

ANNEX 1
APPROVED
BY THE RESOLUTION
OF THE GOVERNMENT
of the Republic of Tajikistan
dated on December 29, 2017,
NO. 596



REGULATIONS

About the Civil Aviation Agency under the Government of the Republic of Tajikistan
(as amended by the Decree of the Government of the Republic of Tajikistan
dated on November 2, 2018 [No. 536](#))

1. GENERAL PROVISIONS

1. The Civil Aviation Agency under the Government of the Republic of Tajikistan (hereinafter referred to as «**The Agency**») is a Government entity in the field of **Civil Aviation of the Republic of Tajikistan** and was established in accordance with «[The Air Code](#)» of the Republic of Tajikistan and [the Law](#) of the Republic of Tajikistan «**On Transport**».
2. **The Agency** in its activities is guided by [The Constitution](#) of the Republic of Tajikistan, Constitutional laws, Laws of the Republic of Tajikistan, the **Air Code**, Regulatory Legal Acts related to the field of Civil Aviation, International legal acts recognized by the Republic of Tajikistan and these **Regulations**.
3. **The Agency** carries out its activities in cooperation with Ministries, Departments and other Government entities in accordance with the Legislation of the Republic of Tajikistan.

2. OBJECTIVES OF THE AGENCY

4. The main objectives of **the Agency** are:
 - implementation of State Aviation Policy aimed at meeting the demand of the population and the needs of the Economy for air transportation and other types of services, as well as creating conditions for flight safety;
 - development of plans and programs for the development of **Civil Aviation** of the Republic of Tajikistan and their implementation on the basis of State, National, Interstate and Industry target programs; implementation of a coordinated Aviation policy in international and foreign economic activities, promotion of international and regional cooperation in the field of Civil Aviation;
 - organization of the use of part of the **airspace** of the Republic of Tajikistan, determined in the prescribed manner for air routes, local air lines, areas of aviation work, civil airfields and airports;
 - development and implementation of uniform standards for aviation work and transportation, airworthiness standards for aircraft, systems and means of flight support and air traffic services;

- development of standards and norms for flight and technical operation of civil aircraft, qualification requirements for aviation personnel;
- provision of state programs on flight safety and aviation security;
- coordination of joint activities with Ministries, Departments, other Government entities, as well as local government entities to implement State policy and ensure the free movement of passengers and cargo by air across the territory of the Republic of Tajikistan and beyond its borders;
- assistance in carrying out institutional and structural reforms in the field of **Civil Aviation**;
- comprehensive analysis of activities and forecast for the **Development of Civil Aviation**, development of recommendations and implementation of measures to ensure its sustainable functioning and development;
- establishing, ensuring and following **Standards** for safety and consumer protection, environmental and natural resource protection, aviation safety;
- promoting increased operational efficiency and competitiveness of **Civil Aviation** enterprises in the international and domestic transport services market;
- monitoring of tariffs and fees charged by airlines;
- ensuring the fulfillment of obligations arising from Intergovernmental Agreements and treaties on air services, as well as other international treaties related to the activities of **Civil Aviation**;
- holding negotiations with aviation authorities of foreign countries on the regulation of bilateral flights;
- implementation of **certification** activities and **licensing** in the field of Civil Aviation;
- ensuring the use of Civil Aviation, as well as the implementation of special programs in emergency situations;
- representing the Republic of Tajikistan and protecting state interests in **The International Civil Aviation Organization (ICAO)**, **The Interstate Aviation Committee (IAC)** and other international civil aviation organizations.

3. POWERS OF THE AGENCY

5. **The Agency**, in accordance with the tasks assigned to it, exercises the following powers:

- control over the activities of organizations to fulfill licensing conditions when carrying out activities in the field of **Civil Aviation**;
- development of **draft** normative legal acts defining the procedure for the functioning of Civil Aviation and submitting them in the prescribed manner for consideration by the Government of the Republic of Tajikistan;
- control, within its competence, the implementation of regulatory legal acts, including acts on ensuring flight safety, analysis of the practice of their application in **Civil Aviation**, supervision of the activities of aircraft operators, airspace users and other organizations operating in the field of **Civil Aviation**;
- participation in the development and implementation of State national programs and concepts for the development of **Civil Aviation**, in the formation and implementation of interstate and intersectoral programs;
- participation in improving the **Management system** and **Economic mechanisms** for regulating the work of airlines in market conditions;
- application of measures to carry out antimonopoly measures in **Civil Aviation** and develop fair competition in the aviation services market together with the **Antimonopoly Service** under the Government of the Republic of Tajikistan;
- justification of the need for financial, material and labor resources for the implementation of interstate target programs for the **Development of Civil Aviation**, ensuring the sustainable and safe functioning of the industry, fulfilling the state defense order and other state needs;

- participation in state regulation of the investment process in **Civil Aviation** and creating conditions for attracting investments, including **foreign investments**, interaction on these issues with international financial institutions;
- organization of examination of programs and projects for the development of air transport, as well as participation in the organization and conduct of examination of complex intersectoral programs and projects;
- implementation of a unified scientific and technical policy in **Civil Aviation**, carrying out research, design and scientific and technical developments in **Civil Aviation**, developing recommendations of international (interstate) industry organizations;
- maintaining the **State Register of Civil Aircraft**, the **State Register of Civil Airfields**, joint-use airfields, the state register of air transport operators and the register of certificates of civil aviation specialists;
- development and publication in the prescribed manner, **Rules, Regulations, Technical norms, Industry standards** on the transportation of passengers, baggage, cargo, mail, aviation work, use of airspace and air traffic services (including meteorological), technical operation and repair aviation technology, as well as technical requirements for vehicles, equipment and materials, control, within its competence, over compliance with these requirements;
- organizing, in the prescribed manner, the opening of **New air lines** and participation in coordinating the formation of **Aircraft traffic schedules** on regular domestic and international air lines;
- licensing with the issuance of a **License** of the established form for:
 - a) Transportation of passengers by air;**
 - b) Transportation of goods by air;**
 - c) Air traffic maintenance activities;**
 - d) Aircraft maintenance activities;**
 - e) Aircraft repair activities;**
 - f) Activities related to the use of aviation in economic sectors;**
 - g) Activities of passenger and cargo terminals;**
 - development of certification and attestation rules;
 - certification with the issuance of standard certificates:
 - a) aviation enterprises and individual entrepreneurs carrying out and providing air transportation and aviation work;
 - b) legal entities carrying out maintenance and repair of aircraft;
 - c) airfields and airports;
 - d) aviation training centers that train specialists at the appropriate level, according to the lists of aviation personnel positions;
 - e) aircraft, unmanned aerial vehicles, aircraft engines, propellers, onboard and ground equipment;
 - f) other facilities and legal entities whose activities are directly related to ensuring the safety of flights, aircraft or aviation security;
 - certification of equipment, facilities, facilities and services of air transport;
 - organizing and conducting, in accordance with the established procedure, certification of employees and management in the field of air transport;
 - certification of aviation personnel;
 - carrying out accreditation of representative offices of foreign airlines operating in the Republic of Tajikistan;
 - organizing the development of certification requirements for the health status of aviation specialists;

- assistance in the formation of the market for transport services in air transport, regulation and appointment of air carriers by destination;
- organization and coordination, within its competence, of the obligations of international treaties and intergovernmental agreements of the Republic of Tajikistan relating to issues of **Civil Aviation**, representation in the prescribed manner of the interests of the Republic of Tajikistan in **International Civil Aviation Organizations**;
- control over preventive work to ensure the safety of civil aircraft flights and the organization of air traffic in air traffic services authorities;
- control of compliance with the requirements of regulations in **Civil Aviation** of the Republic of Tajikistan;
- participation together with other government bodies in carrying out measures to resolve crisis situations related to the seizure or hijacking of an aircraft, or terrorist acts aimed at violating the conditions of **Aviation security**;
- participation in the organization and provision of search and rescue operations in cooperation with relevant ministries and departments;
- creation of a commission to investigate aviation accidents involving aircraft included in the state register of civil aircraft of the Republic of Tajikistan, as well as aircraft of foreign states in a similar situation, if the incident occurred within the territory of the Republic of Tajikistan;
- recording aviation and emergency incidents with civil aircraft, analyzing the state of flight safety, developing recommendations and measures to ensure flight safety and monitoring their implementation, informing, in the prescribed manner, about the state of safety of interested government bodies and organizations;
- organizing and carrying out measures to prevent and eliminate emergency situations, ensuring the delivery of specialists, technical means and material resources necessary to eliminate emergency situations and carry out evacuation measures;
- development of air routes, internal air lines and routes for their straightening, zones and areas of air traffic control, prohibited zones and zones of restricted use of airspace, permanent off-route flight routes, rules for air traffic services (planning procedures, coordination and direct air traffic services);
- establishing the regime of international airfields and airfields open for international flights in the manner established by the legislation of the Republic of Tajikistan;
- issuing permits for the transportation of dangerous goods and establishing rules for their transportation by air;
- development, together with other ministries and departments of the Republic of Tajikistan, of regulations governing air transportation services, documents on coordinating activities when processing passengers, baggage and cargo;
- organization, coordination and control of the implementation of activities in civil aviation aimed at implementing the tasks of civil defense, mobilization preparation, ensuring the protection of state and commercial secrets and other official information;
- generalization and analysis of state statistical information in civil aviation;
- implementation of measures for maintaining and storing data banks on the industry, organizing information support for **Civil Aviation**.

4. RIGHTS OF THE AGENCY

6. The Agency has the right to:

- issue permits (bans) for the use of the part of the airspace of the Republic of Tajikistan allocated for civil aviation, as well as for all types of activities in civil aviation that pose a threat to flight safety;
- give consent to the construction (reconstruction) of facilities, the operation or height of which is associated with the use of airspace or poses a threat to flight safety;
- exercise control and supervision over the suitability of technical equipment and the established service life of ground-based flight support equipment, the work of air traffic services and the use of airspace;
- submit, in the prescribed manner, forecasts of the socio-economic development of the industry and consolidated applications for financing from the state budget of expenses;
- take part in resolving issues of financing **Civil Aviation**, interstate and state target programs for its development;
- approve modifications of civil aircraft and carry out their mandatory inspection;
- issue, in the prescribed manner, licenses to legal entities and individuals to carry out activities in civil aviation, suspend or cancel them in case of violations, make, in the prescribed manner, proposals on the amount of fees and charges levied on foreign carriers using the airspace of the Republic of Tajikistan;
- carry out certification activities, develop and implement forms of certification documents developed in accordance with international norms and standards;
- approve and control the activities of organizations for the maintenance of civil aircraft, monitor information on the continued airworthiness of civil aircraft, issue directives on maintaining airworthiness;
- consider, issue, renew the validity of airworthiness certificates of civil aircraft, suspend, refuse to issue and cancel (withdraw) operator certificates and certificates;
- coordinate with the authorized government entities of other states and approve quotas for international air transportation and the conditions for their implementation;
- appoint and remove airlines as air carriers on established routes to fulfill the terms of intergovernmental agreements;
- issue permits for scheduled and charter flights in accordance with the established procedure;
- assess the suitability of aviation personnel according to the qualification requirements in force in Civil Aviation, as well as review and recognize certificates of aviation personnel issued by other states;
- carry out inspections of the activities of airlines for compliance with the conditions of flight safety, operation of aircraft, as well as aviation security, appoint and carry out, in the prescribed manner, inspections of the activities of **Civil Aviation** enterprises (companies) for compliance with legislation in the field of civil aviation, technical safety requirements and environmental standards, adopt measures to eliminate identified violations;
- carry out inspections of foreign airlines that operate flights to airports of the Republic of Tajikistan;
- develop normative legal acts that are binding on all participants in relations in the field of civil aviation of the Republic of Tajikistan and submit them in the prescribed manner for approval;
- cancel or petition the competent authorities of the state for the cancellation of regulatory acts of the heads of airlines of the Republic of Tajikistan that do not comply with the norms of the current legislation in the field of civil aviation and affect flight safety;
- receive from airlines and civil aviation organizations of the Republic of Tajikistan and other operators - users of the airspace of the Republic of Tajikistan information necessary to fulfill the tasks assigned to **The Agency**;

- submit proposals for the corporatization and privatization of state-owned **Civil Aviation Enterprises** and facilities;
- establish printed publications and organize publishing activities;
- hold conferences, meetings and seminars, organize exhibitions on the problems of improving and developing civil aviation;
- give opinions on projects, legislative and other regulations affecting the interests of the air transport industry.

The Agency may have other rights provided for by the legislation of the Republic of Tajikistan.

5. ORGANIZATION OF WORK

7. **The Agency** is headed by a Director, appointed and dismissed by **the Government of the Republic of Tajikistan**.

The Director of the Agency manages the area of activity entrusted to him and bears **personal responsibility** for the implementation of the functions and tasks assigned to **The Agency**.

The Director of the Agency has a Deputy, appointed and dismissed by **the Government of the Republic of Tajikistan** upon its proposal.

The Agency's structural divisions consist of **Departments** and **Sectors** in the main areas of the Agency's activities.

8. **The Director of the Agency** performs the following tasks:

- carries out general management of the Agency's activities and organizes its work;
- **on behalf of the Government of the Republic of Tajikistan**, in the prescribed manner, signs intergovernmental agreements on air services and international treaties in the field of **Civil Aviation**;
- approves regulations on **Departments** and **Sectors** of the Agency;
- approves the work plan and forecast indicators of the activities of the Agency's Structural Sectors;
- makes proposals to the Ministry of Finance of the Republic of Tajikistan on the formation of the **Republican Budget** in terms of financial support for the Agency's activities;
- submits to the Government of the Republic of Tajikistan in the prescribed manner proposals for the creation, reorganization and liquidation of **State Enterprises** and **Institutions** located in the Agency's system;
- appoints specialists with basic aviation education to positions on a competitive basis and dismisses Agency employees in accordance with the established procedure, approves their job descriptions;
- determines the responsibilities, terms of reference and establishes the degree of responsibility of the heads of management and departments of **the Agency**;
- issues orders and instructions that are subject to mandatory execution by employees of **the Agency**, as well as all subjects of **Civil Aviation** of the Republic of Tajikistan;
- in accordance with the established procedure, nominates particularly distinguished employees for state awards of the Republic of Tajikistan;
- exercises other powers in accordance with the **Legislation of the Republic of Tajikistan**.

9. The **Regulations, Structure, Management scheme** and **Maximum number of employees** of the Agency, as well as the procedure for placement and financing of **the Agency** are established and approved by the Government of the Republic of Tajikistan.

10. Agency employees are required to maintain the level of their qualifications necessary for the effective performance of their official duties.

11. The Agency's specialists are subject to the benefits in force in **Civil Aviation** of the Republic of Tajikistan.

12. For the purposes of supervision and monitoring, Agency specialists have the right to enter the territory of airlines of the Republic of Tajikistan on the basis of an international identification card.
13. To monitor the **Flight safety** of operators and comply with the requirements in force in the Republic of Tajikistan, **Flight rules** and other acts regulating flight work, Agency specialists have the right to be included in flight missions in compliance with established requirements.
14. **The Agency** creates a highest qualification commission, operating in accordance with the **Regulations** approved by the director of the Agency.
15. Agency specialists have the right to own an ID card and special clothing/uniform, samples and terms of issue of which are approved by **the Director of the Agency**.
16. **The Agency**, in accordance with the established procedure, uses the property and office premises assigned to it in the Republic of Tajikistan.
17. **The Agency** maintains accounting and reporting, as well as **Statistical reporting** in the manner established by the **Legislation of the Republic of Tajikistan**.
18. **The Director of the Agency** heads the **Commission for investigating aviation accidents and incidents**.
19. **The Agency is a Legal Entity**, has a seal with the image of the State Emblem of the Republic of Tajikistan and with its name, as well as **Stamps, Letterheads** and **Accounts** in the Treasury system.
21. **Legal address of the Agency: Republic of Tajikistan, Dushanbe, Aini Avenue, 14.**