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**Legislative Decree No (29) of 2000 ratifying the Convention regarding the Amendment and Addition of Supplementary Articles to the Air Transport Convention between the Government of the State of Bahrain and the Government of the Federal Republic of Germany**

We, Hamad bin Isa Al Khalifa, Emir of the State of Bahrain;

Having reviewed the Constitution;

Emiri Order No. (4) of 1975;

And the Air Transport Convention between the Government of the State of Bahrain and the Government of the Federal Republic of Germany on 18 June 1991, ratified by Legislative Decree No. (4) of 1993;

And upon the submission of the Minister of Transportation;

And after the approval of the Council of Ministers;

**Hereby Decree the following Law:**

**Article One**

The attached agreement signed in the State of Bahrain on the second day of October 2000 was ratified, amending and adding Supplementary articles to the air transport Convention signed between the Government of the State of Bahrain and the Government of the Federal Republic of Germany.

**Article Two**

The Minister of Transportation must implement this decree, and it shall come into effect from the date of its publication in the Official Gazette

**Emir of the State of Bahrain**

**Hamad bin Isa Al Khalifa,**

Issued at Riffa Palace

**On:** 1 Shaaban 1421 A.H.

Corresponding to: 28 October 2000.

**Convention regarding the Amendment and Addition of Supplementary Articles to the Air Transport Convention between the Government of the State of Bahrain and the Government of the Federal Republic of Germany**

The State of Bahrain and the Federal Republic of Germany

Desiring to amend and add Supplementary articles to the Air Transport Convention signed between the State of Bahrain and the Federal Republic of Germany on 18 June 1991 (hereinafter referred to as the “Agreement”),

Have agreed as follows:

**Article One**

Supplementary Articles to the Air Transport Convention signed between the State of Bahrain and the Federal Republic of Germany on 18 June 1991 are amended and added as follows:

The phrase “Federal Minister of Transport” as stated verbatim in Paragraph (1) of Article One of the Convention shall be replaced with the phrase “Federal Ministry of Transport, Buildings and Housing,” and the phrase “Civil Aviation Administration” shall be replaced with the phrase “Civil Aviation Affairs at the Ministry of Transportation.”

(2) A new article under No. (11A) is inserted after Article (11) of the Convention as follows:

**Article Eleven (A)**

**Aviation Safety**

Each Contracting Party may at any time request consultations on safety standards in any area relating to the aircraft, its pilots or their operations applied by the other Contracting Party. These consultations must be held within a period of thirty (30) days from submitting the above request.

(2) If, after conducting such consultations, one of the contracting parties discovers that the other contracting party is not applying or implementing effectively the minimum air safety standards in force at the time in accordance with the Chicago Convention, then the first contracting party must notify the other contracting party of the findings it has reached and the necessary steps that need to be taken in accordance with those minimum standards and that the other contracting party must take appropriate corrective measures. The failure of the other contracting party to take appropriate corrective steps within a period of (15) days or any longer period agreed upon shall constitute a reason for applying Article (4) of this agreement.

(4) In the event that the following is revealed during the field inspections:

(a) that the aircraft, or its operation, is not comprehensively consistent with the minimum levels of air safety in force at the time provided for in the Chicago Convention, or;

B- A worrying lack of effective implementation of the maintenance levels established under the air safety standards in force at the time in accordance with the Chicago Convention.

Notwithstanding the conditions of Article (33) of the Chicago Convention, it is agreed that any aircraft operated by airlines designated for services to and from the territory of the other Contracting Party may be subjected to internal and external examination by the delegates authorised by the other Contracting Party while in the territory of the other Contracting Party to ascertain the validity of certificates, licenses relevant to the aircraft and the navigation crew, as well as to ascertain the general condition of the aircraft and its equipment (referred to by this article as " field inspection") provided that this does not cause undue delay to the aircraft. The Contracting Party which conducts a field inspection in accordance with the purposes set out in Article (33) of the Chicago Convention shall be entitled to conclude that the requirements for the issuance of certificates or licences relating to the aircraft or its navigation or those under which they are deemed to be applicable, or that the requirements under which the aircraft was operated do not correspond to or meet the minimum standards applicable under the Chicago Convention.

(5) In the event that the representative of the airline concerned refuses to carry out a field examination of an aircraft operated by the airlines designated by one of the Contracting Parties in accordance with paragraph (3) of this Article, the other Contracting Party shall be entitled to conclude that the concern referred to in paragraph (4) of this Article has arisen leading to the conclusions referred to in the same Article.

Each Contracting Party reserves the right to suspend or amend the operating licence of the airline or air transport enterprises of the other Contracting Party immediately in the event that the first Contracting Party concludes that urgent measures are necessary for the safety of the operations of the air transport enterprise, whether as a result of a field examination or field examinations, or as a result of refusal to conduct a field examination, or due to consultations, or otherwise.

7) Any action taken by either contracting party in accordance with the above paragraphs (2) or (6) must be suspended in the event that the reasons that led to its adoption have ended.

A new article under No. (13A) will be inserted after Article (13) of the Convention as follows:

**Article Thirteen**

**Codeshare**

(1) When operating or providing licensed air services on agreed-upon routes, any airline designated by one of the Contracting Parties may enter into code-share arrangements for flights with:

A- The airline or airlines affiliated with the same Contracting Party.

B- The airline or airlines of the other Contracting Party, and.

C- The airline or airlines of a third party, provided that the State of that third party licences or permits similar arrangements between the airlines of the other Contracting Party and other airlines operating services to, from and through the third party.

airlines that exercise the above arrangements are required to:

D- Possession of the appropriate licence to operate on routes and air sections, and.

E- meet the normally applicable requirements for such arrangements.

(2) Any airline that is a party to the codeshare arrangements in accordance with paragraph (1) of this Article shall indicate to the purchaser of tickets sold at its points of sale the name of the airline that actually operates each air section and with which airline or airlines the buyer will have a contractual relationship.

**Article Two**

The Air Transport Convention signed on 18 June 1991 between the State of Bahrain and the Federal Republic of Germany shall be applied and interpreted, considering that they are one document.

**Article Three**

The Contracting Parties ratify the present Convention and documents of ratification are exchanged between the two parties in Berlin.

2- The Convention shall enter into force one month after the exchange of ratification documents between the two contracting parties.

Written in Bahrain on 2 October 2000, in two original copies in Arabic, German, and English. The three texts are considered equally authentic.

**For The State of Bahrain For the Federal Republic of Germany**