

Office of International Aviation



Federal Aviation
Administration

State Responsibilities Foreign Registered Aircraft

Presented to: Latin American Civil Aviation
Comission
By: Daniel Castro
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References

- Chicago Convention
- 14 CFR Part 47.9
- 14 CFR Part 91.703
- ICAO Annex 6 Part
- ICAO Document 9734



The Chicago Convention

Establishes a framework for Civil International Aviation by:

- **Promoting the highest possible degree of uniformity in international regulations and standards**
- **Providing for the organizational structure of ICAO**



International Standards Article 1 – *Sovereignty*

The contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory.



ICAO Doc 9734

Each contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force.



ICAO Doc 9734

Air operators, aircraft maintenance organizations and service providers are responsible for the safe, regular and efficient conduct of aircraft operations, including compliance with any laws or regulations that the State of Registry, the State of the Operator and the State where the aircraft is operating may promulgate.



International Standards

Article 16 – *Search of Aircraft*

The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of other contracting States on landing or departure, and to inspect the certificates and other documents prescribed by this Convention.



International Standards

Article 32 – *Licenses of Personnel*

The pilot of every aircraft and the other members of the 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 in which the aircraft is registered.



14 CFR Part 91.1 Applicability

- Except as provided in paragraphs (b) and (c) of this section and 91.701 and 91.703, this part prescribes rules governing the operation of aircraft within the United States, including the waters within 3 nautical miles of the U.S. coast
- Each person operating an aircraft in the airspace overlying the waters between 3 and 12 nautical miles from the coast of the United States must comply with 91.1 through 91.21; 91.101 through 91.143; 91.151 through 91.159; 91.167 through 91.193; 91.203; 91.205; 91.209 through 91.217; 91.221; 91.303 through 91.319; 91.323 through 91.327; 91.605; 91.609; 91.703 through 91.715; and 91.903



61.3 Requirement for certificates, ratings, and authorizations

- (a) Pilot certificate. No person may serve as a required pilot flight crewmember of a civil aircraft of the United States, unless that person
- (1) Has a pilot certificate or special purpose pilot authorization issued under this part in that person's physical possession or readily accessible in the aircraft when exercising the privileges of that pilot certificate or authorization. However, when the aircraft is operated within a foreign country, a pilot license issued by that country may be used;



91.203 Civil aircraft: Certifications required.

- (a) No person may operate a civil aircraft unless it has within it the following:
 - (1) An appropriate and current airworthiness certificate
 - 2) An effective U.S. registration certificate issued to its owner
- (b) No person may operate a civil aircraft unless the airworthiness certificate required by paragraph (a) of this section or a special flight authorization issued under §91.715 is displayed at the cabin or cockpit entrance so that it is legible to passengers or crew



91.703. Operations of civil aircraft of U.S. registry outside of the United States

Each person operating a civil aircraft of U.S. registry outside of the United States shall.

1. When over the high seas, comply with annex 2 (Rules of the Air) to the Convention on International Civil Aviation and with §§91.117(c), 91.127, 91.129, and 91.131;
2. *When within a foreign country, comply with the regulations relating to the flight and maneuver of aircraft there in force*
3. Except for §§91.117(a), 91.307(b), 91.309, 91.323, and 91.711, *comply with this part so far as it is not inconsistent with applicable regulations of the foreign country where the aircraft is operated* or annex 2 of the Convention on International Civil Aviation;



Annex 6 Applicability

- **Annex 6, Part I, contains Standards and Recommended Practices adopted by the International Civil Aviation Organization as the minimum Standards applicable to the operation of aeroplanes by operators authorized to conduct international commercial air transport operations.**



Operator Responsibilities – Annex 6 Chapter 3

- **3.1.1 An operator shall ensure that all employees when abroad know that they must comply with the laws, regulations and procedures of those States in which operations are conducted.**
- **3.1.8 Operators shall ensure that flight crew members demonstrate the ability to speak and understand the language used for radiotelephony communications as specified in Annex 1.**



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- **2.3.5.2 Operating instructions must not conflict with the laws and regulations of the State of the Operator or those of other States into or over which operations are conducted.**



QUESTIONS???



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