

Rules and Regulations Governing the Carriage of Pilgrims by Air

1 Application Requirements

1-a. Requests for operation are to be submitted to PCA by either the air carrier which is authorized by virtue of either a bilateral agreement provision, or a general sales agent or by ground handling services agent or a local authorized representative in cases of charter operation.

1-b. ATD-101 operation form should be filed.

1-c. Applications are to be send to the following address:

Presidency of Civil Aviation
Attn: Director Air Transport Department
P.O. Box 887, Jeddah 21165
Kingdom of Saudi Arabia

Or to: AFTN – OEJNYAYX
Telex: 601093 CIVAIR SJ
E-mail – takabli@pca.gov.sa

1-d. Application for obtaining the slot allocation shall be filed no later than 19 Ramadan 1426H (22 October 2005).

1-e. Application shall be made on the appropriate approved form. Flight identification number must contain the three letter airline designator in accordance with International Civil Aviation Organization (ICAO) regulations in addition to the two letters assigned by International Air Transport Association (IATA), plus four digits numbered in sequence. Flight identification number is not to be repeated for the inbound and outbound phase; flights must carry different numbers.

1-f. Operations requests for both inbound and outbound phases shall contain the flight schedule (program) and each phase shall specify the date of operation. Flight number of both arrival and departure, type of aircraft, callsign and registration number, flight route, point of origin, destination, elapsed time in route, and Estimated Time of Arrival / Estimated Time of Departure (ETA/ETD) in Universal Time Coordinate (UTC time).

2 Flight Scheduling and Slot Allocation Procedures

2-a. Aircraft movement at KAIA for the inbound phase will commence as from first of Dul Qaida 1426H (03 December 2005) up to end of the 4th Dhu'l-Hijjah 1426H (04 January 2006).

2-b. Aircraft movement for the outbound phase will commence as from 13th Dhu'l-Hijjah 1426H (13 January 2006) and end before 15 Moharam 1427H (24 February 2006).

2-c. Airline/Aircraft operators shall plan and organize flight schedules to achieve the best utilization of the specified time frame.

2-d. Prior to 15 Shawal 1426H (17 November 2005) PCA shall issue the slot number for each separate flight to air carriers who have submitted their schedules in compliance with the operational requirements and conditions stated in Article 3, 4 and 5 of the regulations.

2-e. Airlines shall not operate any flight without having obtained the approval for flights scheduled and allocated the required slot number and obtain clearance from Air Transport Department as well as fulfillment of all other operation conditions stated in the instructions.

3 Technical Measures and Conditions Governing Air Operations Applied on all Flights

All airlines that operate Hajj flights, whether designated by provisions of a bilateral agreement, or purposely for Hajj season flights, either owned or leased aircraft, shall be subjected to the following terms and conditions.

3-a. Air Transport Department Form (PCA-ATD/101) is to be completed in full compliance with its contents relating to the operator, general sales and ground service agent.

3-b. Flight schedule approval should be obtained from PCA before commencing operation and clearance should be obtained from Air Transport Department.

3-c. All flight identification numbers must contain the 3-letter airline designator in accordance with ICAO regulations in addition to the 2-letters assigned by IATA, and four digits numbered in sequence. No flight identification number is to be repeated in either the inbound or outbound phase.

3-d. The air carrier is committed to the approved arrival and departure times within an allowance (window) plus or minus 30 minutes. Both slot and clearance numbers must be indicated and included in Field 18 "Other Information" of the flight plan.

3-e. Flights are not permitted to remain at KAIA, Jeddah apron for more than two hours (on ground time) during the inbound phase, and three hours during the outbound phase of the Hajj period. In case of an emergency (weather condition or a forcemajure matter), the airline concerned should report to the Airport Authority for official confirmation and consideration.

3-f. A clear and readable passenger manifest containing names and ID must be provided to the Airport Authority.

3-g. All Hajj passengers should hold a round trip confirmed reservation ticket; otherwise the fine stipulated in the "Penalties Article" would be imposed.

3-h. Each airline shall operate its flights as per given permission, according to schedules submitted by the airline itself and approved by PCA, which should contain callsign, registration number, aircraft type, date and timings of arrival and departure.

3-i. Each airline shall clearly specify the responsible entity for operation of a leased aircraft and submit relevant supporting documents accordingly. Aircraft insurance should cover third party and property liability.

3-j. If the operation is conducted with leased aircraft, the air carrier/operator is responsible for obtaining a written approval from the Civil Aviation Authority of the state where the principal place of business or permanent residence of both the air carrier and the lessor company are situated. Provided that, in lieu of such written approval the air carrier/operator may submit to the PCA a verified copy of the leasing contract. The lease must contain provisions covering both the Inbound and Outbound Hajj operations and specify joint responsibility of both the air carrier/operator and the lessor for the return of pilgrims to their countries. The entity responsible for the operation of the leased aircraft shall also be specified in the lease.

3-k. Upon preparation of Flight Plans, all Air Carriers operating pilgrimage flights must follow preferred routes specified in Air Navigational Circulars and Aeronautical Information Publication Annexes, which will be issued before operation.

3-l. Letter "W" must be added in field 10 in FPL as the sixth or seventh letter if the aircraft and crew are authorized to operate in RVSM airspace.

3-m. Type of flight should be marked "X" in field 8 Section "b" in accordance with Doc 4444 type of flight. Page A3-9.

3-n. Call sign and other information in FPL must fully conform with permission request presented to PCA.

3-o. FPL must be printed and readable and handed to ATS 2-hours prior to departure.

3-p. In controller pilot voice communication with all ATS units the word HAJJ must be used all the time after the company identification and before flight number. Ex. SVA HAJJ 1234.

4 Technical Conditions/ Requirements Pertaining to Air Safety and Standards Regulating Air Operation

4-a. Compliance with provisions, requirements and instructions stated in the Saudi Aeronautical Information Publication (AIP) and the relevant amendments and periodical updates particularly Parts GEN 1.2. In addition to the filing of the operation specification in accordance to PCA/FAR Part 129 and adhering to other relevant agreements.

4-b. Filing of Form PCA-ASSD 110-1 including all documents listed on the back of this form. In addition to these documents a copy of the aircraft noise certificate, the radio license and the operation specifications issued to the operator by his state CAA, should also be submitted. The form and the related documents will be assessed and processed for approval as part of the operation clearance requirements. This form can be obtained from the Air Transport Department, Aviation Standards and Safety Department (ASSD) or by visiting

<<WEB<http://www.pca.gov.sa/conditions/airsafety.htm>=PCA website>>.

The form and related documents have to be submitted for each aircraft. A copy of the approved form must be carried on board the aircraft.

4-c. Form PCA-ASSD 110-1 and the documents listed on the back must be submitted to PCA ASSD no later than the first of Sha'aban 1426H (5 September 2005). The package will be reviewed by ASSD and the applicant will be informed of any missing documents within two weeks of receiving the complete package. The applicant must submit the missing documents within two weeks to ASSD to maintain his priority in processing the application.

4-d. The aircraft must satisfy the airworthiness requirements of PCA/FAR Part 129 and all the requirements of the International Civil Aviation Organization Annex 6, Volume 1. As a minimum the aircraft must have the following equipment:

- Flight data and cockpit voice recorders.
- Airborne Collision Avoidance System (ACAS/TCAS).
- Wind shear warning.
- Reinforced cockpit door.
- Enhanced Ground Proximity Warning System (EGPWS/TAWS).

4-e. The operator, after obtaining the approval for operations, shall coordinate with ASSD to determine a suitable time and location for aircraft inspection by PCA-ASSD staff based on the availability of the aircraft. The operator shall be responsible for the transportation and daily allowance costs associated with this inspection in accordance to the AIP Paragraph GEN 4.3-2.4.2.b.

4-f. In addition to the above-mentioned inspections prior to arrival to the Kingdom, a randomly selected aircraft shall be subject to further safety inspection upon arrival. Further to the obligations mentioned in Article 33 of the Chicago Convention, the purpose of these inspections is to verify the validity of the relevant aircraft documentation, licensing of its flight crew, aircraft equipment and that the condition of the aircraft conforms to the current standards and all previous inspection findings have been rectified. When an urgent action is essential for the safety of the aircraft operation, PCA will immediately suspend the operating authorization of the aircraft until a corrective action is taken. Violation of the airworthiness or operating requirements will be subject to fines according to the PCA approved table of sanctions.

4-g. Each pilot must be familiar with applicable rules, navigational and communication facilities, air traffic control and the Kingdom's AIP. The pilot should be able to communicate in the English language.

Important PCA Requirements

A. It will be Operator's responsibility to ascertain that proper navigation equipment and charts are carried on board each Aircraft at all times.

B. Your operations will be conducted in accordance with the applicable PCA regulations (US Federal Aviation Regulations Part 129) and PCA requirements in the PCA – AIP and applicable Airworthiness Guides.

C. Please submit to PCA Air Transport Department this form with the original Company Stamp affixed on the Form together with the following:

1. PCA-ASSD Forms to be filled by the Operator.
 - PCA-ASSD 110-1 (as revised) for each Aircraft, (Foreign Operator Authorization for Commercial Operations within the Kingdom of Saudi Arabia.
 - PCA-ASSD Form 206-F (as revised) for each Aircraft, (Data Sheet for Foreign Operator Form to be stamped by Civil Aviation Department of Aircraft Registry).
 - PCA-ASSD Form 8400-8B (as revised) Presidency of Civil Aviation, Aviation Safety and Standards, Kingdom of Saudi Arabia (Operations Specifications), to be stamped by the operator's civil aviation authority.

2. Documents to be submitted by the Operator.

- A copy of Air Operator Certificate (A.O.C.)
- A copy of valid Certificate of Registration for each Aircraft.
- A copy of valid Certificate of Airworthiness for each Aircraft.
- A copy of valid Aircraft Insurance Certificate covering each Aircraft.
- A copy of Noise Certificate for each aircraft.
- A copy of Radio License for each aircraft.
- Original letter of undertaking (Company Letterhead signed by authorized person and Company Stamp affixed) stating that the Company will be fully responsible in case of violation, incident, accident or whatsoever occurrence related to the Aircraft.
- A copy of Aircraft lease agreement (if applicable).
- A copy of Contract showing an arrangement for Aircraft Maintenance within the Kingdom of Saudi Arabia in case of Aircraft out of Service. If there is no arrangement, then an appropriately rated Mechanic must be onboard to return the Aircraft to Service.

- Statement of Compliance with PCA/FAR 129.28

D. A copy of PCA-ASSD 110-1 approved form shall be carried on board the Aircraft at all times and shall be presented upon request of a Representative of the Presidency of Civil Aviation.

E. The Aircraft shall be inspected by the PCA upon arrival in the Kingdom on the first Flight. The Operator's Representative will advise PCA-ASSD (Fax Nos. 685-5745 / 685-5142) about the date and time of arrival of the first Flight.

F. Changes in any of the above information must be reported to the Director of Airworthiness immediately so that the PCA Records remain accurate and current.

Notes:

1. Approved PCA Form PCA-ASSD 110-1 (as revised) and PCA/FAR 129 Ops Specs. Allow you to operate your Aircraft for Commercial/Compensation purposes.
2. All information in the Documents must be in English or the translation in English Language is certified.

3. All operators are required to subscribe to the Saudi Arabian Aeronautical Information Publications (AIP) Manual.
4. You can visit <<WEB<http://www.pca.gov.sa>=PCA Web Site> for more information concerning PCA Forms and Airworthiness Guides (Follow the dropdown menu links in the icons).

5 Additional Technical Conditions Applicable to Air Carriers Operating Only Hajj Charter Flights

In addition to the above, an air carrier who has no regular flight operation to the Kingdom under any of the bilateral/commercial agreements and desires to operate Hajj flights should fulfill the following conditions:

- 5-a. Must submit a Bank Financial Guarantee (a letter of credit/LC) in favor of PCA, of a value equal to 25% of the total number of Hajj passengers multiplied by the official rate of a one-way ticket price as per IATA Tariff. Such a guarantee should be issued from a national bank in the Kingdom, provided that the guarantee coverage should be no less than (SR600,000). PCA has the right to deduct the due cost encountered from returning the Hajj passengers whom the carrier had failed to transport in fulfillment of its obligation, or to cover other due fines resulting from the operation. The remaining amount of the guarantee, if any, will be released thereafter. In the event that the operators adhere fully to commitments and obligations, the guarantee shall accordingly be released in full.
- 5-b. PCA may require a bank guarantee as per Para. 5-a, from airline operating regular flights on commercial basis, and committed violation at previous Hajj seasons.
- 5-c. The Bank Guarantee should have a validity of six months, and will take effect starting from the first Hajj flight operations from the 1st of Dul-Ghaddah 1426H (03 December 2005).
- 5-d. No entity other than the PCA has the right to deduct the due cost due to any contractual disputes arising between the contracting parties.
- 5-e. The operator must designate a local handling agent at Jeddah KAIA to assume the handling responsibility of flights during both inbound and outbound phases. The agent must maintain efficient labor and equipment to handle all flights at the specified times. Failure to do so will lead to penalty enforcement in accordance with Part (7-i) of the regulation.
- 5-f. Conduct the necessary coordination between the national carrier "Saudia Airlines" and operator in order to reach an agreement in respect of sharing of Hajj traffic operation on a 50/50 basis or on a unilateral base. A copy of this agreement must be filed to PCA for approval. Priority for carriage of Hajj traffic should be given to the national carrier of each state.

6 General Terms and Conditions

6-a. All air carriers (scheduled and charter) or their agents must submit financial bank guarantee of an amount no less than SR100,000 and no more than SR200,000, based on the number of pilgrims and operating frequency in favor of PCA and reimbursed for the Ministry of Hajj for the purpose of covering the accommodation expenses of pilgrims. The air carrier or its agent is obliged to cover the value of the guarantee if any amount is deducted to pay any expenses.

6-b. Early submission of flight schedules, in accordance with Para 1-c of the regulations, will enable the operator to obtain the required favorable and suitable times in line with its plan and pursuant to the airport capacity.

6-c. The operator must designate a representative to assume all responsibility at KAIA with the authority to ensure all passenger requirements can be met as a consequence of flight delay and moreover, to follow up and maintain the air carrier's conformity to its commitments and obligations, e.g. securing meal catering and accommodation according to applicable rules and regulations.

6-d. All air carriers do not have the right to exercise any commercial traffic rights (passenger or cargo) on Hajj empty legs during both the inbound/outbound phases except for purposes authorized by PCA.

6-e. Full compliance shall be maintained with the Kingdom's applicable airports security standards and procedures in consistency with the rules and measures stipulated in the National Security Program for Civil Aviation as well as other security instructions issued in this concern. Air carriers engaged in the departure phase of Hajj transport should comply with procedures related to passenger and baggage inspection in accordance with practiced regulations.

6-f. The operating requests (applications) can be filed by the travel agencies agent once all necessary operational and safety as well as financial guarantee requirements are fulfilled. He should also hold the following responsibilities:

- Provide air carriers, which he serves, with all necessary rules and regulations, issued by the PCA
- Maintain the documents relevant to each flight for 90 days at least

6-g. Air Carriers are held responsible to provide special care for passengers jointly with the local sponsor in the event of any barrier encounters the flight or delays, or cancellation in conformity to the procedures stated in the operation guide and rules or recommended practices of the international air transport and Hajj transport regulations. Failure to do so will result in securing the payment of any expenses incurred from the bank guarantee stated in Part 6-a. Such a care should be secured as follows:

- Refreshment after one hour has elapsed from start of the delay.
- Hot meal after 3 hours has elapsed from the time of departure.

- Accommodation for the departing passengers on the flight after 6 hours has elapsed from the start of the delay, as maximum limit.
- Assistance for the pilgrims who need special care. Such as the disabled and elderly, in addition to securing wheel chairs and special equipment.

6-h. Air carriers are held responsible for informing and ensuring, whether verbally during the booking or in a written form on the air ticket, that personal luggage and cargo of the passengers should be carried and shipped in accordance with the permissible weight, sizes and descriptions. Oversized luggage that hinders the check-in process will not be accepted.

6-i. Air Carriers are held responsible for attaching Identification Tag on pilgrim's baggages specifying – name, nationality, passport number, air carrier and flight number.

6-j. Air Carriers are held responsible to distribute Immigration Cards directly to pilgrims after departure from the point of origin and before arrival to the Kingdom of Saudi Arabia to facilitate computerized registration process.

6-k. These provisions are implemented on King Abdulaziz International Airport, Prince Mohammed bin Abdulaziz Airport at Madinah and any other airports declared for operation as a Relief Airports by the Government of the Kingdom of Saudi Arabia.

6-l. Air carriers must comply with the instructions and regulations issued by the Ministry of Health of the Kingdom of Saudi Arabia. They shall provide all health requirements and ensure vaccination against diseases and epidemics pursuant to the international rules issued in this regard.

6-m. The Presidency of Civil Aviation will take the necessary action to secure aircraft to carry the pilgrims and their left behind luggage through the appropriate committee if the air carrier failed to return the pilgrims and their luggage to their final destination at the scheduled time.

6-n. Air Carriers are not allowed to convey perishable goods and consumable products that are brought by pilgrims for the purpose of sales and marketing within the airport vicinity. They must abide by the customs rules and regulations in this regard.

6-o. Upon the occurrence of any delay in the departure, the responsible committee at the airport operation should prepare and incident report and notify air transport department at PCA to coordinate with the committee responsible for the bank guarantee activation to secure an alternative aircraft.

6-p. Air Carriers or their agents are held accountable to notify airport administration (airport operation office) and Ministry of Hajj office branch at the airport upon such occurrence of any incidents such as natural disasters, bad weather condition or political disturbance which leads to closing of airports at the point of origin. Such notifications are applied also in circumstance of delayed departure at the

points of origin or lack of securing aircraft so that the proper coordination is made to stop the process of transporting pilgrims to the airport.

6-q. The validity of flights operating certificates issued by the directorate general of safety and standard department is linked to the validity of the operating clearances during the Hajj season. Such clearances shall not be utilized for any other transport purposes after 14 days from the end of Hajj season.

7 Penalties for Violation

Compliance with the above regulations is mandatory to ensure the safety of all operators, air traffic and pilgrims and to maintain system efficiency. Therefore, enforcement of these regulations is essential. Any aircraft that does not conform to either the special specifications outline by the Aviation Safety or the technical requirements stated in the Kingdom's AIP, shall be subject to final exclusion and appropriate measures and penalties shall be taken against the operator. In the event of any violation, the following fines shall be imposed:

7-a. A fine will be applied on any air carrier whose flight arrives after the end of the fourth day of Dhu'l-Hijjah 1426H (4 January 2006). The fine amounts at a rate double the IATA published first class fare from point of origin to Jeddah per each pilgrim on board the flight unless the pilot, the operator's agent or representative holds written approval from PCA indicating a date and time of permitted landing.

7-b. All air carriers operating regular scheduled services, boarding pilgrims and arriving after the elapsed date of the inbound operations, the end of the fourth day of Dhu'l-Hijjah 1426H (4 January 2006), shall be fined SR200,000 per flight irrespective of the total pilgrim passengers onboard the flight.

7-c. A fine of SR100,000 is imposed against each aircraft enter the Saudi Airspace without prior permission. The aircraft will be seized at the airport until such time the fine is settled by a verified check paid to the order of PCA.

7-d. A fine not exceeding SR15,000 shall be imposed on any violation of traffic flow control systems. Any of the following practices is considered as a violation:

- Any Hajj flight arriving without obtaining a clearance number or a computer reservation number in the Clearance Flight System (CFS).
 - Any unutilized authorized reservation, for both inbound and outbound with the exception of:
 - bad weather conditions or force-majure.
 - aircraft technical problems.
 - emergency operational problems.
 - documents should be presented in event of above cases.
- Received passengers luggage and leftover at airport's yard.

7-e. A fine amount of SR15,000 will be imposed on any air carrier delaying the return carriage of Pilgrims on its flight.

7-f. Any entity involved in pilgrims transportation by air delay or fails to submit the passenger manifest stated in para 3-f, will be subjected jointly with its agent to a fine equal to SR10,000 against each trip/flight.

7-g. A fine amount of SR2,500 will be imposed on the air carrier with joint responsibility of the local agent on each passenger arriving to the Kingdom without having a confirmed reservation on the return ticket, provided that such an imposed fine will not exceed SR100,000 for each flight.

7-h. All carriers as well as their agents are held responsible for implementing this regulations and payments of fines. In absence of local sales agents for charter carriage, the fines will be automatically deducted from the value of the bank guarantee stated in Para 5-a.

7-i. In the event the percentage of the left behind pilgrims reaches 2% out of the total actual pilgrims coming on the charter flights, the operator/air carrier of the charter operation will not be allowed to operate for one season. The PCA has the right to suspend the operation of such operator/air carrier totally under the condition such a violation is repeated in the next Hajj seasons.

7-j. The PCA has the right to imposed fines, ranging between SR10,000 – SR100,000 (not falling under the above categorization) on any carrier that violates this regulation or ICAO regulation as well as AIP rules.

Your cooperation and compliance with the above regulations in both inbound/outbound phases is solicited and will contribute greatly toward the implementation of a safe and efficient Hajj air traffic operation.