingdom of Saudi Arabia, and
- (c) Obtains an AOC.

§ 119.39 Certificate Application Requirements for All Commercial Operators.

- (a) A person applying to the President for an AOC under this part must submit an application—
 - (1) In a form and manner prescribed by the President and
 - (2) Containing any information the President requires the applicant to submit.
- (b) Each applicant must submit the application to the President at least 90 working days before the date of intended operation.
- (c) Each applicant for a certificate under this part and each applicant for operations specifications authorizing a new kind of operation subject to GACAR Part 121 or 135 must conduct proving tests as authorized by the President during the application process. All proving tests must be conducted in a manner acceptable to the President and under the appropriate operating and maintenance requirements of GACAR Part 121 or 135 that would apply if the applicant were fully certificated. The President must issue a letter of authorization to each person stating the various authorities under which the proving tests will be conducted.

§ 119.41 Contents of an AOC.

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The AOC includes—

- (a) The certificate holder’s business name,
- (b) The location of the certificate holder’s principal base of operations,
- (c) The certificate number and its expiration date,
- (d) The certificate’s effective date, and
- (e) The location, in a controlled document carried on board, where the contact details of operational management can be found.

§ 119.43 Issuing or Denying a Certificate.

- (a) An applicant may be issued an AOC if the President finds that the applicant—
 - (1) Meets the applicable requirements of this part;
 - (2) Holds the economic authority applicable to the kinds of operations to be conducted, issued by the GACA, if required; and
 - (3) Is properly and adequately equipped in accordance with the requirements of GACAR Part 121 or 135, as applicable, and is able to conduct a safe operation under appropriate provisions of GACAR Part 121 or 135 and operations specifications issued under this part.
- (b) An application for a certificate may be denied if the President finds that—
 - (1) The applicant is not properly or adequately equipped or is not able to conduct safe operations.
 - (2) The applicant previously held an AOC or OC that was revoked;
 - (3) The applicant intends to fill or currently fills a key management position listed in GACAR Part 121 or 135, as applicable, with an individual who exercised control over or who held the same or a similar position with a certificate holder whose certificate was revoked, or is in the process of being revoked, and that individual materially contributed to the circumstances causing revocation or causing the revocation process; and

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(4) An individual who will have control over or have a substantial ownership interest in the applicant, had the same or similar control or interest in a certificate holder whose certificate was revoked or is in the process of being revoked, and that individual materially contributed to the circumstances causing revocation or causing the revocation process.

§ 119.45 Amending a Certificate.

(a) The President may amend any certificate issued under this part if—

(1) The President determines that aviation safety and the public interest require the amendment, or

(2) The certificate holder applies for the amendment and the President determines that aviation safety and the public interest allow the amendment.

(b) When the President proposes to issue an order amending, suspending, or revoking all or part of any certificate, the procedure in GACAR § 13.103 applies.

(c) When the certificate holder applies for an amendment of its certificate, the following procedure applies:

(1) The certificate holder must file an application to amend its certificate with the GACA at least 15 working days before the date proposed by the applicant for the amendment to become effective, unless the President approves filing within a shorter period.

(2) The application must be submitted in the form and manner prescribed by the President.

§ 119.47 Certificate Holder's Duty To Maintain Operations Specifications.

(a) Each certificate holder must maintain a complete and separate set of its operations specifications at its principal base of operations.

(b) Each certificate holder must insert pertinent excerpts of, or references to, its operations specifications in its manual and must—

(1) Clearly identify each such excerpt as a part of its operations specifications and

(2) State that compliance with each operations specifications requirement is mandatory.

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(c) Each certificate holder must keep each of its employees and other persons used in its operations informed of the provisions of its operations specifications that apply to that employee's or person's duties and responsibilities.

§ 119.49 Contents of Operations Specifications.

Each certificate holder conducting commercial operations must obtain operations specifications containing all of the following:

- (a) The specific location of the certificate holder's principal base of operations and, if different, the address that will serve as the primary point of contact for correspondence between the GACA and the certificate holder and the business name and mailing address of the certificate holder's agent for service.
- (b) Other business names under which the certificate holder may operate.
- (c) Reference to the economic authority issued by the GACA.
- (d) Type of aircraft, registration markings, and serial numbers of each aircraft authorized for use.
- (e) For GACAR Part 121 commercial operations, the operator must list, in a form approved by the President, each regular and alternate aerodrome to be used. This list must be maintained by the operator and available for inspection, upon request of the President, at the principal base of operations.
- (f) Kind and areas of operations authorized.
- (g) Authorization and limitations for routes and areas of operations.
- (h) Aerodrome limitations.
- (i) Time limitations, or standards for determining time limitations, for overhauling, inspecting, and checking airframes, engines, propellers, rotors, appliances, and emergency equipment.
- (j) For GACAR Part 135 operators, type of aircraft, registration, and serial number of each aircraft to be inspected under an approved aircraft inspection program under GACAR § 135.245.

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(k) For GACAR Part 135 operators, additional maintenance items required under GACAR § 135.249.

(l) Authorization for the method of controlling mass and balance of aircraft.

(m) Aircraft lease information required by GACAR § 119.53.

(n) Any authorized exemption or special authority granted from any requirement.

(o) An authorization permitting, or a prohibition against, accepting, handling, and transporting dangerous goods by air under GACAR Part 109.

(p) Any other item the President determines is necessary.

§ 119.51 Amending Operations Specifications.

(a) The President may amend any operations specifications issued under this part if—

(1) The President determines that aviation safety and the public interest require the amendment;
or

(2) The certificate holder applies for the amendment, and the President determines that aviation safety and the public interest allow the amendment.

(b) Except as provided in paragraph (d) of this section, when the President initiates an amendment to a certificate holder's operations specifications, the following procedure applies:

(1) The President notifies the certificate holder in writing of the proposed amendment.

(2) The President sets a reasonable period (but not less than 7 working days) within which the certificate holder may submit written information, views, and arguments on the amendment.

(3) After considering all material presented, the President notifies the certificate holder of—

(i) The adoption of the proposed amendment,

(ii) The partial adoption of the proposed amendment, or

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(iii) The withdrawal of the proposed amendment.

(4) If the President issues an amendment to the operations specifications, it becomes effective not less than 30 working days after the certificate holder receives notice of it unless—

(i) The President finds under paragraph (d) of this section that there is an emergency requiring immediate action with respect to aviation safety, or

(ii) The certificate holder petitions for reconsideration of the amendment under GACAR Part 13.

(c) When the certificate holder applies for an amendment to its operations specifications, the following procedure applies:

(1) The certificate holder must file an application to amend its operations specifications—

(i) Unless a shorter time is approved, at least 90 working days before the date proposed by the applicant for the amendment to become effective, in cases of mergers; acquisitions of an operator's operational assets that require an additional showing of safety (such as proving tests); changes in the kind of operation as defined in GACAR § 119.3; resumption of operations following a suspension of operations as a result of bankruptcy actions; or the initial introduction of aircraft not before proven for use in commercial operations; and

(ii) At least 15 working days before the date proposed by the applicant for the amendment to become effective in all other cases.

(2) The application must be submitted in a form and manner prescribed by the President.

(3) After considering all material presented, the President notifies the certificate holder of—

(i) The adoption of the applied for amendment,

(ii) The partial adoption of the applied for amendment, or

(iii) The denial of the applied for amendment. The certificate holder may petition for reconsideration of a denial under GACAR Part 13.

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(4) If the President approves the amendment, following coordination with the certificate holder regarding its implementation, the amendment is effective on the date the President approves it.

(d) If the President finds an emergency exists requiring immediate action with respect to aviation safety that makes the procedures set out in this section impracticable or contrary to the public interest—

(1) The President amends the operations specifications and makes the amendment effective on the day the certificate holder receives notice of it.

(2) In the notice to the certificate holder, the President explains the reasons for its finding that an emergency exists requiring immediate action with respect to aviation or that makes it impracticable or contrary to the public interest to fully apply the procedures of this section.

§ 119.53 Leasing of Aircraft.

(a) Unless authorized by the President, no air operator certificated under this part may conduct operations involving a wet or dry lease arrangement.

(b) Unless otherwise authorized by the President, only leasing arrangements described in Appendix A to this part are eligible for authorization.

(c) Prior to conducting lease in operations, the lessee must provide the President—

(1) A copy of the lease to be executed;

(2) The names of the parties to the agreement and the duration thereof, and

(3) The nationality and registration markings and aircraft serial number of each aircraft involved in the agreement.

(d) Prior to conducting wet lease in operations, the lessee must hold appropriate economic authority from GACA.

(e) Prior to conducting lease out operations, the lessor must provide the President—

(1) A copy of the lease to be executed;

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- (2) The names of the parties to the agreement and the duration thereof, and
- (3) The nationality and registration markings and aircraft serial number of each aircraft involved in the agreement; and
- (4) The aerodromes or areas of operation.
- (f) For lease in arrangements involving foreign-registered aircraft the AOC holder certificated under this part must provide the President—
- (1) All materials required under paragraph (c) of this section;
- (2) A statement specifying which air operator (the lessee or the lessor) has operational control of all operational functions;
- (3) A statement specifying which air operator (the lessee or the lessor) will be discharging all of the applicable airworthiness and maintenance responsibilities; and
- (4) A statement of acknowledgement and consent to the lease agreement by the civil aviation authority of the state of the lessor.
- (g) The President may refuse to authorize any lease agreement where he determines air safety may be adversely affected or if the lease agreement is not deemed to be in the public interest.
- (h) Upon approval of a lease, the President issues amendments to the authorizations for foreign air carriers under GACAR Part 129 or operations specifications for AOC or OC holders issued under this part.
- (i) Any air operator who owns and operates a foreign-registered aircraft is considered, for the purposes of this part, to have leased the aircraft and requires authorization under this section.

§ 119.55 Recency of Operation.

- (a) Except as provided in paragraph (b) of this section, no certificate holder may conduct a kind of operation for which it holds authority in its operations specifications unless the certificate holder has conducted that kind of operation within the preceding number of consecutive days specified in this paragraph:

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- (1) For scheduled GACAR Part 121 operations—30 working days
- (2) For unscheduled GACAR Part 121 operations—90 working days; or
- (3) For GACAR Part 135 operations—90 working days.

(b) If a certificate holder does not conduct a kind of operation for which it is authorized in its operations specifications within the number of working days specified in paragraph (a) of this section, it must not conduct such kind of operation unless—

- (1) It advises the President at least 10 working days before resumption of that kind of operation, and
- (2) It makes itself available and accessible during the 10-working-day period in the event the President decides to conduct a full inspection reexamination to determine whether the certificate holder remains properly and adequately equipped and able to conduct a safe operation.

(c) If a certificate holder does not conduct a kind of operation for which it is authorized in its operations specifications within the number of days specified in paragraph (a) of this section, the President may suspend or revoke the operator's AOC.

(d) If a certificate holder's economic license is suspended or revoked by the economic authority, the President may suspend or revoke the operator's AOC.

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**SUBPART D – CERTIFICATION, OPERATIONS SPECIFICATIONS, AND OTHER
REQUIREMENTS FOR NONCOMMERCIAL OPERATIONS CONDUCTED UNDER
GACAR PART 125**

§ 119.71 Applicability.

This subpart sets out certification requirements and prescribes the content of operations specifications and certain other requirements for noncommercial operations conducted under GACAR Part 125.

§ 119.73 General Requirements.

A person may not apply to operate as a noncommercial operator under GACAR Part 125 unless that person—

- (a) Is a citizen of the Kingdom of Saudi Arabia,
- (b) Maintains a principal base of operations in the Kingdom of Saudi Arabia, and
- (c) Obtains an OC.

§ 119.75 Certificate Application Requirements for All Noncommercial Operators.

(a) A person applying to the President for an OC under this part must submit an application—

- (1) In a form and manner prescribed by the President;
- (2) Containing the name and address of each person employed in a management position described in GACAR § 125.25;
- (3) Showing a list of flight crew members with the type of airman certificate held, including ratings and certificate numbers;
- (4) Containing any information the President requires the applicant to submit.

(b) Each applicant must submit the application to the President at least 90 working days before the date of intended operation.

§ 119.77 Contents of an OC.

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The OC includes—

- (a) The certificate holder's name,
- (b) The location of the certificate holder's principal base of operations,
- (c) The certificate number and its expiration date,
- (d) The certificate's effective date, and
- (e) The location, in a controlled document carried on board, where the contact details of operational management can be found.

§ 119.79 Issuing or Denying a Certificate.

- (a) The President may issue an OC to an applicant if he finds the applicant—
 - (1) Meets the applicable requirements of this part,
 - (2) Is properly and adequately equipped in accordance with the requirements of GACAR Part 125 and is able to conduct a safe operation under the provisions of GACAR Part 125 and operations specifications issued under this part.
- (b) The President may deny an application for a certificate if he finds—
 - (1) The applicant is not properly or adequately equipped or is not able to conduct safe operations under GACAR Part 125;
 - (2) The applicant previously held an AOC or OC which was revoked;
 - (3) That a person who was employed in a management position under GACAR § 125.25 with (or has exercised control with respect to) any certificate holder under GACAR Part 121, 125 or 135 whose AOC or OC has been revoked, will be employed in any of these positions or a similar position with the applicant and that the person's employment or control contributed materially to the reasons for revoking that certificate.

§ 119.81 Amending a Certificate.

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(a) The President may amend any certificate issued under this part if—

(1) The President determines that safety and the public interest require the amendment, or

(2) The certificate holder applies for the amendment and the President determines that safety and the public interest allow the amendment.

(b) When the President proposes to issue an order amending, suspending, or revoking all or part of any certificate, the procedure in GACAR § 13.19 applies.

(c) When the certificate holder applies for an amendment of its certificate, the following procedure applies:

(1) The certificate holder must file an application to amend its certificate with the GACA at least 15 working days before the date proposed by the applicant for the amendment to become effective, unless the President approves filing within a shorter period.

(2) The application must be submitted in the form and manner prescribed by the President.

(3) When a certificate holder seeks reconsideration of a decision from the President concerning amendments of a certificate, the procedures established in GACAR Part 13 apply.

§ 119.83 Certificate Holder's Duty To Maintain Operations Specifications.

(a) Each certificate holder must maintain a complete and separate set of its operations specifications at its principal base of operations.

(b) Each certificate holder must insert pertinent excerpts of, or references to, its operations specifications in its manual and must—

(1) Clearly identify each such excerpt as a part of its operations specifications and

(2) State that compliance with each operations specifications requirement is mandatory.

(c) Each certificate holder must keep each of its employees and other persons used in its operations informed of the provisions of its operations specifications that apply to that employee's or person's duties and responsibilities.

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§ 119.85 Contents of Operations Specifications.

Each certificate holder conducting noncommercial operations must obtain operations specifications containing all of the following:

- (a) The specific location of the certificate holder’s principal base of operations and, if different, the address that will serve as the primary point of contact for correspondence between the GACA and the certificate holder and the name and mailing address of the certificate holder’s agent for service;
- (b) Type of aircraft, registration markings, and serial numbers of each aircraft authorized for use;
- (c) Any authorized exemption or special authority granted from any requirement of the GACAR; and
- (d) Any other item the President determines is necessary.

§ 119.87 Amending Operations Specifications.

- (a) The President may amend any operations specifications issued under this part if—
 - (1) The President determines that safety and the public interest require the amendment, or
 - (2) The certificate holder applies for the amendment, and the President determines that safety and the public interest allow the amendment.
- (b) Except as provided in paragraph (d) of this section, when the President initiates an amendment to a certificate holder’s operations specifications, the following procedure applies:
 - (1) The President notifies the certificate holder in writing of the proposed amendment.
 - (2) The President sets a reasonable period (but not less than 7 working days) within which the certificate holder may submit written information, views, and arguments on the amendment.
 - (3) After considering all material presented, the President notifies the certificate holder of—
 - (i) The adoption of the proposed amendment,
 - (ii) The partial adoption of the proposed amendment, or

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(iii) The withdrawal of the proposed amendment.

(4) If the President issues an amendment to the operations specifications, it becomes effective not less than 30 working days after the certificate holder receives notice of it unless—

(i) The President finds under paragraph (d) of this section that there is an emergency requiring immediate action with respect to safety, or

(ii) The certificate holder petitions for reconsideration of the amendment under GACAR Part 13.

(c) When the certificate holder applies for an amendment to its operations specifications, the following procedure applies:

(1) The certificate holder must file an application to amend its operations specifications at least 15 working days before the date proposed by the applicant for the amendment to become effective.

(2) The application must be submitted to the GACA in a form and manner prescribed by the President.

(3) After considering all material presented, the President notifies the certificate holder of—

(i) The adoption of the applied for amendment,

(ii) The partial adoption of the applied for amendment, or

(iii) The denial of the applied for amendment. The certificate holder may petition for reconsideration of a denial under GACAR Part 13.

(4) If the President approves the amendment, following coordination with the certificate holder regarding its implementation, the amendment is effective on the date the President approves it.

(d) If the President finds that an emergency exists requiring immediate action with respect to safety that makes the procedures set out in this section impracticable or contrary to the public interest—

(1) The President amends the operations specifications and makes the amendment effective on the

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day the certificate holder receives notice of it.

(2) In the notice to the certificate holder, the President articulates the reasons for the finding that an emergency exists requiring immediate action with respect to safety or that makes it impracticable or contrary to the public interest to stay the effectiveness of the amendment.

§ 119.89 Leasing of Aircraft.

(a) Unless authorized by the President, no operator certificated under this part may conduct operations involving a wet or dry lease arrangement.

(b) Unless otherwise authorized by the President, only leasing arrangements described in Appendix A to this part are eligible for authorization.

(c) Prior to conducting lease in operations, the lessee must provide the President—

(1) A copy of the lease to be executed;

(2) The names of the parties to the agreement and the duration thereof, and

(3) The nationality and registration markings and aircraft serial number of each aircraft involved in the agreement.

(d) Prior to conducting lease out operations, the lessor must provide the President—

(1) A copy of the lease to be executed;

(2) The names of the parties to the agreement and the duration thereof, and

(3) The nationality and registration markings and aircraft serial number of each aircraft involved in the agreement;

and

(4) The aerodromes or areas of operation.

(e) The President may refuse to authorize any lease agreement where he determines air safety may be

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adversely affected or if the lease agreement is not deemed to be in the public interest.

(f) Upon approval of a lease, the President issues amendments to the authorizations for foreign air carriers under GACAR Part 129 or operations specifications for AOC or OC holders issued under this part.

(g) Any operator who owns and operates a foreign-registered aircraft is considered, for the purposes of this part, to have leased the aircraft and requires authorization under this section.

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**SUBPART E – OTHER REQUIREMENTS APPLICABLE TO ALL OPERATIONS
CONDUCTED UNDER GACAR PARTS 121, 125, AND 135**

§ 119.101 Maintaining a Principal Base of Operations, Main Operations Base, and Main Maintenance Base; Change of Address.

- (a) Each certificate holder must maintain a principal base of operations. Each certificate holder may also establish a main operations base and a main maintenance base which may be located at either the same location as the principal base of operations or at separate locations.
- (b) At least 30 working days before a certificate holder proposes to establish or change the location of its principal base of operations, its main operations base, or its main maintenance base, a certificate holder must provide written notification to the GACA.

§ 119.103 Obtaining Special Authority to Perform Operations Under a Kingdom of Saudi Arabia Military Contract.

- (a) The President may grant a certificate holder special authority to deviate from the applicable requirements of this part or GACAR Part 117, 121, 125, or 135 in order to perform operations under a KSA Armed Forces contract.
- (b) The President may terminate at any time any grant of special authority issued under this section.

§ 119.105 Obtaining Special Authority to Perform an Emergency Operation.

- (a) In emergency conditions, the President may grant special authority to deviate from the applicable requirements of this part or GACAR Part 117, 121, 125, or 135 if—
- (1) Those conditions necessitate the transportation of persons or supplies for the protection of life or property, and
 - (2) The President finds that special authority is necessary for the expeditious conduct of the operations.
- (b) When the President grants special authority for operations under emergency conditions—
- (1) The President will issue an appropriate amendment to the certificate holder's operations specifications.

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(2) If the nature of the emergency does not permit timely amendment of the operations specifications—

(i) The President may grant special authority orally, and

(ii) The certificate holder must provide documentation describing the nature of the emergency to the President within 24 hours after completing the operation.

§ 119.106 Contracted Activities.

(a) Contracted activities include all activities within the certificate holder’s authorized activities that are performed by another organization either itself certificated under this part to carry out such activity or if not certificated, working under the certificate holder’s authorization. The certificate holder must ensure that when contracting or purchasing any part of its activity, the contracted or purchased service or product conforms to the applicable requirements.

(b) When the certificate holder contracts any part of its activity to an organization that is not itself certificated in accordance with this part to carry out such activity, the contracted organisation must work under the approval of the certificate holder. The certificate holder must ensure that the President is given access to the contracted organization, to determine continued compliance with the applicable requirements.

(c) All contracting arrangements under this section must be authorized by the President in the certificate holder’s operations specifications.

§ 119.107 Conducting Tests and Inspections.

(a) At any time or place, the President may conduct an inspection or test to determine whether the holder of a certificate issued under this part is complying with applicable regulations, the certificate, or the certificate holder’s operations specifications.

(b) The certificate holder must—

(1) Make available to the President at the certificate holder’s principal base of operations—

(i) The certificate holder’s certificate and the certificate holder’s operations specifications;
and

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(ii) A current listing that must include the location and persons responsible for each record, document, and report required to be kept by the certificate holder applicable to the operation of the certificate holder.

(2) Allow the President to make any test or inspection to determine compliance respecting any matter stated in paragraph (a) of this section.

(c) Each employee of, or person used by, the certificate holder who is responsible for maintaining the certificate holder's records must make those records available to the President.

(d) The President may determine a certificate holder's continued eligibility to hold its certificate and/or operations specifications on any grounds listed in paragraph (a) of this section, or any other appropriate grounds.

(e) Failure by any certificate holder to make available to the President upon request, the certificate, operations specifications, or any required record, document, or report is grounds for suspension of all or any part of the certificate holder's certificate and operations specifications.

(f) These inspections and tests include inspections and tests of financial books and records.

§ 119.109 Duration and Surrender of Certificate and Operations Specifications.

(a) An AOC or OC issued under this part is effective until—

(1) The certificate expires;

(2) The certificate holder surrenders it to the President; or

(3) The President suspends, revokes, or otherwise terminates the certificate.

(b) Operations specifications issued under this part or GACAR Part 121, 125, or 135 are effective unless—

(1) The AOC or OC issued under this part expires;

(2) The President suspends, revokes, or otherwise terminates the certificate;

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(3) The operations specifications are amended as provided in GACAR §§ 119.57 or 119.87, as applicable; or

(4) The President suspends or revokes the operations specifications for a kind of operation.

(c) Within 30 working days after a certificate holder terminates operations under GACAR Part 121, 125, or 135, the certificate and operations specifications must be surrendered by the certificate holder to the GACA.

§ 119.111 Renewal of Certificate.

(a) A person applying to the President for the renewal of an AOC or OC issued under this part must submit an application—

(1) In a form and manner prescribed by the President; and

(2) Containing any information the President requires the applicant to submit.

(b) Each applicant must submit the application for renewal to the President before the application renewal date specified in the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

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APPENDIX A TO GACAR PART 119 – LEASING OF AIRCRAFT

I. Leasing of Aircraft Between AOC Holders Certificated Under This Part.

(a) **Dry lease.** An AOC holder may dry lease an aircraft to or from another AOC holder. In this case, the lessee must become the operator of the aircraft and be qualified and authorized to conduct operations with that aircraft type.

(b) **Wet lease.** An AOC holder may wet lease an aircraft to or from another AOC holder. In this case, the lessor must remain the operator of the aircraft.

II. Leasing of Aircraft Between an AOC Holder Certificated Under This Part and Any Entity Other Than Another AOC Certificated Under This Part.

(a) **Dry lease-in of Saudi Arabian registered aircraft by AOC holder.**

(1) An AOC holder certificated under this part may dry lease an aircraft from an entity, provided the AOC holder ensures that, with regard to aircraft that are dry leased—

(i) The aircraft complies with and is equipped with all applicable requirements for the intended commercial operations.

(ii) The aircraft is maintained in accordance with the applicable airworthiness requirements.

(iii) The aircraft is operated in compliance with the applicable regulations.

(2) In this case, the lessee must become the operator of the aircraft and be qualified and authorized to conduct operations with that aircraft type.

(b) **Dry lease-in of foreign registered aircraft by AOC holder.**

(1) Except as otherwise provided for in an Article 83bis agreement, an AOC holder certificated under this part may dry lease a foreign registered aircraft from an entity, provided the AOC holder ensures that, with regard to aircraft that are dry leased—

(i) The aircraft complies with and is equipped with all applicable requirements for the intended commercial operations as if it were a Saudi Arabian registered aircraft, or any

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differences from the requirements prescribed in the applicable GACAR have been communicated to and are acceptable to the President.

(ii) All flight crew members operating the aircraft hold current valid and appropriate certificates or licenses issued or validated by the State of registry.

(iii) The aircraft must be maintained in accordance with the airworthiness requirements of the State of registry.

(2) In this case, the lessee must become the operator of the aircraft and be qualified and authorized to conduct operations with that aircraft type.

(c) *Wet lease-in of foreign registered aircraft by AOC holder.*

(1) Subject to the conditions and limitations prescribed in paragraphs (c)(3) through (c)(11) of this section, an AOC holder certificated under this part may wet lease an aircraft from an entity provided the AOC holder ensures that, with regard to aircraft that are wet leased—

(i) The safety standards of the lessor with respect to maintenance and operation are equivalent to those established by the GACAR.

(ii) The lessor is an operator holding a foreign AOC issued by a contracting State to the Convention on International Civil Aviation and the operating privileges under the foreign AOC are compatible with the intended operations under the wet lease.

(iii) The aircraft has a standard Certificate of Airworthiness issued in accordance with Annex 8 to the Convention on International Civil Aviation.

(iv) The business name of the lessor is marked on the aircraft as prescribed in GACAR § 119.9(c).

(v) Any other requirement specified by the President is complied with.

(2) In this case, the lessor must remain the operator of the aircraft.

(3) No holder of an AOC issued under this part may base its operations entirely on wet leasing.

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- (4) Unless authorized by the President, no holder of an AOC issued under this part may engage in any wet leasing arrangement unless two years has elapsed since the date of initial issuance of the AOC.
- (5) The lessor must be the direct operator of the leased aircraft. The lessor may not use an aircraft which is wet leased to it from a third party.
- (6) The lessor must conduct operations in accordance with its AOC, operations specifications, limitations of the approved lease agreement and the applicable GACARs, whichever are the more restrictive.
- (7) The lessor must have been an AOC holder conducting continuous operations for at least three years preceding the lease date, and must have conducted the same type of operation using the same type of aircraft within the preceding ninety days to lease date.
- (8) The lessor must be authorized by the State of the operator to conduct operations to aerodromes, routes and areas required by the lessee.
- (9) The lessor must implement the lessee's aviation security program.
- (10) The lessee designates a management representative who is responsible for the entire wet leasing operations.
- (11) Wet leased aircraft must comply with all applicable signs and placard requirements prescribed in GACAR Part 121 or 135, as applicable.
- (d) ***Dry lease-out by AOC holder.*** An AOC holder certificated under this part may dry lease an aircraft to an entity. In this case, the aircraft will be removed from the operations specifications of the AOC holder certificated under this part. Dry lease-out to a foreign operator is only permitted for short duration. For long term lease-out arrangements the aircraft must be removed from the Saudi National Aircraft Register.
- (e) ***Wet lease-out by AOC holder.*** An AOC holder certificated under this part may wet lease an aircraft to another entity except a foreign air operator. In this case of wet lease-out, the lessor must remain the operator of the aircraft.

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III. Leasing of Aircraft Between OC Holders Certificated Under This Part.

(a) **Dry lease.** An OC holder may dry lease an aircraft to or from another OC holder. In this case, the lessee must become the operator of the aircraft and be qualified and authorized to conduct operations with that aircraft type.

(b) **Wet lease.** An OC holder may wet lease an aircraft to or from another OC holder. In this case, the lessor must remain the operator of the aircraft.

IV. Leasing of Aircraft Between an OC Holder Certificated Under This Part and Any Entity Other Than Another OC Holder Certificated Under This Part.

(a) **Dry lease-in of Saudi Arabian registered aircraft.**

(1) An OC holder certificated under this part may dry lease an aircraft from an entity, provided the OC holder ensures that, with regard to aircraft that are dry leased—

(i) The aircraft complies with and is equipped with all applicable requirements for the intended operations.

(ii) The aircraft is maintained in accordance with the applicable airworthiness requirements.

(iii) The aircraft is operated in compliance with the applicable regulations.

(2) In this case, the lessee must become the operator of the aircraft and be qualified and authorized to conduct operations with that aircraft type.

(b) **Dry lease-in of foreign registered aircraft.**

(1) Except as otherwise provided for in an Article 83bis agreement, an OC holder certificated under this part may dry lease a foreign registered aircraft from an entity, provided the OC holder ensures that, with regard to aircraft that are dry leased—

(i) The aircraft is equipped in compliance with all requirements applicable to a Saudi Arabian registered aircraft engaged in the same type of operations, or any differences from the requirements prescribed in the applicable GACAR have been communicated to and are acceptable to the President.

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(ii) All flight crew members operating the aircraft hold current valid and appropriate certificates or licenses issued or validated by the State of registry.

(iii) The aircraft is maintained in accordance with the airworthiness requirements of the State of registry.

(2) In this case, the lessee must become the operator of the aircraft and be qualified and authorized to conduct operations with that aircraft type.

(c) **Wet lease-in not permitted.** An OC holder certificated under this part may not wet lease an aircraft from an entity other than another OC holder certificated under this part.

(d) **Dry lease-out.** An OC holder certificated under this part may dry lease an aircraft to an entity. In this case, the aircraft will be removed from the operations specifications of the OC holder certificated under this part. Dry lease-out to a foreign operator is only permitted for short duration. For long term lease-out arrangements the aircraft must be removed from the Saudi National Aircraft Register.

(e) **Wet lease-out.** An OC holder certificated under this part may wet lease an aircraft to another entity. In this case, the lessor must remain the operator of the aircraft.