Civil Aviation Law of the PRC

Dan Young Business Consultancy — www.danyoungcpa.com

Unofficial English translation prepared for reference only. The official Chinese text prevails.

Contents

Table of Contents . . . 2

Chapter I — General Provisions . . . 2

Chapter II — Civil Aircraft . . . 3

Section 1 — Nationality of Civil Aircraft . . . 3

Section 2 — Rights over Civil Aircraft . . . 4

Section 3 — Airworthiness Administration of Civil Aircraft . . . 5

Chapter III — Aviation Personnel . . . 7

Section 1 — General Provisions . . . 7

Section 2 — Flight Crew . . . 8

Chapter IV — Civil Airports . . . 9

Section 1 — General Provisions . . . 9

Section 2 — Transport Airports . . . 11

Section 3 — General Airports . . . 12

Chapter V — Air Navigation . . . 12

Section 1 — Airspace Administration . . . 12

Section 2 — Flight Administration . . . 13

Section 3 — Flight Support . . . 14

Chapter VI — Public Air Transport . . . 16

Section 1 — General Provisions . . . 16

Section 2 — Public Air Transport Enterprises . . . 16

Section 3 — Transport Documents . . . 18

Section 4 — Carrier's Liability . . . 20

Section 5 — Special Provisions on Performance of Air Transport by the Actual Carrier . . . 23

Section 6 — Protection of Passengers' Rights and Interests . . . 24

Chapter VII — General Aviation . . . 24

Chapter VIII — Civil Aviation Security . . . 25

Chapter IX — Search and Rescue and Accident Investigation 27

Chapter X — Liability for Damage to Third Parties 28

Chapter XI — Special Provisions on Foreign Civil Aircraft 30

Chapter XII — Application of Law to Foreign-Related Matters 32

Chapter XIII — Development Promotion 33

Chapter XIV — Supervision and Administration 33

Chapter XV — Legal Liability 34

Chapter XVI — Supplementary Provisions 39

Adopted at the 16th Session of the Standing Committee of the Eighth National People's Congress on October 30, 1995; amended in 2009, 2015, 2016, 2017, 2018, and 2021; revised at the 19th Session of the Standing Committee of the Fourteenth National People's Congress on December 27, 2025
Effective: July 1, 2026

Table of Contents

- Chapter I — General Provisions
- Chapter II — Civil Aircraft
- Chapter III — Aviation Personnel
- Chapter IV — Civil Airports
- Chapter V — Air Navigation
- Chapter VI — Public Air Transport
- Chapter VII — General Aviation
- Chapter VIII — Civil Aviation Security
- Chapter IX — Search and Rescue and Accident Investigation
- Chapter X — Liability for Damage to Third Parties
- Chapter XI — Special Provisions on Foreign Civil Aircraft
- Chapter XII — Application of Law to Foreign-Related Matters
- Chapter XIII — Development Promotion
- Chapter XIV — Supervision and Administration
- Chapter XV — Legal Liability
- Chapter XVI — Supplementary Provisions

Chapter I — General Provisions

Article 1 — This Law is enacted for the purpose of safeguarding the State's sovereignty over its territorial airspace and the rights relating to civil aviation, ensuring the safe and orderly conduct of civil aviation activities, protecting the lawful rights and interests of all parties to civil aviation activities, and promoting the high-quality development of the civil aviation industry.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 2 — The airspace above the land territory and territorial waters of the People's Republic of China is the territorial airspace of the People's Republic of China. The People's Republic of China enjoys complete and exclusive sovereignty over its territorial airspace.

Article 3 — The civil aviation industry shall uphold the leadership of the Communist Party of China, remain people-centered, and put safety first, coordinating development and security so as to provide strong support for comprehensively building a modern socialist country.

Article 4 — The competent civil aviation authority under the State Council shall exercise unified supervision and administration over civil aviation activities nationwide; it may, within the limits of its authority and in accordance with laws, administrative regulations, and the decisions and orders of the State Council, issue regulations and decisions relating to civil aviation activities.

Regional civil aviation administrative organs established by the competent civil aviation authority under the State Council shall, in accordance with the authorization of the competent civil aviation authority under the State Council, supervise and administer civil aviation activities in their respective regions.

Article 5 — The competent civil aviation authority under the State Council shall, in conjunction with the relevant departments of the State Council and in accordance with the national economic and social development plan and the comprehensive transport development plan, formulate the civil aviation development plan.

Article 6 — Investment in the fields of public air transport, general aviation, civil airports, and air traffic management shall comply with laws, administrative regulations, and the relevant provisions of the competent civil aviation authority under the State Council.

Where foreign investment is made in the civil aviation industry, the laws and administrative regulations on foreign investment and the relevant provisions of the State shall also be complied with.

Article 7 — The State shall strengthen the construction of civil aviation infrastructure, encourage and support scientific and technological research on civil aviation, develop civil aviation education, intensify the cultivation of civil aviation professionals, improve the level of civil aviation safety assurance and service quality, and promote the high-quality development of the civil aviation industry.

Article 8 — Activities of civil aviation shall comply with laws and regulations on ecological and environmental protection and the relevant provisions of the State, and shall control and reduce the discharge of pollutants and greenhouse gases.

Article 9 — Entities engaged in civil aviation production and business operations shall fulfill the primary responsibility for work safety, establish and improve work safety rules and regulations, ensure safety inputs, improve work safety conditions, establish and implement a dual-prevention mechanism of tiered control of civil aviation safety risks and investigation and elimination of hidden dangers, and raise the level of work safety in civil aviation activities.

Article 10 — Entities and individuals that have made outstanding contributions to the development of the civil aviation industry, civil aviation safety, and other work shall be commended and rewarded in accordance with the relevant provisions of the State.

Chapter II — Civil Aircraft

Section 1 — Nationality of Civil Aircraft

Article 11 — For the purposes of this Law, the term "civil aircraft" means aircraft other than those used for the performance of military, customs, police, and fire rescue flight missions.

Article 12 — A civil aircraft that has undergone nationality registration by the competent civil aviation authority under the State Council in accordance with the law shall possess the nationality of the People's

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Republic of China, and the competent civil aviation authority under the State Council shall issue a certificate of nationality registration to it.

The competent civil aviation authority under the State Council shall establish the nationality register of civil aircraft of the People's Republic of China, in which matters concerning the nationality registration of civil aircraft shall be uniformly recorded.

Article 13 — A civil aircraft shall not have dual nationality. A civil aircraft that has not cancelled its foreign nationality shall not apply for nationality registration in the People's Republic of China.

Article 14 — Civil aircraft of the State organs of the People's Republic of China shall be subject to nationality registration of the People's Republic of China.

The following civil aircraft may undergo nationality registration of the People's Republic of China:

(1) civil aircraft of legal persons and unincorporated organizations established in accordance with the laws of the People's Republic of China;

(2) civil aircraft of Chinese citizens who have a domicile within the territory of the People's Republic of China;

(3) other civil aircraft whose registration is approved by the competent civil aviation authority under the State Council.

Where a civil aircraft is leased from overseas, and the lessee satisfies the provisions of the preceding paragraph and the crew members of such aircraft are provided by the lessee, the lessee may apply for nationality registration of the People's Republic of China; however, the original nationality registration of such aircraft must first be cancelled.

Article 15 — A civil aircraft that has lawfully acquired the nationality of the People's Republic of China shall display the prescribed nationality marks and registration marks.

Only after a civil aircraft has acquired the nationality of the People's Republic of China may it apply to the competent civil aviation authority under the State Council for an airworthiness certificate.

Section 2 — Rights over Civil Aircraft

Article 16 — The rights over a civil aircraft provided for in this Law include rights over the airframe, engines, propellers, radio equipment, and all other articles intended for use on the civil aircraft, whether installed thereon or temporarily detached therefrom.

Article 17 — A holder of rights over a civil aircraft may apply to the competent civil aviation authority under the State Council for registration of the following rights respectively; without registration, such rights shall not be asserted against a bona fide third party:

(1) ownership of the civil aircraft;

(2) the right to acquire and possess the civil aircraft through purchase;

(3) the right to possess the civil aircraft under a finance lease contract or under a lease contract with a term of six months or more;

(4) mortgage over the civil aircraft.

The transfer of ownership of a civil aircraft shall be made by a written contract.

Registration of a mortgage over a civil aircraft shall be applied for jointly by the mortgagor and the mortgagee with the competent civil aviation authority under the State Council.

Article 18 — The competent civil aviation authority under the State Council shall establish a register of rights over civil aircraft. Matters concerning registration of rights over the same civil aircraft shall be recorded in the same register of rights.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Matters concerning registration of rights over a civil aircraft may be made available to the public for inquiry, reproduction, or excerpting.

Article 19 — Except where a civil aircraft is compulsorily auctioned in accordance with the law, the nationality registration or registration of rights over a civil aircraft shall not be transferred abroad until the registered rights over the civil aircraft have been compensated or the holders of rights over the civil aircraft have consented.

Article 20 — A priority right over a civil aircraft means the right of a creditor, in accordance with Article 21 of this Law, to make a claim against the owner or lessee of the civil aircraft and to receive preferential satisfaction of the claim from the civil aircraft in respect of which the claim arises.

A priority right over a civil aircraft shall be satisfied prior to a mortgage over the civil aircraft.

Where a claim provided for in Article 21 of this Law is transferred, the priority right over the civil aircraft shall be transferred accordingly.

Article 21 — The following claims shall be secured by a priority right over a civil aircraft:

(1) remuneration for the rescue of the civil aircraft;

(2) necessary expenses for the custody and maintenance of the civil aircraft.

Of the claims provided for in the preceding paragraph, the later one to arise shall be satisfied first; the creditor shall apply for registration of the claim with the competent civil aviation authority under the State Council within three months from the date of completion of the rescue or of the custody and maintenance work.

Article 22 — A priority right over a civil aircraft shall be exercised by the seizure of the civil aircraft in respect of which the priority right arises by a people's court.

Article 23 — A priority right over a civil aircraft shall terminate upon the expiry of three months from the date of completion of the rescue or of the custody and maintenance work; however, this shall not apply where the creditor has registered its claim in accordance with Article 21 of this Law and any of the following circumstances exists:

(1) the creditor and the debtor have reached an agreement on the amount of the claim;

(2) proceedings in respect of the claim have been commenced.

A priority right over a civil aircraft shall not be extinguished by the transfer of ownership of the civil aircraft; however, this shall not apply where the civil aircraft is compulsorily auctioned in accordance with the law.

Article 24 — For the common interest of creditors, the expenses incurred in the course of enforcing a judgment of a people's court and in the auction process shall be paid in advance out of the proceeds of the auction of the civil aircraft.

Section 3 — Airworthiness Administration of Civil Aircraft

Article 25 — An organization engaged in the design and design modification of civil aircraft and their engines and propellers (hereinafter collectively referred to as "civil aviation products") and of parts and components of civil aviation products shall, in accordance with the provisions of the competent civil aviation authority under the State Council, establish a corresponding design assurance system and apply to the competent civil aviation authority under the State Council for a design organization approval certificate.

An organization that has obtained a design organization approval certificate may accept entrustment from the competent civil aviation authority under the State Council to provide technical inspection and other relevant services.

Article 26 — The design of a civil aviation product shall be subject to application for a type certificate in accordance with the provisions of the competent civil aviation authority under the State Council.

The design of parts and components of civil aviation products shall be subject to application for a design approval certificate in accordance with the provisions of the competent civil aviation authority under the State Council.

Where a civil aviation product that has obtained a type certificate issued by a foreign country is imported into China for the first time or is produced within the territory of China, an application shall be made for a type validation certificate in accordance with the provisions of the competent civil aviation authority under the State Council.

Where parts and components of civil aviation products that have obtained a design approval certificate issued by a foreign country are imported into China for the first time or are produced within the territory of China, an application shall be made for a design validation certificate in accordance with the provisions of the competent civil aviation authority under the State Council.

Article 27 — A modification to the design of a civil aviation product for which the corresponding certificate has been obtained in accordance with the first and third paragraphs of Article 26 of this Law shall be made by an organization that has obtained a design organization approval certificate, and an application shall be made for a supplemental type certificate or an approval certificate for modified design in accordance with the provisions of the competent civil aviation authority under the State Council; however, this shall not apply where the relevant modification constitutes a minor design change.

Where a design modification to a civil aviation product for which a supplemental type certificate issued by a foreign country has been obtained is intended to be implemented on a civil aircraft having the nationality of the People's Republic of China, an application shall be made to the competent civil aviation authority under the State Council for a supplemental type validation certificate.

An organization that has obtained a design organization approval certificate may issue a conformity certificate for minor design changes made by itself.

For the purposes of this Law, the term "minor design change" means a design change that has no significant effect on the weight, balance, structural strength, reliability, performance characteristics, and other characteristics related to the airworthiness of a civil aviation product.

Where an approved design or design modification is transferred, the transferee shall possess a design organization approval certificate commensurate with the design or design modification to be transferred.

Article 28 — An organization engaged in the production of civil aviation products and parts and components shall, in accordance with the provisions of the competent civil aviation authority under the State Council, establish a production quality system and apply for a production organization approval certificate.

An organization that has obtained a production organization approval certificate may, within the scope of its approval, issue conformity certificates for civil aviation products and parts and components produced by itself, and may accept entrustment from the competent civil aviation authority under the State Council to provide technical inspection and other relevant services.

Article 29 — Where an organization that only designs and produces parts and components of civil aviation products that, once installed on a civil aviation product that has obtained a type certificate or type validation certificate, constitute only a minor design change, is not required, in accordance with the provisions of the competent civil aviation authority under the State Council, to obtain a design organization approval certificate and a production organization approval certificate, it shall apply to the competent civil aviation authority under the State Council for a parts manufacturer approval certificate.

Article 30 — An organization engaged in the maintenance of civil aviation products and parts and components shall apply for a maintenance organization approval certificate in accordance with the provisions of the competent civil aviation authority under the State Council.

Article 31 — A civil aircraft having the nationality of the People's Republic of China may fly only after it has applied for and obtained an airworthiness certificate in accordance with the provisions of the competent civil aviation authority under the State Council. Where a civil aircraft has not yet obtained an airworthiness certificate but needs to fly for the purpose of production test flights or the like, it may, after applying for and obtaining a special flight permit in accordance with the provisions of the competent civil aviation authority under the State Council, engage in flight activities within the permitted scope.

Where a civil aircraft having foreign nationality is leased for flight activities prescribed by the competent civil aviation authority under the State Council, it may fly only after an application has been made, in accordance with the provisions of the competent civil aviation authority under the State Council, for review and validation of the airworthiness certificate issued by the State of its nationality registration or for an airworthiness certificate.

A civil aircraft to be exported may apply to the competent civil aviation authority under the State Council for an export airworthiness certificate.

Article 32 — An entity engaged in the design and production of civil aviation chemical products and in the supply and testing of civil aviation fuel shall apply for the relevant approval certificates in accordance with the provisions of the competent civil aviation authority under the State Council.

Article 33 — The owner or lessee of a civil aircraft shall use the civil aircraft within the scope of use specified in the airworthiness certificate, maintain the civil aircraft properly, and ensure that the civil aircraft remains in an airworthy condition; where civil aviation products and parts and components need maintenance, the maintenance shall be performed by an organization or person that has obtained the relevant approval in accordance with the provisions of the competent civil aviation authority under the State Council.

Article 34 — The design, production, import, maintenance, and flight activities of civil unmanned aircraft shall be subject to application for airworthiness approval with the competent civil aviation authority under the State Council in accordance with the relevant provisions of the State, except where no airworthiness approval is required under the relevant provisions.

An organization engaged in the production of civil unmanned aircraft shall, in accordance with the relevant provisions of the State, assign a unique product identification code to each unmanned aircraft it produces.

Article 35 — The State Council shall formulate the rules on the airworthiness administration of civil aircraft in accordance with this Law.

Chapter III — Aviation Personnel

Section 1 — General Provisions

Article 36 — For the purposes of this Law, the term "aviation personnel" means the following flight crew members and ground personnel engaged in civil aviation activities:

(1) flight crew members, including pilots, flight engineers, cabin attendants, and aviation security officers;

(2) ground personnel, including civil aircraft maintenance personnel, air traffic controllers, flight dispatchers, aeronautical telecommunications personnel, aeronautical information personnel, and aeronautical meteorological personnel.

Article 37 — Cabin attendants shall receive special training and obtain training qualification certificates issued by public air transport enterprises; other aviation personnel shall receive special training and, after passing examinations, obtain licenses issued by the competent civil aviation authority under the State

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Council before they may perform the corresponding duties.

Before obtaining a license or training qualification certificate, flight crew members and air traffic controllers shall also undergo examination by a medical examination institution that meets the requirements of the competent civil aviation authority under the State Council and obtain a medical fitness certificate issued by the competent civil aviation authority under the State Council.

Article 38 — When engaging in flight activities, pilots, flight engineers, and aviation security officers shall carry their licenses and medical fitness certificates, and cabin attendants shall carry their training qualification certificates and medical fitness certificates, and all shall be subject to inspection by the competent civil aviation authority under the State Council.

Article 39 — Aviation personnel shall, in accordance with the provisions of the competent civil aviation authority under the State Council, receive training and regular or irregular inspections and examinations, and only after passing such inspections and examinations may they continue to perform the corresponding duties.

The entity to which aviation personnel belong shall establish sound systems for the labor protection and health administration of aviation personnel in accordance with regulations, so as to ensure that aviation personnel maintain good physical and mental condition.

Article 40 — An organization providing license and qualification training for civil aircraft pilots, maintenance personnel, and flight dispatchers shall apply for the corresponding approval certificate in accordance with the provisions of the competent civil aviation authority under the State Council and shall, within the approved scope, conduct training in accordance with the training syllabus.

Article 41 — Flight simulation training equipment used to meet the training, examination, or checking requirements of civil aircraft pilots shall pass appraisal by the competent civil aviation authority under the State Council and obtain a flight simulation training equipment certificate before being put into use.

Section 2 — Flight Crew

Article 42 — The flight crew of a civil aircraft shall consist of the pilot-in-command and other flight crew members. The pilot-in-command shall be a pilot who possesses the technique and experience to pilot that type of civil aircraft independently.

The composition and number of the flight crew shall comply with the provisions of the competent civil aviation authority under the State Council.

Article 43 — The operation of a civil aircraft shall be under the charge of the pilot-in-command, who shall strictly perform his or her duties and protect the safety of the civil aircraft and the persons and property carried thereon.

Orders issued by the pilot-in-command within the scope of his or her authority shall be carried out by all persons carried on the civil aircraft.

Article 44 — Before flight, the pilot-in-command shall carry out necessary checks on the civil aircraft; the aircraft shall not take off without such checks.

Where the pilot-in-command discovers that the civil aircraft, airport, meteorological conditions, or the like do not conform to the provisions and flight safety cannot be ensured, he or she shall have the right to refuse takeoff.

Article 45 — During flight, in respect of any act that destroys a civil aircraft, disrupts order aboard a civil aircraft, endangers the safety of persons or property carried on the civil aircraft, or otherwise endangers flight safety, the pilot-in-command shall have the right, on the premise of ensuring safety, to take reasonable measures, including necessary restraint measures, and may, where necessary, request or authorize

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

passengers to provide assistance.

During flight, when special circumstances arise, the pilot-in-command shall have the right, in order to ensure the safety of the civil aircraft and the persons carried thereon, to take disposal measures with respect to the civil aircraft.

Article 46 — Where the pilot-in-command discovers that a crew member is not fit to perform a flight mission, he or she shall have the right, in order to ensure flight safety, to propose adjustment.

Article 47 — When a civil aircraft is in distress, the pilot-in-command shall have the right to take all necessary measures and shall direct the crew members and other persons aboard the civil aircraft to take rescue measures. In an emergency where it is necessary to evacuate a civil aircraft in distress, the pilot-in-command shall take measures to first organize the safe departure of passengers from the civil aircraft; without the permission of the pilot-in-command, crew members shall not leave the civil aircraft on their own; and the pilot-in-command shall be the last to leave the civil aircraft.

Article 48 — Where an accident occurs to a civil aircraft, the pilot-in-command shall report the circumstances of the accident to the competent civil aviation authority under the State Council promptly and truthfully, directly or through an air traffic control unit.

Article 49 — Where the pilot-in-command receives a distress signal from a vessel or other aircraft, or discovers a vessel, aircraft, or persons in distress, he or she shall promptly report the distress to the nearest air traffic control unit and render such reasonable assistance as is possible.

Article 50 — Where, during flight, the pilot-in-command is unable to perform his or her duties for any reason, the pilot whose position is next to the pilot-in-command shall act as pilot-in-command; before takeoff from the next stopover, the owner or lessee of the civil aircraft shall assign a new pilot-in-command to succeed.

Article 51 — In the case of a civil aircraft that has only one pilot and is not required to be staffed with other flight crew members, the provisions of this Section on the pilot-in-command shall apply to that pilot.

Chapter IV — Civil Airports

Section 1 — General Provisions

Article 52 — For the purposes of this Law, the term "civil airport" means a demarcated area used for the takeoff, landing, taxiing, parking, and other activities of civil aircraft, including the buildings, installations, and facilities attached thereto.

Civil airports are divided into public air transport airports (hereinafter referred to as "transport airports") and general aviation airports (hereinafter referred to as "general airports").

Airports used by both military and civil aviation shall be administered under separate measures formulated by the State Council and the Central Military Commission.

The use and administration of temporary takeoff and landing sites shall be governed by the relevant provisions of the State.

Article 53 — The planning, construction, and operation of civil airports shall be coordinated and reasonably laid out, shall implement national defense requirements in accordance with the law, raise the safety level and operational efficiency, and promote the coordination of civil aviation development with ecological and environmental protection.

Article 54 — Local people's governments at or above the county level shall incorporate the sites and master plans of civil airports within their respective administrative regions into the territorial spatial plans at the corresponding level for coordinated arrangements, and shall, in accordance with the law and on the basis of the needs of airport operational safety, national defense requirements, and ecological and environmental

protection, exercise planning control over the surrounding areas, and lawfully delimit areas where construction of noise-sensitive buildings is prohibited and areas where such construction is restricted.

Article 55 — For the construction or expansion of a civil airport, the local people's government at or above the county level where the civil airport is located shall issue a project construction announcement.

The announcement provided for in the preceding paragraph shall be published in the main local media and posted in the areas surrounding the airport to be constructed or expanded.

Article 56 — The relevant local people's government where a civil airport is located shall, in conjunction with the regional civil aviation administrative organ, delimit the obstacle-free zone (clearance protection area) of the civil airport in accordance with the relevant provisions of the State and make it public.

The following acts that impede the clearance protection of a civil airport shall be prohibited within the lawfully delimited area of the civil airport and within the clearance protection area of the civil airport:

(1) constructing buildings or other facilities, such as firing ranges and warehouses for highly explosive materials, that affect flight safety;

(2) constructing buildings or facilities that do not meet airport clearance requirements;

(3) installing lights, lasers, signs, or objects that affect the use of airport visual aids;

(4) planting vegetation that affects flight safety or the use of airport navigation aids;

(5) flying birds that affect flight safety, or launching unmanned free balloons, tethered balloons, or other ascending objects;

(6) discharging large quantities of smoke, dust, flames, waste gas, or other substances that affect flight safety;

(7) other acts prohibited by laws and administrative regulations.

Article 57 — The local radio administration organ where a civil airport is located shall, in conjunction with the regional civil aviation administrative organ and in accordance with the relevant provisions and standards of the State on radio administration, delimit the electromagnetic environment protection area of the civil airport and make it public.

The following acts that affect the electromagnetic environment of a civil airport shall be prohibited within the lawfully delimited electromagnetic environment protection area of the civil airport:

(1) installing or using radio stations without approval;

(2) installing or using equipment, instruments, or apparatus that affect the use of civil aviation radio stations;

(3) constructing or installing buildings or other facilities, such as railways, highways, dikes, electric power facilities, overhead metal lines, and metal accumulations, that affect the use of civil aviation radio stations;

(4) carrying out activities such as earth excavation, sand extraction, and quarrying that change the topography and landform and affect the propagation of civil aviation radio signals;

(5) other acts prohibited by laws and administrative regulations.

Article 58 — Before the issuance of a civil airport project construction announcement, buildings, structures, trees, lighting facilities, radio stations, and other obstacles existing within the lawfully delimited area of the civil airport and within its clearance protection area and electromagnetic environment protection area that may affect flight safety shall be removed within the prescribed time limit; where the party concerned fails to remove them within the time limit and still fails to do so after being urged, they shall be removed by the local people's government at or above the county level where the airport is located in accordance with the law. Compensation shall be given in accordance with the law for the losses caused thereby, or other remedial

measures shall be taken.

Article 59 — After the issuance of a civil airport project construction announcement, where any entity or individual, in violation of this Law and the relevant regulations, constructs, plants, or installs obstacles that may affect flight safety within the lawfully delimited area of the civil airport and within its clearance protection area and electromagnetic environment protection area, the local people's government at or above the county level where the airport is located shall make an administrative decision requiring the party concerned to perform the obligations of removing the obstruction and restoring the original state within the prescribed time limit; where the party concerned fails to perform such obligations within the time limit and still fails to do so after being urged, the local people's government at or above the county level where the airport is located shall perform them on its behalf in accordance with the law. The losses caused by the obstacles and the expenses of performance on behalf of the party shall be borne by the entity or individual that constructed, planted, or installed such obstacles.

Article 60 — A civil airport operator shall, in accordance with the provisions of the competent civil aviation authority under the State Council, install necessary facilities and take appropriate measures to maintain the order of civil airport operations and ensure the operational safety of the civil airport.

Article 61 — The State shall lawfully delimit controlled airspace for unmanned aircraft within civil airports and within a certain range of their surrounding areas and make it public.

A civil airport shall possess the corresponding capability to prevent and handle unmanned aircraft, and shall lawfully equip itself with the necessary detection and countermeasure equipment, which shall be used strictly in accordance with the prescribed authority and procedures under the supervision and guidance of the relevant organs.

Article 62 — The slots for civil aircraft operating at a civil airport shall be coordinated and allocated within the airport's capacity in accordance with the principles of openness, fairness, and impartiality. The specific administrative measures shall be formulated by the competent civil aviation authority under the State Council.

Article 63 — Civil aircraft using a civil airport and its navigation aids shall pay usage fees and service fees; the charging standards for such fees shall be formulated by the competent civil aviation authority under the State Council.

Article 64 — Where a civil airport is abandoned or converted to other uses, the approval procedures shall be completed in accordance with the relevant provisions of the State.

Section 2 — Transport Airports

Article 65 — The national layout and construction plan for transport airports shall be formulated by the development and reform department of the State Council in conjunction with the competent civil aviation authority under the State Council and shall be organized for implementation after approval in accordance with the procedures prescribed by the State.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall, in accordance with the national layout and construction plan for transport airports, formulate transport airport construction plans within their respective administrative regions and, after reporting for approval in accordance with the procedures prescribed by the State, incorporate transport airport construction work into the national economic and social development plans at the corresponding level.

Article 66 — The construction, reconstruction, and expansion of transport airports shall conform to the transport airport layout and construction plans formulated in accordance with the law and to the relevant technical standards, and shall be implemented after reporting for approval in accordance with the relevant provisions of the State.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Transport airport construction projects that do not conform to the transport airport layout and construction plans formulated in accordance with the law shall not be approved.

Article 67 — A transport airport may be opened for operation only after it has lawfully obtained an airport operation permit.

Article 68 — The establishment of an international airport shall be reported by the people's government of the province, autonomous region, or municipality directly under the Central Government where the airport is located to the State Council for approval.

An international airport shall possess the conditions for international navigation, and the port inspection work shall be undertaken by immigration administration, customs, and other port inspection organs in accordance with the law. The construction of port inspection infrastructure shall conform to the State standards for port inspection infrastructure construction and the standards for port public health core capacity construction.

The opening for use of an international airport shall be publicly announced by the competent civil aviation authority under the State Council; the data of an international airport shall be uniformly provided to the outside by the competent civil aviation authority under the State Council.

Section 3 — General Airports

Article 69 — General airports shall be subject to classified and tiered administration in accordance with their business types, construction scale, and standards; the specific measures shall be formulated by the competent civil aviation authority under the State Council.

Article 70 — The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall comprehensively take into account conditions such as the population, land, airspace resources, transport, and industrial base within their respective administrative regions, promote the construction of general airports in light of local conditions, and reasonably determine the construction scale and standards of general airports.

Article 71 — The development and reform departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall organize the formulation of general airport layout plans within their respective administrative regions and, after obtaining the consent of the regional civil aviation administrative organ and other relevant entities, report them to the people's governments of the provinces, autonomous regions, or municipalities directly under the Central Government for approval.

The construction, reconstruction, and expansion of general airports shall be subject to examination and approval, verification, or filing by the people's governments of provinces, autonomous regions, or municipalities directly under the Central Government in accordance with the general airport layout plans and the relevant provisions of the State.

The relevant departments of local people's governments at or above the county level shall strengthen supervision and administration over the quality and work safety of general airport construction projects within their respective administrative regions.

Article 72 — A general airport open to the public prescribed by the competent civil aviation authority under the State Council may be opened for operation only after it has lawfully obtained an airport operation permit.

Other general airports shall be filed for record in accordance with the provisions of the competent civil aviation authority under the State Council.

Chapter V — Air Navigation

Section 1 — Airspace Administration

Article 73 — The State shall exercise unified administration over airspace. The State air traffic management organ shall administer national airspace resources in accordance with laws, administrative regulations, and the relevant provisions of the State.

Article 74 — The division of airspace shall take into account civil aviation and national defense security, the needs of low-altitude economic development, and the public interest, so that airspace is utilized reasonably, safely, fully, and effectively.

Article 75 — The specific measures for airspace administration shall be formulated by the State Council and the Central Military Commission.

Section 2 — Flight Administration

Article 76 — Within a demarcated controlled airspace, one air traffic control unit shall be responsible for the air traffic control of aircraft within that airspace.

Article 77 — A civil aircraft conducting flight activities within controlled airspace shall obtain the permission of the air traffic control unit in accordance with the relevant provisions.

Article 78 — A civil aircraft engaged in flight shall carry the following documents:

(1) the certificate of nationality registration of the civil aircraft;

(2) the airworthiness certificate of the civil aircraft;

(3) the corresponding licenses, training qualification certificates, and medical fitness certificates of the crew members;

(4) the journey log of the civil aircraft;

(5) the radio station license, for a civil aircraft equipped with radio equipment;

(6) the list of the names of the passengers carried, together with their points of departure and destination, for a civil aircraft carrying passengers;

(7) the cargo manifest and detailed declaration, for a civil aircraft carrying cargo;

(8) other documents that should be carried in accordance with the flight mission.

Where a civil aircraft fails to carry the documents listed in the preceding paragraph in accordance with the provisions, the competent civil aviation authority under the State Council or its authorized regional civil aviation administrative organ may prohibit the civil aircraft from taking off.

Article 79 — A civil aircraft shall fly along the route and at the flight altitude designated by the air traffic control unit; where, for any reason, it is truly necessary to deviate from the designated route or change the flight altitude, the permission of the air traffic control unit shall be obtained.

A civil aircraft shall comply with the airport flight procedures and operating standards prescribed by the competent civil aviation authority under the State Council.

Article 80 — Civil aircraft flying within the territory of the People's Republic of China must comply with unified rules of flight.

A civil aircraft conducting visual flight shall comply with the visual flight rules and maintain a safe distance from other aircraft and ground obstacles.

A civil aircraft conducting instrument flight shall comply with the instrument flight rules.

The rules of flight shall be formulated by the State Council and the Central Military Commission.

Article 81 — The flight time, duty time, and rest time of crew members of a civil aircraft shall conform to the provisions of the competent civil aviation authority under the State Council.

Crew members of a civil aircraft who are affected by alcoholic beverages, narcotics, or other drugs to the extent that their working ability is impaired shall not perform flight missions.

Article 82 — A civil aircraft shall not fly into a prohibited airspace except with special approval in accordance with the relevant provisions of the State; and shall not fly into a restricted airspace except in compliance with the prescribed restrictive conditions.

The prohibited airspace and restricted airspace provided for in the preceding paragraph shall be delimited in accordance with the relevant provisions of the State.

Article 83 — A civil aircraft shall not fly over a city; however, this shall not apply under any of the following circumstances:

(1) where it is necessary for takeoff, landing, or a designated route;

(2) where the flight altitude is sufficient to enable the aircraft to leave the airspace over the city in an emergency without endangering the safety of persons or property on the ground;

(3) where approval has been obtained in accordance with the procedures prescribed by the State.

Article 84 — A civil aircraft shall not jettison articles during flight; however, this shall not apply under any of the following circumstances:

(1) where it is necessary for flight safety;

(2) where it is necessary for the performance of rescue missions or other flight missions consistent with the public interest.

Article 85 — A civil aircraft shall not fly into or out of the territorial airspace of the People's Republic of China without approval.

In respect of a civil aircraft that is flying into or out of the territorial airspace of the People's Republic of China without approval, the relevant authorities shall have the right to take necessary measures to stop it in accordance with the specific circumstances.

Section 3 — Flight Support

Article 86 — Air traffic control units shall, in accordance with their division of work, provide air traffic services for aircraft in flight, including air traffic control services, flight information services, and alerting services.

The purpose of providing air traffic control services is to prevent collisions between civil aircraft and other aircraft or obstacles, maintain air traffic order, and improve traffic efficiency.

The purpose of providing flight information services is to provide information and advice conducive to the safe and efficient conduct of flight.

The purpose of providing alerting services is to notify the relevant departments when a civil aircraft needs search and rescue, and to assist in search and rescue upon request.

Article 87 — When an air traffic control unit discovers that a civil aircraft has deviated from its designated route or lost its course, it shall promptly take all necessary measures to bring it back onto the route.

Article 88 — The duty time of air traffic controllers shall not exceed the time limit prescribed by the competent civil aviation authority under the State Council.

Air traffic controllers who are affected by alcoholic beverages, narcotics, or other drugs to the extent that their working ability is impaired shall not carry out air traffic control work.

Article 89 — Air traffic control units, public air transport enterprises, general aviation enterprises engaged in scheduled transport, and other entities shall take effective measures to grasp the flight dynamics of civil aircraft in real time and ensure the safety of civil aviation activities.

Article 90 — Necessary communications, navigation, surveillance, and meteorological equipment that conform to the standards and technical specifications prescribed by the State shall be installed in the airspace.

Communications, navigation, and surveillance equipment shall obtain an equipment type license issued by the competent civil aviation authority under the State Council; the specific catalogue shall be formulated by the competent civil aviation authority under the State Council.

Where communications, navigation, and surveillance equipment is used for civil aviation air traffic services, it shall satisfy the conditions for opening for operation; where navigation equipment is used for civil aviation air traffic services, an application shall also be made to the competent civil aviation authority under the State Council for an opening-for-operation permit.

Communications, navigation, and surveillance equipment that, in accordance with the provisions of the competent civil aviation authority under the State Council, needs to undergo flight inspection and verification shall be opened for operation only after passing such flight inspection and verification.

Article 91 — Natural obstacles affecting flight safety within the airspace shall be marked on aeronautical charts; artificial obstacles affecting flight safety within the airspace shall be fitted with aviation obstruction lights and markings, which shall be kept in normal condition.

Article 92 — Within a zone thirty kilometers from the boundary of an airway, the construction of firing ranges and other facilities that may affect flight safety shall be prohibited; however, firing ranges for small-arms firing on flat trajectories shall be excepted.

The construction of fixed or temporary ground-to-air firing sites outside the zone specified in the preceding paragraph shall be subject to approval in accordance with the relevant provisions of the State; the firing direction of a ground-to-air firing site shall not intersect an airway.

Article 93 — Outside the lawfully delimited area of a civil airport and its clearance protection area, tall buildings or facilities that may affect flight safety shall be fitted with aviation obstruction lights and markings in accordance with the relevant provisions of the State, and such lights and markings shall be kept in normal condition.

Article 94 — Any activity that may affect flight safety may be conducted only after approval has been obtained in accordance with the law and necessary measures to ensure flight safety have been taken.

Article 95 — The competent civil aviation authority under the State Council shall lawfully administer civil aviation radio stations and the dedicated frequencies allocated for use by the civil aviation system, and formulate the relevant administrative provisions.

Radio stations and other instruments and apparatus used by any entity or individual shall not interfere with the normal use of the dedicated civil aviation radio frequencies. Where harmful interference is caused to a dedicated civil aviation radio frequency, the relevant entity or individual shall promptly eliminate the interference; before the interference is eliminated, the use of the radio station or other instruments or apparatus shall be stopped.

The radio administration organ shall strengthen monitoring and, upon discovering that a dedicated civil aviation radio frequency is subject to harmful interference, shall require the relevant entity or individual to promptly take disposal measures such as eliminating the interference.

Article 96 — Information and communications enterprises shall give priority to the provision of services for civil aviation telecommunications transmission.

The meteorological authority under the State Council shall provide the necessary meteorological data and forecast products to civil aviation meteorological institutions.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 97 — Civil aircraft using air traffic service facilities shall pay usage fees and service fees; the charging standards for such fees shall be formulated by the competent civil aviation authority under the State Council.

Chapter VI — Public Air Transport

Section 1 — General Provisions

Article 98 — Public air transport means the civil aviation activity of transporting passengers, baggage, mail, or cargo for profit using civil aircraft prescribed by the competent civil aviation authority under the State Council.

Article 99 — This Chapter applies to the transport of passengers, baggage, or cargo operated by public air transport enterprises using civil aircraft, including free transport.

This Chapter does not apply to the transport of mail handled using civil aircraft.

In respect of multimodal transport, the provisions of this Chapter apply to the air transport portion thereof.

Article 100 — For the purposes of this Law, the term "domestic air transport" means transport in which, according to the contract of air transport entered into by the parties, the point of departure, the agreed stopping points, and the point of destination are all within the territory of the People's Republic of China.

For the purposes of this Law, the term "international air transport" means transport in which, according to the contract of air transport entered into by the parties, regardless of whether there is a break in the transport or a transshipment, one of the point of departure, the point of destination, or the agreed stopping points is not within the territory of the People's Republic of China.

Article 101 — Where the parties to a contract of air transport regard the transport performed by several successive air carriers as a single operational activity, it shall be deemed to be one indivisible transport, regardless of whether it takes the form of one contract or several contracts.

Section 2 — Public Air Transport Enterprises

Article 102 — An enterprise engaging in public air transport shall apply to the competent civil aviation authority under the State Council for a public air transport enterprise operating permit and an operating certificate.

Article 103 — To obtain a public air transport enterprise operating permit, the following conditions shall be met:

(1) it is an enterprise legal person established within the territory of China, and its legal representative is a Chinese citizen;

(2) it has civil aircraft and aviation personnel commensurate with the business activities for which it applies;

(3) its controlling shareholders and actual controller have good financial standing and integrity records and no record of major violations of laws or regulations in the last three years;

(4) where it engages in the transport of passengers and baggage, its paid-in registered capital is not less than RMB 600 million; where it engages in the transport of cargo and mail, its paid-in registered capital is not less than RMB 400 million;

(5) its senior management personnel possess the corresponding professional knowledge, management experience, and capability;

(6) it has completed the preparation procedures prescribed by the competent civil aviation authority under the State Council.

Article 104 — To obtain a public air transport operating certificate, the following conditions shall be met:

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

(1) it has management personnel, aviation personnel, and other professionals with the corresponding qualifications necessary for safe operation;

(2) it has civil aircraft and other equipment, facilities, and aviation activity sites that meet the requirements for safe operation;

(3) it is equipped with manuals and other materials necessary for safe operation;

(4) it has established a necessary safety management system for operations, including the organizational structure, work processes, and norms.

A public air transport enterprise shall conduct operations in accordance with the provisions of its operating permit.

Article 105 — The competent civil aviation authority under the State Council shall make a decision on approval or disapproval within six months from the date of accepting an application for a public air transport enterprise operating permit and within twelve months from the date of accepting an application for a public air transport operating certificate. Where it decides to approve, it shall issue the corresponding permit; where it decides not to approve, it shall notify the applicant in writing and state the reasons.

Article 106 — A public air transport enterprise applying to operate routes for scheduled flight transport (hereinafter referred to as "flight transport"), and the suspension or termination of routes it operates, shall be reported to the competent civil aviation authority under the State Council for approval.

A public air transport enterprise operating flight transport shall publish its schedules and timetables.

Article 107 — The items of business charges of a public air transport enterprise shall be determined by the competent civil aviation authority under the State Council.

The measures for the administration of domestic air transport tariffs shall be formulated by the competent civil aviation authority under the State Council in conjunction with the price authority under the State Council and implemented after approval by the State Council.

The formulation of international air transport tariffs shall be carried out in accordance with the provisions of agreements and arrangements concluded between the Government of the People's Republic of China and foreign governments; where there is no such agreement or arrangement, the tariffs shall be determined by reference to the market prices of international air transport.

Article 108 — A public air transport enterprise engaging in non-scheduled transport shall obtain the approval of the competent civil aviation authority under the State Council and shall not affect the normal operation of flight transport.

Article 109 — A public air transport enterprise shall not transport articles the transport of which is prohibited by laws and administrative regulations.

A public air transport enterprise shall not transport munitions and war materiel without the approval of the competent civil aviation authority under the State Council.

Article 110 — A public air transport enterprise engaging in the transport of dangerous goods shall comply with the relevant provisions of the State and obtain a dangerous goods air transport permit.

The catalogue of dangerous goods for air transport shall be prescribed and published by the competent civil aviation authority under the State Council.

Article 111 — A public air transport enterprise shall not transport passengers who refuse to undergo security checks, and shall not, in violation of the relevant provisions of the State, transport baggage that has not undergone security checks.

A public air transport enterprise shall, in accordance with the provisions of the competent civil aviation authority under the State Council, carry out security checks on the cargo it carries or take other measures to ensure safety.

Article 112 — The civil aircraft of a public air transport enterprise engaged in international air transport and the persons, baggage, and cargo carried thereon shall be subject to inspection and quarantine carried out by immigration administration, customs, and other competent authorities in accordance with the law; such inspection and quarantine shall avoid unnecessary delay.

Where the relevant competent authorities prohibit the entry, exit, or transit of persons, baggage, and cargo in accordance with the law, they shall notify the public air transport enterprise.

Article 113 — A public air transport enterprise shall give priority to the transport of mail in accordance with the provisions of the relevant laws and administrative regulations.

Article 114 — A public air transport enterprise shall, in accordance with the law, purchase liability insurance or obtain corresponding financial guarantees for the passengers, baggage, and cargo of the public air transport it conducts and for the liability it may incur to third parties.

Section 3 — Transport Documents

Article 115 — A carrier transporting passengers shall issue a passenger ticket.

A passenger ticket shall include the points of departure and destination, the stopping points, and other contents prescribed by the competent civil aviation authority under the State Council.

Article 116 — A passenger ticket is prima facie evidence of the conclusion and conditions of the contract of carriage of passengers by air.

The failure of a passenger to produce a passenger ticket, the non-conformity of a passenger ticket with the provisions, or the loss of a passenger ticket shall not affect the existence or validity of the contract of carriage.

Article 117 — The carrier shall issue a baggage check for each piece of checked baggage to the passenger.

When the carrier carries checked baggage, the baggage check may be included in the passenger ticket or combined with it. A baggage check shall include the following contents:

(1) the points of departure and destination and the stopping points;

(2) the number and weight of pieces of checked baggage;

(3) where it is necessary to declare an interest in delivery of the checked baggage at the point of destination, a note of the declared amount.

A baggage check is prima facie evidence of the checking of the baggage and the conditions of the contract of carriage.

The failure of a passenger to produce a baggage check, the non-conformity of a baggage check with the provisions, or the loss of a baggage check shall not affect the existence or validity of the contract of carriage.

Article 118 — An air waybill shall be issued for the carriage of cargo, and it shall take effect upon signature or sealing by both parties.

The failure of the shipper to produce the air waybill, the non-conformity of the air waybill with the provisions, or the loss of the air waybill shall not affect the existence or validity of the contract of carriage.

Article 119 — The shipper shall complete the air waybill and deliver it to the carrier together with the cargo.

Where the carrier completes the air waybill at the request of the shipper, it shall be deemed to have been completed on behalf of the shipper in the absence of evidence to the contrary.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 120 — The contents to be included in an air waybill shall be prescribed by the competent civil aviation authority under the State Council and shall include at least the following:

(1) the points of departure and destination and the stopping points;

(2) the description and weight of the cargo.

Article 121 — The shipper shall be responsible for the correctness of the particulars and statements relating to the cargo entered in the air waybill.

Where, owing to particulars or statements entered in the air waybill that are non-conforming, incorrect, or incomplete, loss is caused to the carrier or to any other person to whom the carrier is responsible, the shipper shall be liable for compensation.

Where, owing to particulars or statements entered in the air waybill by the carrier that are non-conforming, incorrect, or incomplete, loss is caused to the shipper or to any other person to whom the shipper is responsible, the carrier shall be liable for compensation.

Article 122 — An air waybill is prima facie evidence of the conclusion of the contract of carriage of cargo by air and of the conditions of carriage, and of the acceptance of the cargo by the carrier.

The statements in the air waybill concerning the weight, dimensions, and packing of the cargo and the number of packages shall be prima facie evidence of the facts stated. Except where the carrier and the shipper have jointly inspected the cargo in person and the air waybill notes that such inspection has been made or notes statements concerning the apparent condition of the cargo, the statements in the air waybill concerning the quantity, volume, and condition of the cargo shall not constitute evidence against the carrier.

Article 123 — The shipper shall have the right, on the condition of performing the obligations under the contract of carriage of cargo by air, to withdraw the cargo at the airport of departure or destination, or to stop the carriage in transit at a stopover, or to require delivery of the cargo at the point of destination or in transit to a person other than the consignee named in the air waybill, or to require the return of the cargo to the airport of departure; however, the shipper shall not, by exercising such rights, cause loss to the carrier or other shippers, and shall reimburse the expenses arising therefrom.

Where the shipper's instructions cannot be carried out, the carrier shall promptly notify the shipper.

Where the carrier handles the cargo in accordance with the shipper's instructions without requiring the shipper to produce the air waybill held by the shipper, and loss is caused to the lawful holder of the air waybill, the carrier shall be liable, without prejudice to the carrier's right of recourse against the shipper.

Article 124 — Except in the circumstances listed in Article 123 of this Law, the consignee shall have the right, upon arrival of the cargo at the point of destination and after paying the charges due and complying with the conditions of carriage, to require the carrier to deliver the cargo.

Unless otherwise agreed, the carrier shall notify the consignee immediately after the arrival of the cargo, and the consignee shall take delivery of the cargo in a timely manner. Where the consignee fails to take delivery within the time limit, it shall pay the carrier custody fees and other expenses.

Where the carrier admits the loss of the cargo, or where the cargo has not arrived within seven days after the date on which it ought to have arrived, the consignee shall have the right to assert its rights against the carrier under the contract of carriage of cargo by air.

The provisions of Article 123 of this Law and of this Article shall not affect the mutual relations between the shipper and the consignee, nor the relations of third parties whose rights derive from the shipper or the consignee.

Article 125 — The shipper and the consignee may, on the condition of performing the obligations under the contract of carriage of cargo by air, exercise, in their own names, the rights conferred by Articles 123 and

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

124 of this Law respectively, whether for their own benefit or for the benefit of another person.

Any contractual clause that differs from the provisions of Articles 123 and 124 of this Law shall be stated in the air waybill.

Article 126 — The shipper shall provide the necessary data and documents so that the relevant procedures required by laws and administrative regulations may be completed before the cargo is delivered to the consignee; for losses caused by the absence of such data or documents, or by their inadequacy or non-conformity, the shipper shall be liable to the carrier, except where the losses are caused by the fault of the carrier or of its employees or agents.

Except as otherwise provided by laws and administrative regulations, the carrier shall not be obliged to inspect the data or documents provided for in the preceding paragraph.

Article 127 — Transport documents such as passenger tickets, baggage checks, and air waybills shall be in written form.

The written form mentioned in the preceding paragraph includes contracts, letters, telegrams, telexes, faxes, and data messages and other forms that can tangibly manifest the contents carried therein.

Where the carrier issues transport documents in the form of data messages, and the passenger or shipper requests paper documents, the carrier shall provide them.

Section 4 — Carrier's Liability

Article 128 — The carrier shall be liable for the death or bodily injury of a passenger caused by an accident that occurs on board a civil aircraft or in the course of the passenger embarking or disembarking from a civil aircraft; however, where the death or bodily injury of the passenger is caused solely by the state of health of the passenger, the carrier shall not be liable.

Article 129 — The carrier shall be liable for damage caused by its fault or the fault of its employees or agents in respect of the destruction, loss, or damage of the unchecked baggage (including personal articles) of a passenger caused by an event that occurs on board a civil aircraft or in the course of the passenger embarking or disembarking from a civil aircraft.

The carrier shall be liable for the destruction, loss, or damage of the checked baggage of a passenger caused by an event that occurs during the carriage by air.

Where the destruction, loss, or damage of the passenger's baggage is caused by the inherent nature, quality, or defect of the baggage itself, the carrier shall not be liable within that scope.

For the purposes of this Law, the term "baggage" includes checked baggage and unchecked baggage.

Article 130 — For the purposes of this Law, the term "carriage by air" means the whole period during which the checked baggage or cargo is in the charge of the carrier, whether at an airport, on board a civil aircraft, or at any place of landing outside an airport.

The period of carriage by air does not include any carriage by land, sea, or inland waterway outside an airport; however, where such carriage by land, sea, or inland waterway is undertaken for the purpose of loading, delivering, or transshipping in performance of a contract of carriage by air, any loss occurring shall, in the absence of evidence to the contrary, be deemed to have occurred during the carriage by air. Where the carrier, without the consent of the shipper, substitutes another mode of transport for all or part of the carriage agreed to be performed by air, the transport so performed by another mode shall be deemed to have occurred during the carriage by air.

Article 131 — The carrier shall be liable for the destruction, loss, or damage of cargo caused by an event that occurs during the carriage by air; however, where the carrier proves that the destruction, loss, or damage of the cargo was caused solely by one of the following, it shall not be liable:

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

(1) the inherent nature, quality, or defect of the cargo itself;

(2) defective packing of the cargo by a person other than the carrier or its employees or agents;

(3) war or armed conflict;

(4) acts of the relevant government departments in connection with the entry, exit, or transit of the cargo.

Article 132 — The carrier shall be liable for damage caused by delay in the carriage by air of passengers, baggage, or cargo; however, where the carrier proves that it or its employees or agents have taken all reasonable measures to avoid the occurrence of the damage, or that it was impossible to take such measures, the carrier shall not be liable.

Article 133 — In the carriage of passengers and baggage, where the carrier proves that the damage was caused by or contributed to by the fault of the claimant or the person acting on its behalf, the carrier's liability shall be correspondingly exempted or mitigated in accordance with the degree of fault causing or contributing to the damage. Where a person other than the passenger claims compensation in respect of the death or bodily injury of the passenger, and the carrier proves that the death or bodily injury was caused by or contributed to by the fault of the passenger, the carrier's liability shall likewise be correspondingly exempted or mitigated in accordance with the degree of fault causing or contributing to the damage.

In the carriage of cargo, where the carrier proves that the damage was caused by or contributed to by the fault of the claimant or the person acting on its behalf, the carrier's liability shall be correspondingly exempted or mitigated in accordance with the degree of fault causing or contributing to the damage.

Article 134 — In respect of the liability arising under Article 128 of this Law, the liability shall be determined in accordance with the limits of liability provided for in the relevant international civil aviation conventions to which China is a party at the time of the occurrence of the accident causing the damage.

In respect of damage exceeding the limits of liability provided for in the preceding paragraph, where the carrier proves any of the following, it shall not be liable:

(1) the damage was not caused by the fault of the carrier or its employees or agents;

(2) the damage was caused solely by the fault of a third party.

Article 135 — In the carriage by air, in respect of the destruction, loss, or damage of baggage or cargo, or of damage caused by the delay of passengers, baggage, or cargo, the carrier's liability shall be limited to the limits of liability provided for in the relevant international civil aviation conventions to which China is a party at the time of the occurrence of the event causing the damage or of the delay.

Article 136 — The limits of liability provided for in the first paragraph of Article 134 and in Article 135 of this Law shall be published by the competent civil aviation authority under the State Council.

Article 137 — Where, when checking baggage or cargo, the passenger or shipper makes a special declaration of the interest in delivery at the point of destination and pays an additional charge where necessary, the carrier shall be liable within the declared amount, unless the carrier proves that the amount declared by the passenger or shipper is greater than the actual interest in the delivery of the baggage or cargo at the point of destination.

Where part of the checked baggage or cargo, or any object contained therein, is destroyed, lost, damaged, or delayed, the weight to be taken into account in determining the limit of the carrier's liability shall be only the total weight of the package or packages concerned; however, where the destruction, loss, damage, or delay of part of the checked baggage or cargo, or of any object contained therein, affects the value of other packages covered by the same baggage check or the same air waybill, the total weight of such packages shall also be taken into account in determining the limit of the carrier's liability.

Article 138 — Any clause intended to relieve the carrier of liability provided for in this Law or to lower the limits of liability provided for in this Law shall be null and void; however, the nullity of such clause shall not affect the validity of the entire contract of carriage by air.

Article 139 — Where an action is brought against an employee or agent of the carrier in respect of damage in the carriage by air, and the employee or agent proves that it acted within the scope of its employment or agency, it shall be entitled to invoke the provisions on limitation of liability that the carrier is entitled to invoke under this Law.

In the circumstances provided for in the preceding paragraph, the aggregate amount of compensation payable by the carrier and its employees and agents shall not exceed the statutory limits of liability.

Where it is proved that the damage in the carriage by air was caused by an intentional act or omission of an employee or agent of the carrier, or by an act or omission done with knowledge that damage would probably result, the provisions of the first and second paragraphs of this Article shall not apply, except in respect of the carriage of cargo.

Article 140 — Where it is proved that the damage in the carriage by air was caused by an intentional act or omission of the carrier or its employees or agents, or by an act or omission done with knowledge that damage would probably result, the carrier shall not be entitled to invoke the provisions of this Law concerning the limitation of liability for the delay of passengers and for the carriage of baggage.

To prove that an employee or agent of the carrier has committed such an act or omission, it shall also be proved that the employee or agent acted within the scope of its employment or agency.

Article 141 — In respect of an action for damage occurring in the carriage by air, however the action is founded, it may only be brought subject to the conditions and limits of liability provided for in this Law, without prejudice to the question of who is entitled to bring the action and of their respective rights.

Article 142 — The receipt of checked baggage or cargo by the passenger or consignee without objection shall be prima facie evidence that the checked baggage or cargo was delivered in good condition and in accordance with the transport documents.

Where damage occurs to checked baggage or cargo, the passenger or consignee shall raise an objection with the carrier after discovering the damage. In the case of damage to checked baggage, the objection shall be raised at the latest within seven days from the date of receipt of the checked baggage; in the case of damage to cargo, the objection shall be raised at the latest within fourteen days from the date of receipt of the cargo. In the case of delay of checked baggage or cargo, the objection shall be raised at the latest within twenty-one days from the date on which the checked baggage or cargo is placed at the disposal of the passenger or consignee.

Any objection shall be raised in writing within the periods provided for in the preceding paragraph.

Except where the carrier has committed fraud, a passenger or consignee who fails to raise an objection within the periods provided for in the second paragraph of this Article shall not be entitled to bring an action against the carrier.

Article 143 — The limitation period for actions arising from the carriage by air is two years, calculated from the date of arrival of the civil aircraft at the point of destination, from the date on which it ought to have arrived, or from the date of termination of the carriage.

Article 144 — In the case of successive carriage performed by several air carriers, each carrier that accepts passengers, baggage, or cargo shall be bound by the provisions of this Law and shall be deemed to be a contracting party to the contract of carriage in respect of the section of carriage it performs under the contract.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

In respect of the successive carriage provided for in the preceding paragraph, except where the contract expressly provides that the first carrier shall be liable for the whole carriage, a passenger or any person exercising its right to claim may bring an action only against the carrier that performed the section of carriage in which the accident or delay occurred.

In respect of the destruction, loss, damage, or delay of baggage or cargo, the passenger or shipper shall have the right to bring an action against the first carrier, and the passenger or consignee shall have the right to bring an action against the last carrier, and the passenger, the shipper, and the consignee may all bring an action against the carrier that performed the section of carriage in which the destruction, loss, damage, or delay occurred. The said carriers shall be jointly and severally liable to the passenger, shipper, or consignee.

Section 5 — Special Provisions on Performance of Air Transport by the Actual Carrier

Article 145 — For the purposes of this Law, the term "contracting carrier" means a person that, in its own name, concludes a contract of carriage by air governed by this Chapter with a passenger or shipper, or with the agent of the passenger or shipper.

For the purposes of this Law, the term "actual carrier" means a person that performs the whole or part of the carriage mentioned in the preceding paragraph by virtue of authorization from the contracting carrier and is not a person performing successive carriage within the meaning of this Law; in the absence of evidence to the contrary, such authorization shall be deemed to exist.

Article 146 — Except as otherwise provided in this Section, both the contracting carrier and the actual carrier shall be bound by the provisions of this Chapter. The contracting carrier shall be liable for the whole of the carriage agreed in the contract. The actual carrier shall be liable for the carriage it performs.

Article 147 — The acts and omissions of the actual carrier and of its employees and agents acting within the scope of their employment or agency in connection with the carriage performed by the actual carrier shall be deemed to be those of the contracting carrier, and the corresponding legal consequences shall be borne by the contracting carrier.

The acts and omissions of the contracting carrier and of its employees and agents acting within the scope of their employment or agency in connection with the carriage performed by the actual carrier shall be deemed to be those of the actual carrier, and the corresponding legal consequences shall be borne by the actual carrier; however, the actual carrier shall not, by reason of the acts and omissions of the contracting carrier and its employees and agents, assume liability exceeding the statutory limits of liability.

Any special agreement under which the contracting carrier assumes obligations not provided for in this Chapter or waives rights conferred by this Chapter, or any special declaration of interest in delivery at the point of destination made in accordance with Article 137 of this Law, shall not affect the actual carrier unless the actual carrier has consented thereto.

Article 148 — An objection raised or an instruction given in accordance with this Chapter, whether raised with or given to the contracting carrier or the actual carrier, shall have equal effect; however, an instruction provided for in Article 123 of this Law shall be effective only when given to the contracting carrier.

Article 149 — In respect of the carriage performed by the actual carrier, the employees and agents of the actual carrier or of the contracting carrier who prove that they acted within the scope of their employment or agency shall be entitled to invoke the provisions on limitation of liability in Articles 134 and 135 of this Law, except where the limitation of liability may not be invoked in accordance with this Law.

Article 150 — In respect of the carriage performed by the actual carrier, the aggregate amount of compensation payable by the actual carrier, the contracting carrier, and their employees and agents acting within the scope of their employment or agency shall not exceed the maximum amount that may be recovered from the contracting carrier or the actual carrier under this Law; and none of them shall assume liability exceeding the limits of liability applicable to it.

Article 151 — An action in respect of the carriage performed by the actual carrier may be brought against the actual carrier or the contracting carrier separately, or against both simultaneously; a carrier against which an action is brought shall have the right to require the other carrier to join the proceedings.

Except as provided in the preceding paragraph, the provisions of this Section shall not affect the rights and obligations between the actual carrier and the contracting carrier.

Section 6 — Protection of Passengers' Rights and Interests

Article 152 — Public air transport enterprises and transport airport operators shall, on the basis of ensuring flight safety and flight regularity and providing good services, take effective measures to improve the quality of transport services.

Public air transport enterprises and transport airport operators shall strengthen education and training, require their employees to strictly perform their duties, and conscientiously carry out all passenger transport service work with a courteous and enthusiastic service attitude.

Article 153 — Where a public air transport enterprise formulates standard-form clauses such as general conditions of carriage, it shall determine the rights and obligations between the parties in accordance with the principle of fairness, make them public, and clearly inform passengers in ticket sales and other links.

Standard-form clauses such as general conditions of carriage shall form part of the contract of carriage by civil aviation and shall include contents relating to the protection of passengers' rights and interests, such as ticket sales, refunds and changes, boarding, baggage carriage, handling of irregular flights, passenger services, and complaints.

Standard-form clauses such as general conditions of carriage shall be filed with the competent civil aviation authority under the State Council for record.

Article 154 — Public air transport enterprises and transport airport operators shall reasonably arrange transport capacity and allocate resources, strengthen the inspection and maintenance of facilities and equipment, and reduce flight delays or cancellations caused by their own reasons.

Where a flight is delayed or cancelled, the public air transport enterprise and the transport airport operator shall, in accordance with the relevant provisions of the State, promptly and accurately issue information notices, inform passengers of the reasons for the delay or cancellation and of the flight dynamics, and carry out passenger service work such as ticket changes and arrangements for food and accommodation in accordance with the provisions and the contractual agreement.

When large-scale flight delays occur, the transport airport operator shall strengthen organization and coordination and promptly evacuate passengers.

Article 155 — Public air transport enterprises, aviation sales agents, operators of aviation sales network platforms, aviation information enterprises, and other entities participating in civil aviation transport services shall perform their personal information protection obligations in accordance with the laws and administrative regulations on personal information protection.

Article 156 — Public air transport enterprises, transport airport operators, and operators of aviation sales network platforms shall make public, by appropriate means, information such as the methods of accepting complaints, and shall accept and handle complaints in a timely manner in accordance with the provisions of the competent civil aviation authority under the State Council and promptly feed back the relevant situation to the complainant.

Chapter VII — General Aviation

Article 157 — General aviation means civil aviation activities using civil aircraft other than public air transport.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 158 — To engage in commercial general aviation activities, the following conditions shall be met and an application shall be made to the competent civil aviation authority under the State Council for a general aviation operating permit:

(1) it is an enterprise legal person established within the territory of China, and its legal representative is a Chinese citizen;

(2) it has civil aircraft, personnel, facilities and equipment, operating sites, manuals, and other materials commensurate with and conforming to the safe operation requirements of the general aviation activities it engages in; where it engages in scheduled passenger transport by general aviation, its paid-in registered capital is not less than RMB 30 million;

(3) it has sound management systems to ensure safe operation;

(4) other conditions prescribed by laws and administrative regulations.

An enterprise that has obtained a general aviation operating permit shall conduct operations within the scope prescribed by the operating permit.

Those engaging in non-commercial general aviation activities shall file for record with the competent civil aviation authority under the State Council.

Article 159 — A general aviation enterprise engaging in commercial general aviation activities shall conclude a written contract with the user, except for emergency rescue flights in emergency situations.

Article 160 — When organizing and carrying out general aviation flights, effective measures shall be taken to ensure flight safety, protect the environment and ecological balance, and prevent damage to the environment, residents, crops, livestock, and the like.

Article 161 — Those engaging in general aviation activities shall purchase third-party liability insurance.

Those engaging in scheduled general aviation transport shall also, in accordance with the law, purchase liability insurance or obtain corresponding financial guarantees for the liability for compensation in respect of the passengers, baggage, and cargo of the scheduled transport they conduct.

Article 162 — Those engaging in scheduled general aviation transport shall also comply with the relevant provisions of Chapter VI of this Law on public air transport.

General aviation activities shall be subject to classified administration in accordance with their business types; the specific measures shall be formulated by the competent civil aviation authority under the State Council.

Chapter VIII — Civil Aviation Security

Article 163 — The competent civil aviation authority under the State Council shall be responsible for the administration of civil aviation security work in accordance with this Law and the relevant laws and administrative regulations; the public security authority under the State Council shall be responsible for the work relating to the administration of civil aviation security in accordance with this Law and the relevant laws and administrative regulations; and other relevant departments and entities shall closely cooperate and coordinate, and jointly maintain civil aviation safety and order in accordance with their respective duties.

Where the State adjusts the duties of administration of civil aviation security, such adjustments shall be followed.

Article 164 — The relevant public security organs shall, in accordance with the law, maintain safety and order within civil airports and prevent, stop, and punish illegal and criminal acts that endanger civil aviation transport activities.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 165 — Passengers, baggage, and cargo shall be subject to security checks; however, those exempted from inspection by the State Council shall be excepted.

Civil aviation security check organizations established by public air transport enterprises and transport airport operators may, in respect of baggage and cargo suspected of safety risks, carry out opening inspections in the absence of the passenger, shipper, or their agents. Off-site opening inspections shall be fully recorded on video and the party concerned notified in writing after the inspection; prohibited articles and dangerous articles discovered in the inspection shall be handled in accordance with the prescribed procedures.

Passengers, baggage, and cargo that have not undergone security checks, do not accept security checks in accordance with the provisions, or whose suspected safety risks cannot be eliminated through inspection shall not enter the restricted area of a civil airport.

The procedures and standards for civil aviation security checks shall be formulated by the competent civil aviation authority under the State Council.

Article 166 — Civil aviation security checks shall use security check instruments and equipment licensed by the competent civil aviation authority under the State Council.

Civil aviation security check personnel shall obtain the national vocational qualification certificate.

Article 167 — Public air transport enterprises, transport airport operators, civil aviation air traffic control units, and the like shall, in accordance with the national civil aviation security program, formulate their own security programs and file them with the competent civil aviation authority under the State Council for record.

Article 168 — Civil airport operators shall, in accordance with the provisions of the competent civil aviation authority under the State Council, take measures to ensure the safety of persons and property within the airport.

Article 169 — Aviation personnel, civil aviation security personnel, and other relevant personnel who need to enter the restricted area of a civil airport shall undergo security background checks in accordance with the law.

Article 170 — The pilot-in-command and other crew members shall strictly perform their security duties, maintain order aboard the civil aircraft, and protect the safety of the civil aircraft and the persons and property carried thereon.

Article 171 — The following acts that endanger the safety and order of civil aviation transport shall be prohibited:

(1) stealing, intentionally damaging, or moving without authorization the equipment of a civil aircraft or other civil aviation facilities and equipment within an airport, opening the emergency door of a civil aircraft without authorization, or entering the cockpit of a civil aircraft in violation of regulations;

(2) destroying information and communications technology systems used for civil aviation purposes or the facilities and equipment used for air traffic control;

(3) forcibly occupying seats or baggage racks on a civil aircraft, or blocking or forcibly occupying check-in counters, security check channels, or boarding gates;

(4) obstructing or inciting others to obstruct crew members or security inspectors in the performance of their duties;

(5) insulting or assaulting crew members or ground staff;

(6) unlawfully entering, lingering in, or intercepting a civil aircraft, or fighting or picking quarrels and provoking trouble aboard a civil aircraft;

(7) using sources of ignition or smoking (including electronic cigarettes) aboard a civil aircraft, or using electronic devices in violation of the provisions that may affect civil aviation safety;

(8) unlawfully entering the protective fence of a civil airport or damaging safety protection facilities;

(9) entering the restricted area of a civil airport without a restricted-area pass or by falsely using, forging, or altering a restricted-area pass;

(10) disrupting the order of civil aviation operations by spreading rumors concerning civil aviation safety, threatening to commit dangerous acts such as arson or explosions, or placing false explosive, toxic, radioactive, or corrosive substances or pathogens of infectious diseases or other dangerous substances;

(11) carrying or consigning, in violation of the provisions, articles prohibited or restricted from transport when boarding a civil aircraft, or concealing dangerous articles in ordinary cargo or mail;

(12) other acts prohibited by laws and administrative regulations.

Article 172 — The security work for general aviation activities shall, in accordance with the types of general aviation activities, be subject to classified and tiered administration in respect of security organizations, programs, measures, and the like. The specific measures shall be formulated by the competent civil aviation authority under the State Council.

Chapter IX — Search and Rescue and Accident Investigation

Article 173 — The relevant departments of the State Council, air traffic control units, air transport enterprises, civil airport operators, and other relevant entities shall, in accordance with laws, administrative regulations, and the relevant provisions of the State, formulate emergency response plans for civil aircraft accidents and conduct regular emergency drills.

Article 174 — When a civil aircraft encounters an emergency, it shall send signals and report to the air traffic control unit, making a rescue request; the air traffic control unit shall immediately notify the search and rescue coordination center. When a civil aircraft encounters an emergency at sea, it shall also send signals to vessels and the national maritime search and rescue organization.

Article 175 — An entity or individual that discovers that a civil aircraft has encountered an emergency or that receives a signal of a civil aircraft encountering an emergency shall immediately notify the relevant search and rescue coordination center, maritime search and rescue organization, or local people's government.

Article 176 — The search and rescue coordination center, maritime search and rescue organization, and local people's government that receive the notice shall immediately organize search and rescue.

The search and rescue coordination center that receives the notice shall seek to notify the civil aircraft encountering the emergency of the search and rescue measures already taken.

The specific measures for the search and rescue of civil aircraft shall be prescribed by the State Council.

Article 177 — Public air transport enterprises, transport airports, and general aviation enterprises and general airports engaged in scheduled transport shall, in accordance with the provisions of the competent civil aviation authority under the State Council, formulate family assistance plans for civil aircraft accidents.

After a civil aircraft accident occurs, the relevant departments of the State Council, the relevant local people's governments, public air transport enterprises, transport airports, general aviation enterprises engaged in scheduled transport, general airports, and other relevant entities shall immediately activate the emergency response plans and carry out assistance work for the victims, survivors, missing persons, and their families in accordance with the family assistance plans.

Article 178 — An entity or individual performing search and rescue missions shall make every effort to rescue the persons carried on the civil aircraft, take rescue measures with respect to the civil aircraft in

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

accordance with the provisions, protect the scene, and preserve evidence.

Article 179 — Civil aircraft accidents are divided, in accordance with the consequences of the damage caused, into extraordinarily serious accidents, serious accidents, relatively serious accidents, and ordinary accidents. The standards of personal injury and death for the classification of accident levels shall be determined in accordance with the provisions of the relevant laws and administrative regulations on work safety; the standards of direct economic loss for the classification of accident levels shall be determined by the competent civil aviation authority under the State Council in conjunction with the relevant departments of the State Council in accordance with the special circumstances of civil aircraft accidents, and shall be published and implemented after approval by the State Council.

Article 180 — An extraordinarily serious civil aircraft accident shall be investigated by an accident investigation team organized by the State Council or a department authorized by the State Council.

Civil aircraft accidents of other levels shall be investigated by an accident investigation team organized by the competent civil aviation authority under the State Council or the regional civil aviation administrative organ where the accident occurred; the specific measures shall be formulated by the competent civil aviation authority under the State Council in conjunction with the relevant departments.

Article 181 — An accident investigation team may, in accordance with the needs of the investigation, lawfully require the relevant entities to provide relevant records, equipment, and data, question the parties concerned and other relevant personnel, and consult, inspect, and preserve evidence. The relevant entities and personnel shall truthfully provide the scene situation and the information relating to the accident.

When the relevant local people's government administers the accident scene, it shall guarantee the investigation team's rights to enter the scene and to obtain and use the relevant evidence-collection materials.

Article 182 — The technical investigation work conducted for the purpose of ascertaining the causes of a civil aircraft accident shall be coordinated with other accident investigation work. The specific measures for conducting the technical investigation of civil aircraft accidents shall be formulated by the competent civil aviation authority under the State Council.

Article 183 — The entity organizing the accident investigation shall publish the accident investigation report in accordance with the law within twelve months from the date of occurrence of the civil aircraft accident. Where the accident investigation report cannot be published within the time limit under special circumstances, the progress of the investigation shall be published in a timely manner.

Article 184 — Investigation work in which China participates or which China organizes in respect of civil aircraft accidents occurring outside the territory shall be carried out in accordance with the provisions of the international treaties concluded or acceded to by China.

Chapter X — Liability for Damage to Third Parties

Article 185 — Where a civil aircraft in flight, or a person or object falling from a civil aircraft in flight, causes death or bodily injury to, or property damage to, a third party, the victim shall have the right to compensation; however, where the damage suffered is not a direct consequence of the accident causing the damage, or where the damage suffered is caused solely by the passage of the civil aircraft through the air in accordance with the State's air traffic rules, the victim shall not be entitled to compensation.

The term "in flight" mentioned in the preceding paragraph means any time from the moment when all external doors of the civil aircraft are closed following embarkation or loading until the moment when any such door is opened for disembarkation or unloading; in the case of a civil aircraft lighter than air, "in flight" means any time from the moment when it leaves the ground until the moment when it touches the ground again.

Article 186 — The liability provided for in Article 185 of this Law shall be borne by the operator of the civil aircraft.

For the purposes of this Law, the term "operator of a civil aircraft" means the person using the civil aircraft. Where the right to use a civil aircraft has been granted, directly or indirectly, to another person, and the person granting the right retains navigation control over the civil aircraft, that person shall still be deemed to be the operator of the civil aircraft.

Where an employee or agent of the operator of a civil aircraft uses the civil aircraft in the course of the employment or agency, it shall be deemed that the operator of the civil aircraft uses the civil aircraft, whether or not the employee or agent acted within the scope of the employment or agency.

The registered owner of a civil aircraft shall be deemed to be the operator of the civil aircraft and shall bear the liability of the operator; unless, in the proceedings to determine its liability, the owner proves that another person is the operator of the civil aircraft and, to the extent permitted by legal procedure, takes appropriate measures to make that person a party to the proceedings.

Article 187 — The owner or lessor of a civil aircraft, or a financier retaining ownership of or holding a security interest in a civil aircraft, or its employees or agents, who is not the operator of the civil aircraft within the meaning of Article 186 of this Law shall not be liable for damage suffered by a third party, except for a person who intentionally caused such damage.

Article 188 — Where a civil aircraft is used without the consent of the person having navigation control over the civil aircraft and damage is caused to a third party, the person having navigation control shall be jointly and severally liable with the unlawful user, unless it proves that it has taken appropriate care to prevent such use.

Article 189 — In respect of damage directly caused by armed conflict or civil disturbance, and nuclear damage caused by a nuclear incident, the person who should be liable in accordance with this Chapter shall not be liable.

Where the person who should be liable in accordance with this Chapter had, at the time the damage occurred, been deprived of the right to use the civil aircraft by a State organ in accordance with the law, it shall not be liable.

Article 190 — Where the person who should be liable in accordance with this Chapter proves that the damage was caused entirely by the fault of the victim or its employees or agents, its liability for compensation shall be exempted; where the person who should be liable proves that the damage was caused partly by the fault of the victim or its employees or agents, its liability for compensation shall be correspondingly mitigated. However, where the damage was caused by the fault of the employees or agents of the victim, and the victim proves that the acts of its employees or agents exceeded the scope of their authorization, the liability of the person who should be liable shall not be exempted or mitigated.

Where a person brings an action for compensation in respect of the death of or injury to another person, and the damage was caused by the fault of that other person or its employees or agents, the provisions of the preceding paragraph shall apply.

Article 191 — Where an event causing damage involves two or more civil aircraft, the operators of the civil aircraft concerned shall be jointly and severally liable for the damage suffered by a third party.

Article 192 — The persons mentioned in the fourth paragraph of Article 186 and in Article 188 of this Law shall enjoy the defenses that the operator of the civil aircraft is entitled to invoke in accordance with this Chapter.

Article 193 — This Chapter shall not prejudice the right of recourse of the person who should be liable for the damage in accordance with this Chapter against another person.

Article 194 — The operator of a civil aircraft taking off or landing within the territory of the People's Republic of China shall purchase third-party liability insurance or obtain corresponding financial guarantees.

Article 195 — In addition to enjoying the same defenses as the operator of the civil aircraft and the right to defend against the forgery of documents, an insurer and a guarantor may, in respect of claims for compensation made in accordance with this Chapter, raise only the following defenses:

(1) the damage occurred after the termination of the validity of the insurance or guarantee; however, where the insurance or guarantee expires during flight, it shall continue to be effective until the next landing specified in the flight plan, but shall not exceed twenty-four hours;

(2) the damage occurred outside the territorial scope specified in the insurance or guarantee, unless the flight beyond that scope was due to force majeure, the necessity of rendering assistance to others, or an error in piloting, navigation, or flight planning.

The provisions of the preceding paragraph concerning the continued effectiveness of the insurance or guarantee shall apply only where it is favorable to the victim.

Article 196 — A victim may bring an action directly against an insurer or guarantor only under the following circumstances:

(1) the insurance or guarantee continues to be effective in accordance with subparagraphs (1) and (2) of the first paragraph of Article 195 of this Law;

(2) the operator of the civil aircraft is bankrupt;

(3) a direct action is brought in accordance with the provisions of the law governing the insurance contract or guarantee contract.

Except for the defenses provided for in the first paragraph of Article 195 of this Law, an insurer or guarantor shall not, in respect of a direct action brought by a victim in accordance with this Chapter, defend itself on the ground of the invalidity or retroactive termination of the insurance or guarantee.

Article 197 — The insurance or guarantee provided in accordance with Article 194 of this Law shall be specially designated for priority payment of the compensation provided for in this Chapter.

Article 198 — The amount payable by an insurer to the operator of a civil aircraft shall not be withheld or disposed of by the creditors of the operator of the civil aircraft before the claims for compensation of third parties provided for in this Chapter are satisfied.

Article 199 — The limitation period for actions for compensation for damage to third parties is two years, calculated from the date of occurrence of the damage; however, in any event, the limitation period shall not exceed three years from the date of occurrence of the damage.

Article 200 — For the purposes of this Chapter, the term "third party" means a person other than the operator of the civil aircraft, the passengers, and the shippers and consignees of cargo.

The provisions of this Chapter do not apply to the following damage:

(1) damage to a civil aircraft in flight or to persons or objects on that aircraft;

(2) damage governed by a contract concluded between the victim and the operator of the civil aircraft or the person having the right to use the civil aircraft at the time of the damage, or damage governed by the provisions of the law applicable to the labor contract between them concerning workers' compensation.

Chapter XI — Special Provisions on Foreign Civil Aircraft

Article 201 — The provisions of this Chapter apply to civil aviation activities conducted by foreign civil aircraft within the territory of the People's Republic of China; where this Chapter is silent, the other relevant

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

provisions of this Law apply.

Article 202 — A foreign civil aircraft may fly into or out of the territorial airspace of the People's Republic of China and fly or land within the territory of the People's Republic of China only in accordance with the provisions of the agreements and arrangements concluded between the government of the State of its nationality registration and the Government of the People's Republic of China, or with the approval or acceptance of the competent civil aviation authority under the State Council.

In respect of a foreign civil aircraft that, without conforming to the provisions of the preceding paragraph, flies into or out of the territorial airspace of the People's Republic of China without authorization, the relevant organs of the People's Republic of China shall have the right to take necessary measures to order it to land at a designated airport; in respect of an aircraft that conforms to the provisions of the preceding paragraph but in respect of which there are reasonable grounds to believe that inspection is necessary, the relevant organs shall have the right to order it to land at a designated airport.

Article 203 — Where a foreign civil aircraft flies into the territorial airspace of the People's Republic of China, its operator shall provide the relevant certificate proving that it has purchased third-party liability insurance or obtained corresponding financial guarantees; where its operator fails to provide the relevant certificate, the competent civil aviation authority under the State Council shall have the right to refuse its entry into the territorial airspace of the People's Republic of China.

Article 204 — The Government of the People's Republic of China may, in accordance with the agreements and arrangements concluded with foreign governments, open traffic rights and permit operators of foreign civil aircraft to operate relevant international scheduled transport.

An operator of a foreign civil aircraft may operate international scheduled transport provided for in the agreements and arrangements concluded between the Government of the People's Republic of China and the government of the foreign State only after it has been designated by the government of its own country and has obtained the route operating permit and operating permit issued by the competent civil aviation authority under the State Council; an operator of a foreign civil aircraft may operate non-scheduled air transport between a place within the territory of the People's Republic of China and a place outside the territory only after it has been approved by the government of its own country and obtained the approval of the competent civil aviation authority under the State Council.

An operator of a foreign civil aircraft shall, in accordance with the agreements and arrangements concluded between the Government of the People's Republic of China and the government of the foreign State and the laws and administrative regulations of the People's Republic of China, formulate the corresponding security program and file it with the competent civil aviation authority under the State Council for record.

Article 205 — Where an operator of a foreign civil aircraft formulates standard-form clauses such as general conditions of carriage, it shall publish a Chinese version and establish a specialized institution with Chinese-language capability or designate a dedicated person responsible for accepting complaints.

Article 206 — An operator of a foreign civil aircraft shall not operate air transport between two points within the territory of the People's Republic of China.

Article 207 — A foreign civil aircraft shall fly in accordance with the schedules and timetables or flight plans approved by the competent civil aviation authority under the State Council; where schedules and timetables or flight plans are changed, its operator shall obtain the approval of the competent civil aviation authority under the State Council; where a flight is changed or cancelled for any reason, its operator shall promptly report to the competent civil aviation authority under the State Council.

Where a foreign civil aircraft changes its schedules and timetables or flight plans without approval, the competent civil aviation authority under the State Council and other competent authorities shall have the right to order it to make corrections and to take necessary measures.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 208 — A foreign civil aircraft shall take off from or land at the international airports designated by the competent civil aviation authority under the State Council.

Article 209 — The competent civil aviation authority under the State Council and other competent authorities shall have the right to inspect, upon the landing or takeoff of a foreign civil aircraft, the documents provided for in Article 78 of this Law.

Article 210 — The Government of the People's Republic of China shall recognize as valid the airworthiness certificates, crew member qualification certificates, and licenses issued or validated by the State of nationality registration of a foreign civil aircraft; however, the requirements for issuing or validating such certificates or licenses shall be equal to or higher than the minimum standards established by the International Civil Aviation Organization.

Article 211 — A foreign civil aircraft using radio equipment within the territory of the People's Republic of China shall comply with the relevant provisions of the People's Republic of China on radio administration.

Article 212 — Where a foreign civil aircraft is in distress within the search and rescue area of the People's Republic of China, the participation of its owner or State of nationality registration in the search and rescue work shall be subject to the approval of the competent civil aviation authority under the State Council or be carried out in accordance with the agreement between the two governments.

Article 213 — Where an accident occurs to a foreign civil aircraft within the territory of the People's Republic of China, its State of nationality registration and other States concerned may participate in the accident investigation in accordance with the provisions of the international treaties concluded or acceded to by China. The accident investigation report and investigation results shall be communicated by the competent civil aviation authority under the State Council to the State of nationality registration of the foreign civil aircraft and other States concerned.

Chapter XII — Application of Law to Foreign-Related Matters

Article 214 — The acquisition, transfer, and extinction of the ownership of a civil aircraft shall be governed by the law of the State of nationality registration of the civil aircraft.

Article 215 — A mortgage over a civil aircraft shall be governed by the law of the State of nationality registration of the civil aircraft.

Article 216 — A priority right over a civil aircraft shall be governed by the law of the place where the court hearing the case is located.

Article 217 — The parties to a contract of carriage by civil aviation may choose the law applicable to the contract, except as otherwise provided by law; where the parties to the contract have not made a choice, the law of the country most closely connected with the contract shall apply.

Article 218 — Compensation for damage caused by a civil aircraft to a third party shall be governed by the law of the place where the tortious act occurs.

Compensation for damage caused by a civil aircraft to a third party over the high seas shall be governed by the law of the place where the court hearing the case is located.

Where civil aircraft of the same nationality collide, the compensation for damage between the colliding aircraft shall be governed by the law of the State of their nationality registration, regardless of where the collision occurs.

Article 219 — The application of foreign laws or international practices in accordance with this Chapter shall not endanger the sovereignty, security, and development interests of the People's Republic of China, and shall not violate the public interest of the People's Republic of China.

Chapter XIII — Development Promotion

Article 220 — The State shall improve the innovation system of the civil aviation manufacturing industry, which is enterprise-led, market-oriented, and combines industry, academia, and research; support the research and development of key core technologies; improve the research, design, and development capabilities for large aircraft and advanced engines; promote the industrialization of scientific and technological innovation achievements; promote the development of the civil aviation manufacturing industry; and provide safe, advanced, green, economical, and appropriate civil aviation products for civil aviation activities.

Article 221 — The State shall improve the organizational system and standards and specifications for the airworthiness certification of civil aircraft, strengthen the cultivation of airworthiness certification personnel, establish and improve a risk-based, classified, and tiered approach to airworthiness administration, and enhance the capability and level of airworthiness certification.

Article 222 — Civil airports are public infrastructure. People's governments at all levels shall take necessary measures to support the construction, operation, and maintenance of civil airports.

The relevant departments of the State Council shall, in accordance with the requirements of building a modern comprehensive transport system, improve the layout of civil airports, accelerate the construction of civil aviation hubs, coordinate the development of transport airports and general airports, and improve the network of general airports.

Article 223 — The State shall take measures to optimize the route network, improve the efficiency of resource allocation, and build a civil aviation service system that is extensive in coverage, high in quality, and efficient.

Article 224 — The State shall encourage the development of general aviation, accelerate the construction of a general aviation infrastructure network, and cultivate the general aviation market.

Local people's governments at or above the county level shall, in accordance with the actual development of their regions, take measures to support the development of the general aviation industry.

Article 225 — The State shall take measures to optimize the allocation of low-altitude airspace resources, promote the construction of supervision and service platforms for civil low-altitude flight and applications, and establish and improve systems and standards such as airworthiness certification and flight administration that meet the requirements of low-altitude economic development.

The relevant departments of the State Council and provincial people's governments shall, as needed, formulate development plans for the low-altitude economy, improve supporting policies and measures, encourage technological innovation and application expansion in the field of the low-altitude economy, and promote the development of the low-altitude economy.

Article 226 — The State shall adhere to the principles of equality, mutual benefit, and win-win cooperation, promote international cooperation in the field of civil aviation, actively participate in the formulation of international civil aviation standards, advance the high-level opening up of the civil aviation transport market, and enhance the international competitiveness of civil aviation.

Chapter XIV — Supervision and Administration

Article 227 — The competent civil aviation authority under the State Council shall strengthen supervision and inspection of civil aviation activities and shall, in accordance with the requirements of classified and tiered supervision and administration and on the basis of factors such as the categories of civil aviation activities, the credit records of entities, and the needs of civil aviation administration, reasonably determine the frequency and methods of inspection.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Article 228 — In performing its supervision and inspection duties, the competent civil aviation authority under the State Council may take the following measures:

(1) questioning the parties concerned and investigating circumstances relating to civil aviation activities;

(2) consulting, reproducing, and retrieving the records, documents, and data of the parties concerned relating to civil aviation activities;

(3) conducting on-site inspections and investigating civil aviation activities suspected of being illegal;

(4) inspecting certificates, equipment, and sites relating to civil aviation activities;

(5) where there is evidence proving the existence of activities endangering civil aviation safety, temporarily withholding the relevant licenses and permits and, upon approval by the person in charge of the competent civil aviation authority under the State Council or the principal person in charge of the regional civil aviation administrative organ authorized by it, seizing civil aircraft and other relevant equipment and sealing up the relevant sites;

(6) other measures prescribed by laws and administrative regulations.

Where the competent civil aviation authority under the State Council performs its duties in accordance with the law, the parties concerned shall assist and cooperate and shall not refuse or obstruct.

Article 229 — Where, in circumstances such as emergencies and special support conditions, it is necessary to take special measures different from the State provisions on the operation of civil aircraft and civil airports, such measures shall be subject to the approval of the competent civil aviation authority under the State Council.

Article 230 — The competent civil aviation authority under the State Council shall use big data and other modern information technology to improve the capability and level of supervision and administration, and shall do a good job of data security protection in accordance with the provisions of the relevant laws and administrative regulations.

Entities engaged in civil aviation production and business operations shall, in accordance with the civil aviation statistical survey system and other provisions, provide relevant data to the competent civil aviation authority under the State Council.

Article 231 — Entities engaged in civil aviation production and business operations shall establish systems for the collection, analysis, and publication of civil aviation safety information, and shall report and publish safety information in accordance with the provisions of the competent civil aviation authority under the State Council.

Article 232 — The competent civil aviation authority under the State Council, local people's governments at all levels and their relevant departments, and entities engaged in civil aviation production and business operations shall strengthen publicity and education on civil aviation laws, regulations, and safety knowledge, and raise the whole society's awareness of civil aviation safety.

Chapter XV — Legal Liability

Article 233 — Where investment in the civil aviation industry violates the relevant provisions of the competent civil aviation authority under the State Council, the competent civil aviation authority under the State Council shall order correction within a time limit, confiscate the illegal gains, and impose a fine of not less than RMB 20,000 but not more than RMB 200,000; where correction is not made within the time limit, a fine of not less than RMB 200,000 but not more than RMB 500,000 shall be imposed in addition; where the circumstances are particularly serious, the relevant permits of the public air transport enterprise, general aviation enterprise, or civil airport may be revoked.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Where foreign investment in the civil aviation industry violates the laws or administrative regulations on foreign investment or the relevant provisions of the State, legal liability shall be pursued in accordance with the relevant laws and administrative regulations.

Article 234 — Where, in violation of this Law, a person engages in the design, production, or maintenance of civil aviation products and parts and components, or in the design or production of civil aviation chemical products or the supply or testing of civil aviation fuel, without permission, the competent civil aviation authority under the State Council shall order the cessation of the illegal activities, confiscate the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 500,000; where the circumstances are serious, a fine of not less than RMB 500,000 but not more than RMB 2,000,000 shall be imposed in addition.

Article 235 — Where an enterprise that has obtained a design, production, or maintenance approval certificate, or an approval certificate for the design or production of civil aviation chemical products or the supply or testing of civil aviation fuel, provided for in this Law causes a serious accident due to quality problems, the competent civil aviation authority under the State Council shall order it to suspend business for rectification; where the circumstances are serious, the relevant approval certificates may be revoked.

Article 236 — Where, in violation of this Law, a person engages in flight activities without obtaining an airworthiness certificate or a special flight permit, or beyond the validity period or prescribed scope of such certificate or permit, the competent civil aviation authority under the State Council shall order the cessation of the flight, confiscate the illegal gains, and impose a fine of not less than RMB 200,000 but not more than RMB 2,000,000; where the circumstances are serious, the relevant approval certificates may be revoked.

Article 237 — Where, in violation of this Law, a person engages in civil aviation activities without obtaining the relevant aviation personnel licenses or certificates, or beyond the scope of matters stated in the licenses or certificates, the competent civil aviation authority under the State Council shall order the cessation of the civil aviation activities and impose a fine of not less than RMB 10,000 but not more than RMB 50,000; where the circumstances are serious, a fine of not less than RMB 50,000 but not more than RMB 200,000 shall be imposed; where aviation personnel engage in civil aviation activities beyond the scope of matters stated in their licenses or certificates, the relevant licenses may be revoked or the entity to which they belong ordered to cancel the training qualification certificates.

Where aviation personnel have the circumstances specified in the preceding paragraph, a fine of not less than RMB 100,000 but not more than RMB 500,000 shall be imposed on the entity to which they belong; where the circumstances are serious, a fine of not less than RMB 500,000 but not more than RMB 2,000,000 shall be imposed; where the circumstances are particularly serious, the relevant permits of the public air transport enterprise or general aviation enterprise may be revoked.

Article 238 — Where, in violation of this Law, a person provides license and qualification training for civil aircraft pilots, maintenance personnel, or flight dispatchers without permission, the competent civil aviation authority under the State Council shall order the cessation of the illegal act, confiscate the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 1,000,000.

Where, in violation of this Law, a person uses flight simulation training equipment that has not passed appraisal, the competent civil aviation authority under the State Council shall order the cessation of the illegal act, confiscate the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 500,000.

Article 239 — Where, in violation of this Law, a person engages in prohibited activities within the lawfully delimited area of a civil airport and within its clearance protection area and electromagnetic environment protection area, the local people's government at or above the county level where the airport is located shall order the cessation of the illegal act and give a notice of criticism; where the circumstances are serious, a fine of not less than RMB 50,000 but not more than RMB 500,000 shall be imposed on a production or

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

business entity, and a fine of not less than RMB 2,000 but not more than RMB 20,000 shall be imposed on an individual.

Article 240 — Where, in violation of this Law, a transport airport or a general airport open to the public is opened for operation without obtaining an airport operation permit, the competent civil aviation authority under the State Council shall order the cessation of the opening for operation, confiscate the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 1,000,000.

Where, in violation of this Law, a general airport not open to the public fails to file for record in accordance with the provisions of the competent civil aviation authority under the State Council, the competent civil aviation authority under the State Council shall order correction within a time limit and impose a fine of not less than RMB 10,000 but not more than RMB 30,000; where correction is not made within the time limit, a fine of not less than RMB 30,000 but not more than RMB 100,000 shall be imposed.

Article 241 — Where, in violation of this Law, a civil aircraft engages in flight activities without the permission of the air traffic control unit in accordance with the relevant provisions, the competent civil aviation authority under the State Council shall order the cessation of the flight, impose a fine of not less than RMB 50,000 but not more than RMB 500,000 on the owner or lessee of the civil aircraft, temporarily withhold the relevant permits for one to three months, and, where the circumstances are serious, revoke the relevant permits; the pilot-in-command shall be given a warning and a fine of not less than RMB 10,000 but not more than RMB 50,000, and his or her license temporarily withheld for one to six months, and, where the circumstances are serious, his or her license revoked.

Article 242 — Where, in violation of this Law, any of the following circumstances exists, the competent civil aviation authority under the State Council shall give a warning to the pilot-in-command of the civil aircraft and temporarily withhold his or her license for one to six months; where the circumstances are serious, his or her license shall be revoked:

(1) taking off without inspecting the civil aircraft;

(2) failing to report the circumstances of an accident to the competent civil aviation authority under the State Council promptly and truthfully when an accident occurs to the civil aircraft;

(3) failing to fly along the route and at the flight altitude designated by the air traffic control unit;

(4) failing to comply with the airport flight procedures and operating standards prescribed by the competent civil aviation authority under the State Council;

(5) flying over a city in violation of the provisions;

(6) jettisoning articles during flight in violation of the provisions.

Article 243 — Where, in violation of this Law, the pilot-in-command or other crew members of a civil aircraft have any of the following circumstances, the competent civil aviation authority under the State Council shall give a warning and temporarily withhold the relevant licenses or training qualification certificates for one to six months; where the circumstances are serious, the relevant licenses shall be revoked or the entity to which they belong ordered to cancel the training qualification certificates:

(1) failing to carry their licenses, training qualification certificates, or medical fitness certificates when engaging in flight activities;

(2) failing to take necessary disposal measures when the civil aircraft is in distress, or leaving the civil aircraft without authorization;

(3) engaging in flight activities when affected by alcoholic beverages, narcotics, or other drugs to the extent that their working ability is impaired.

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

Where crew members violate the provisions of the competent civil aviation authority under the State Council on flight time, duty time, and rest time, a fine of not less than RMB 10,000 but not more than RMB 100,000 per flight shall be imposed on the public air transport enterprise or general aviation enterprise; the persons directly in charge and other persons directly responsible of the public air transport enterprise or general aviation enterprise shall be given a warning and a fine of not less than RMB 1,000 but not more than RMB 5,000 per flight.

Article 244 — Where, in violation of this Law, the duty time of an air traffic controller exceeds the prescribed time limit, the competent civil aviation authority under the State Council shall impose a fine of not less than RMB 10,000 but not more than RMB 100,000 on the civil aviation air traffic control unit.

Where, in violation of this Law, an air traffic controller is affected by alcoholic beverages, narcotics, or other drugs to the extent that his or her working ability is impaired when carrying out air traffic control work, the competent civil aviation authority under the State Council shall give a warning and temporarily withhold his or her license for one to six months; where the circumstances are serious, his or her license shall be revoked and a fine of not less than RMB 10,000 but not more than RMB 100,000 shall be imposed on the civil aviation air traffic control unit.

Article 245 — Where, in violation of this Law, a person uses communications, navigation, or surveillance equipment that is unlicensed or has not passed flight inspection and verification, the competent civil aviation authority under the State Council shall order correction within a time limit and impose a fine of not less than RMB 50,000 but not more than RMB 200,000.

Article 246 — Where, in violation of this Law, a person transports articles the transport of which is prohibited by laws and administrative regulations, or engages in the air transport of dangerous goods without permission, the competent civil aviation authority under the State Council shall order the cessation of the illegal act, confiscate the illegal gains, and impose a fine of not less than RMB 500,000 but not more than RMB 2,000,000; where the circumstances are serious, the relevant permits of the offending public air transport enterprise or general aviation enterprise may be revoked.

Article 247 — Where, in violation of this Law, a transport airport or public air transport enterprise fails to carry out security check work in accordance with the law, the competent civil aviation authority under the State Council shall order correction and impose a fine of not less than RMB 100,000 but not more than RMB 500,000, and impose a fine of not less than RMB 10,000 but not more than RMB 50,000 on the persons directly in charge and other persons directly responsible; where the circumstances are serious, a fine of not less than RMB 500,000 but not more than RMB 2,000,000 shall be imposed, and a fine of not less than RMB 50,000 but not more than RMB 200,000 shall be imposed on the persons directly in charge and other persons directly responsible; where the circumstances are particularly serious, the relevant permits of the offending transport airport or public air transport enterprise may be revoked.

Article 248 — Where, in violation of this Law, a person engages in public air transport without permission, the competent civil aviation authority under the State Council shall order the cessation of the illegal act, confiscate the illegal gains, and impose a fine of not less than RMB 500,000 but not more than RMB 2,000,000.

Where, in violation of this Law, a person engages in commercial general aviation activities without permission, the competent civil aviation authority under the State Council shall order the cessation of the illegal act, confiscate the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 500,000.

Where, in violation of this Law, a person engaging in non-commercial general aviation activities fails to file for record with the competent civil aviation authority under the State Council, the competent civil aviation authority under the State Council shall order correction within a time limit; where correction is not made within the time limit, a fine of not less than RMB 30,000 but not more than RMB 50,000 shall be imposed.

Article 249 — Where a public air transport enterprise, general aviation enterprise, or civil airport has low flight operation efficiency, fails to meet the requirements for flight regularity administration, or has insufficient capability to ensure safe operation, the competent civil aviation authority under the State Council may suspend the acceptance of its applications for new business or narrow its business scope.

Where an entity or individual that has obtained a permit and engages in civil aviation production and business operations no longer satisfies the conditions for the permit, the competent civil aviation authority under the State Council shall order rectification within a time limit and may suspend the acceptance of its applications for new business or narrow its business scope; where it still fails to satisfy the conditions for the permit within the time limit, the relevant permits shall be revoked.

Article 250 — Where, in violation of this Law, a person fails to formulate a civil aviation security program and file it for record, the competent civil aviation authority under the State Council shall order correction within a time limit; where correction is not made within the time limit, a fine of not less than RMB 10,000 but not more than RMB 100,000 shall be imposed; where the circumstances are serious, a fine of not less than RMB 100,000 but not more than RMB 200,000 shall be imposed.

Article 251 — Where, in violation of this Law, a public air transport enterprise or a general aviation enterprise engaged in scheduled transport has any of the following circumstances, the competent civil aviation authority under the State Council shall order correction within a time limit; where correction is not made within the time limit, a fine of not less than RMB 50,000 but not more than RMB 200,000 shall be imposed; where the circumstances are serious, a fine of not less than RMB 200,000 but not more than RMB 1,000,000 shall be imposed; where the circumstances are particularly serious, the relevant permits may be revoked:

(1) failing to purchase liability insurance or obtain corresponding financial guarantees in accordance with the law for the passengers, baggage, and cargo of the transport it conducts and for the liability it may incur to third parties;

(2) failing to formulate, publish, file, or notify standard-form clauses such as general conditions of carriage in accordance with the provisions, or failing to clearly inform passengers in ticket sales and other links;

(3) failing to issue information notices in accordance with the provisions when a flight is delayed or cancelled, or failing to carry out handling and passenger service work as required;

(4) failing to make public information such as the methods of accepting complaints, failing to accept and handle passenger complaints as required, or failing to promptly feed back the relevant situation to complainants;

(5) failing to formulate a family assistance plan for civil aircraft accidents in accordance with the law, or failing to do a good job of family assistance work in accordance with the plan;

(6) failing to carry out emergency rescue in accordance with the provisions when a civil aircraft accident occurs.

Where a civil airport operator has the circumstances specified in subparagraphs (3) through (6) of the preceding paragraph, it shall be punished in accordance with the provisions of the preceding paragraph.

Article 252 — Where, in violation of this Law, a person commits an act that endangers the safety and order of civil aviation transport, and the circumstances are serious, the competent civil aviation authority under the State Council may restrict the person from boarding civil aircraft within a certain period.

Article 253 — Where, in violation of this Law, an entity engaged in civil aviation production and business operations has any of the following circumstances, the competent civil aviation authority under the State Council shall order correction within a time limit; where correction is not made within the time limit, a fine of not less than RMB 50,000 but not more than RMB 200,000 shall be imposed:

Source: https://www.danyoungcpa.com/civil-aviation-law-of-the-prc-2025-revision/

(1) failing to provide relevant data to the competent civil aviation authority under the State Council in accordance with the civil aviation statistical survey system and other provisions;

(2) failing to establish systems for the collection, analysis, and publication of civil aviation safety information, or failing to report or publish safety information in accordance with the provisions.

Article 254 — Staff members of the competent civil aviation authority under the State Council and of regional civil aviation administrative organs who neglect their duties, abuse their powers, or practice favoritism or fraud shall be given sanctions in accordance with the law.

Article 255 — Where, in violation of this Law, a person commits an act that endangers civil aviation safety or disrupts civil aviation order, which constitutes a violation of public security administration, the public security organ shall impose a public security administrative penalty in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 256 — Where aviation personnel are sentenced to criminal punishment for an intentional crime, the competent civil aviation authority under the State Council shall revoke their relevant licenses.

Chapter XVI — Supplementary Provisions

Article 257 — The State may establish government-managed funds in accordance with the needs of the development of the civil aviation industry, and the specific implementation period shall be prescribed by the State Council.

Article 258 — Where the State Council or the Central Military Commission has separate provisions on the administration of unmanned aircraft, such provisions shall prevail.

The State air traffic management organ shall, in accordance with laws, administrative regulations, and the relevant provisions of the State, formulate the relevant rules on airspace and flight administration.

Article 259 — Where a civil aircraft that has acquired the nationality of the People's Republic of China is operated by an operator having its principal place of business or permanent residence in another country under an agreement on the lease, charter, or interchange of civil aircraft or under another similar agreement, the Government of the People's Republic of China may, in accordance with the agreements and arrangements concluded with the government of that country, transfer to that country the duties and obligations of administration provided for in this Law concerning flight administration, radio station licenses, airworthiness certificates, and crew member licenses, and the responsibility of the People's Republic of China for the transferred duties and obligations shall be correspondingly discharged.

Article 260 — Where an international treaty concluded or acceded to by the People's Republic of China contains provisions differing from those of this Law, the provisions of the international treaty shall apply, except for clauses in respect of which the People's Republic of China has declared reservations.

Where neither the laws of the People's Republic of China nor an international treaty concluded or acceded to by the People's Republic of China contains provisions, international practices may be applied.

Article 261 — Where any country or region adopts discriminatory prohibitions, restrictions, or other similar measures against the People's Republic of China in the fields relating to civil aviation transport and civil aircraft manufacturing, the People's Republic of China may take corresponding measures against the relevant country or region in accordance with the actual circumstances.

Article 262 — This Law shall come into force on July 1, 2026.

Disclaimer: This English translation of the Civil Aviation Law of the People's Republic of China (2025 Revision) is provided for general informational and reference purposes only. It is an unofficial translation prepared from the officially promulgated Chinese text. In the event of any discrepancy or inconsistency, the original Chinese version shall prevail. This translation does not constitute legal advice, and readers should consult qualified legal counsel on matters concerning the interpretation or application of this Law.