Rules on the Flight Management of Foreign Civil Aircraft of the People’s Republic of China

Dan Young Business Consultancy — www.danyoungcpa.com

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

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Effective: February 23, 1979

Article 1 — Foreign civil aircraft, when flying into or out of the borders of the People's Republic of China and when flying or staying within the territory of the People's Republic of China, must observe these Rules.

Article 2 — Foreign civil aircraft may fly into or out of the borders of the People's Republic of China and fly within the territory of the People's Republic of China only on the basis of air transport agreements or other relevant documents concluded between the Government of the People's Republic of China and the government of the country concerned, or after an application made to the Government of the People's Republic of China through diplomatic channels has been accepted.

Article 3 — Foreign civil aircraft, their flight crew members, and their passengers, when flying or staying within the territory of the People's Republic of China, must observe the laws of the People's Republic of China and the laws and regulations relating to entry, exit, and transit.

Article 4 — Foreign civil aircraft flying into or out of the borders of the People's Republic of China and flying within the territory of the People's Republic of China must submit to the control of the air traffic control departments concerned of the competent civil aviation department of the State Council and observe the various rules relating to flight.

Article 5 — Foreign civil aircraft may, on the basis of air transport agreements concluded between the Government of the People's Republic of China and the government of the country concerned, conduct scheduled flight operations and extra flight operations within the territory of the People's Republic of China along the routes prescribed in the agreements.

Scheduled flight operations shall be conducted in accordance with the flight schedule. The flight schedule must be submitted in advance to the competent civil aviation department of the State Council by the air transport enterprise designated by the government of the other country that has concluded the agreement with the Government of the People's Republic of China, and its consent obtained.

Extra flight operations shall be submitted by the air transport enterprise designated by the government of the other country that has concluded the agreement with the Government of the People's Republic of China to the competent civil aviation department of the State Council no later than five days before the planned commencement of the flight or within the time prescribed in the agreement, and may be conducted only after a permit has been obtained.

Article 6 — All non-scheduled flights of foreign civil aircraft within the territory of the People's Republic of China other than scheduled flight operations and extra flight operations must be applied for in advance and

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may be conducted only after the application has been accepted.

Applications for non-scheduled flights shall be submitted through diplomatic channels no later than ten days before the planned commencement of the flight. Where a bilateral air transport agreement provides otherwise, such provisions shall prevail.

Article 7 — An application for a non-scheduled flight shall include the following:

(1) the nationality of registration of the aircraft, and the owner and operator of the aircraft;

(2) the purpose of the flight;

(3) the type of the aircraft and its maximum take-off weight and maximum landing weight;

(4) the identification marks of the aircraft (including nationality marks and registration marks);

(5) the radiotelephony and radiotelegraphy call signs of the aircraft;

(6) the range of frequencies used by the radio station on board the aircraft;

(7) the names, posts, and nationalities of the flight crew members, and the number of passengers and the weight of cargo on board the aircraft;

(8) the minimum meteorological conditions permitted for flight by the flight crew;

(9) the planned flight route, flight date and time from the departure airport to the destination airport, and the air route to be flown within the territory of the People's Republic of China; and

(10) other matters.

Article 8 — When a foreign civil aircraft conducts a non-scheduled flight within the territory of the People's Republic of China, flight personnel (including navigators and radio operators) shall be assigned by the competent civil aviation department of the State Council to guide it on board; where the permit contains special provisions, such provisions shall prevail.

Article 9 — Foreign civil aircraft flying within the territory of the People's Republic of China must bear nationality marks and registration marks. Foreign civil aircraft without nationality marks and registration marks are prohibited from flying within the territory of the People's Republic of China.

Article 10 — Foreign civil aircraft flying within the territory of the People's Republic of China shall carry the following documents:

(1) the certificate of registration of the aircraft;

(2) the certificate of airworthiness of the aircraft;

(3) the professional license or certificate of each member of the flight crew;

(4) the journey log of the aircraft;

(5) the license for the use of the radio station on board the aircraft;

(6) the general declaration;

(7) where the aircraft carries passengers, a list stating the names of the passengers and their points of embarkation and destinations; and

(8) where the aircraft carries cargo, the cargo manifest.

Article 11 — Foreign civil aircraft flying into or out of the borders of the People's Republic of China must pass through the prescribed air corridors or entry and exit points. Deviation from the air corridors or entry and exit points is prohibited.

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Article 12 — Twenty to fifteen minutes before flying into or out of the borders of the People's Republic of China, the flight crew of a foreign civil aircraft must report to the air traffic control department concerned of the competent civil aviation department of the State Council the call sign of the aircraft, the estimated time of flying into or out of the borders, and the altitude of flight, and must obtain permission to fly into or out of the borders. Without such permission, the aircraft shall not fly into or out of the borders.

Article 13 — A foreign civil aircraft, when flying over the borders of the People's Republic of China and the prescribed position reporting points within the territory of the People's Republic of China, shall immediately make a position report to the air traffic control department concerned of the competent civil aviation department of the State Council. The content of the position report shall include:

(1) the call sign of the aircraft;

(2) the position;

(3) the time;

(4) the flight altitude or flight level;

(5) the estimated time of flying over the next position or the estimated time of arrival at the landing airport; and

(6) other matters required by the air traffic control department or considered necessary to report by the flight crew.

Article 14 — Where a foreign civil aircraft, after flying into or out of the borders of the People's Republic of China, is unable to continue its flight owing to deterioration of weather, malfunction of the aircraft, or other special reasons, it shall be permitted to return along its original route and air corridor or entry and exit point. At such time, the flight crew shall report to the air traffic control department concerned of the competent civil aviation department of the State Council the call sign of the aircraft, the reason for the forced return, the time of commencing the return, the altitude of flight, and the airport at which landing is planned after the return. Within the territory of the People's Republic of China, if no instructions have been received from the air traffic control department concerned of the competent civil aviation department of the State Council, the aircraft shall normally return at the flight level in the reverse direction immediately below its original flight level; if that flight level is below the safe altitude for flight, it shall return at the flight level in the reverse direction immediately above its original flight level.

Article 15 — Foreign civil aircraft are prohibited from flying into or out of the borders of the People's Republic of China and from flying within the territory of the People's Republic of China before establishing radio communication with the air traffic control department concerned of the competent civil aviation department of the State Council.

Article 16 — Where the communication of a foreign civil aircraft flying within the territory of the People's Republic of China with the aeronautical radio station of the air traffic control department concerned of the competent civil aviation department of the State Council is interrupted, its flight crew shall try to establish contact with other aeronautical radio stations or other aircraft in flight to transmit flight information. If contact still cannot be restored, the aircraft shall fly in accordance with the following provisions:

Under visual meteorological conditions, it shall continue to fly under visual meteorological conditions and proceed to the nearest airport (meaning the departure airport, the planned landing airport, or the alternate airport designated in advance by the competent civil aviation department of the State Council) to land. When landing, it shall proceed in accordance with the provisions of Annex I, Symbols and Signals for Auxiliary Command and Liaison, of these Rules.

Under instrument meteorological conditions, or when weather conditions do not permit flying under visual meteorological conditions to the nearest airport for landing, it shall fly strictly in accordance with the current

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flight plan to the airspace above the navigation aid of the planned landing airport, commence descent in accordance with the estimated time of arrival in the current flight plan, and land within thirty minutes after the estimated time of arrival in accordance with the normal instrument approach procedure of that navigation aid.

An aircraft that has lost communication shall, if its radio transmitter is operating normally, transmit blind the captain's intentions for continuing the flight and the flight situation, and subsequently transmit blind reports at the scheduled times or position reporting points; if its radio receiver is operating normally, it shall continuously maintain a listening watch for flight instructions from ground aeronautical radio stations.

Article 17 — The visual meteorological conditions for aircraft flight within the territory of the People's Republic of China shall be: visibility of not less than eight kilometers, vertical distance of the aircraft from clouds of not less than three hundred meters, and horizontal distance of the aircraft from clouds of not less than one thousand five hundred meters.

Article 18 — The safe altitude for flight is the minimum flight altitude that ensures that the aircraft will not collide with ground obstacles.

Within the territory of the People's Republic of China, the safe altitude for flight along a route shall, in plateau and mountainous areas, be six hundred meters above the highest elevation within twenty-five kilometers on each side of the route; and in areas other than plateaus and mountainous areas, four hundred meters above the highest elevation within twenty-five kilometers on each side of the route.

Article 19 — Foreign civil aircraft flying within the territory of the People's Republic of China must fly at the prescribed flight altitude or flight level.

The flight levels within the territory of the People's Republic of China shall be divided in accordance with the following measures: where the true track angle is within the range of 0 degrees to 179 degrees, at altitudes from 600 meters to 6,000 meters, one flight level shall be established every 600 meters, and at altitudes above 6,000 meters, one flight level shall be established every 2,000 meters; where the true track angle is within the range of 180 degrees to 359 degrees, at altitudes from 900 meters to 5,700 meters, one flight level shall be established every 600 meters, and at altitudes above 7,000 meters, one flight level shall be established every 2,000 meters.

Flight levels shall be calculated on the basis of the isobaric surface based on a specific pressure of 760 millimeters of mercury. The true track angle shall be measured from the point of departure and the turning points of the route.

Article 20 — The altitude or flight level for each flight of a foreign civil aircraft within the territory of the People's Republic of China shall be designated by the air traffic control department concerned of the competent civil aviation department of the State Council.

During flight, a foreign civil aircraft shall not change its flight altitude or flight level, regardless of meteorological conditions, without the permission of the air traffic control department concerned of the competent civil aviation department of the State Council.

Article 21 — Foreign civil aircraft within the territory of the People's Republic of China must fly along the prescribed air routes. Deviation from the air routes is prohibited.

The width of air routes within the territory of the People's Republic of China shall be a maximum of twenty kilometers and a minimum of eight kilometers.

Article 22 — Where the flight crew of a foreign civil aircraft flying within the territory of the People's Republic of China is unable to determine the position of the aircraft, it shall immediately report to the air traffic control department concerned of the competent civil aviation department of the State Council.

Where a foreign civil aircraft deviates from the prescribed air route in flight, the air traffic control department concerned of the competent civil aviation department of the State Council shall, to the extent possible, assist

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it in returning to its original air route, but shall bear no responsibility whatsoever for all consequences arising from the aircraft's flight deviating from the air route.

Article 23 — When aircraft meet during visual flight, they shall avoid each other in accordance with the following provisions:

(1) where two aircraft meet head-on at the same altitude, each shall avoid to the right, maintaining a separation of not less than five hundred meters between them;

(2) where two aircraft cross at the same altitude, the pilot shall descend when seeing the other aircraft from the left side of the cockpit, and shall ascend when seeing the other aircraft from the right side of the cockpit;

(3) where an aircraft overtakes an aircraft ahead at the same altitude, it shall do so from the right side of the aircraft ahead while maintaining a separation of not less than five hundred meters; and

(4) a single aircraft shall take the initiative to avoid an aircraft in formation or an aircraft towing objects, and a powered aircraft shall take the initiative to avoid a non-powered aircraft.

Article 24 — When flying within the territory of the People's Republic of China, a foreign civil aircraft shall, in accordance with the radio communication methods and radio frequencies prescribed by the competent civil aviation department of the State Council, maintain an uninterrupted listening watch with the air traffic control department concerned of the competent civil aviation department of the State Council so as to conduct communication in a timely manner.

The following provisions shall be observed in conducting ground-to-air radio liaison:

(1) the international Q-code shall be used in radiotelegraphy, and the Chinese language, or other languages approved by the Government of the People's Republic of China, shall be used in radiotelephony;

(2) geographical names shall be expressed using the current Chinese names, or by means of place-name codes, place-name designators, identification signals of radio navigation aids, and latitude and longitude; and

(3) units of measurement: distance shall be in meters or kilometers; flight altitude, elevation, and height above ground shall be in meters; horizontal speed and in-flight wind speed shall be in kilometers per hour; vertical speed and surface wind speed shall be in meters per second; wind direction shall be in degrees (true); visibility shall be in kilometers or meters; altimeter setting shall be in millimeters of mercury or millibars; temperature shall be in degrees (Celsius); weight shall be in tonnes or kilograms; and time shall be in hours and minutes (the 24-hour system of Greenwich Mean Time, commencing from midnight).

Article 25 — Foreign civil aircraft flying within the territory of the People's Republic of China shall land at the airport designated by the competent civil aviation department of the State Council. Before landing, permission shall be obtained from the air traffic control department of the landing airport; after landing, the aircraft shall not take off without permission.

After a foreign civil aircraft conducting a non-scheduled flight lands, its captain shall also report to the air traffic control department of the airport on the flight situation within the territory of the People's Republic of China and submit an application for the next flight.

Article 26 — The flight crew of a foreign civil aircraft must complete pre-flight preparations before take-off, and the captain or his or her agent shall submit a flight plan to the air traffic control department concerned of the competent civil aviation department of the State Council at least one hour before the estimated time of departure.

Where the aircraft is delayed by more than thirty minutes beyond the prescribed departure time, the flight plan shall be revised, or a new flight plan shall be submitted and the original flight plan cancelled.

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Article 27 — Traffic pattern flights at airports within the territory of the People's Republic of China shall normally be left-hand patterns. The altitude for traffic pattern flights shall normally be from three hundred meters to five hundred meters. When conducting traffic pattern flights, overtaking of aircraft of the same type or of similar speed is prohibited. The longitudinal separation between aircraft shall generally be maintained at not less than two thousand meters, and the influence of aircraft wake turbulence shall also be taken into account. With the permission of the airport air traffic controller, a high-speed aircraft may overtake a low-speed aircraft from the outside before the third turn, with a lateral separation of not less than five hundred meters. No aircraft may overtake an aircraft ahead from the inside, except an aircraft compelled to land immediately.

Joining a traffic pattern must be done with the permission of the airport air traffic controller, and the aircraft shall join along the pattern and shall not cut in laterally.

Article 28 — When a foreign civil aircraft flies under visual meteorological conditions within an aerodrome area, its flight crew shall conduct strict aerial observation to prevent collision with other aircraft; in the event of a collision, the captain of the aircraft shall bear direct responsibility.

Article 29 — When a foreign civil aircraft takes off from or lands at an airport within the territory of the People's Republic of China, the altimeter setting procedures shall be carried out in accordance with the following provisions:

(1) airports with prescribed transition altitudes and transition levels: before take-off, the aircraft shall set the airport surface pressure value to the fixed index of the pressure altimeter on board, and after take-off, when climbing to the transition altitude, shall set the 760-millimeter pressure scale of the pressure altimeter to the fixed index; before landing, when descending to the transition level, the aircraft shall set the airport surface pressure value to the fixed index of the pressure altimeter on board;

(2) airports without prescribed transition altitudes and transition levels: before take-off, the aircraft shall set the airport surface pressure value to the fixed index of the pressure altimeter on board, and after take-off, when climbing to an altitude of six hundred meters, shall set the 760-millimeter pressure scale of the pressure altimeter to the fixed index; before landing, upon entering the boundary of the aerodrome area or in accordance with the instructions of the airport air traffic controller, the aircraft shall set the airport surface pressure value to the fixed index of the pressure altimeter on board; and

(3) plateau airports: before take-off, when the pressure scale of the pressure altimeter on board cannot be adjusted to the airport surface pressure value, the aircraft shall set the 760-millimeter pressure scale of the pressure altimeter to the fixed index (the altitude indicated at this time being the assumed zero altitude); before landing, if the pressure scale of the pressure altimeter on board cannot be adjusted to the airport surface pressure value, the aircraft shall land in accordance with the assumed zero altitude (the altitude indicated when the aircraft lands) notified by the air traffic controller of the landing airport.

Article 30 — When a foreign civil aircraft takes off from or lands within the territory of the People's Republic of China, it shall observe the aerodrome meteorological minimums prescribed by the competent civil aviation department of the State Council. When the actual weather conditions at the airport are below the aerodrome meteorological minimums, the aircraft shall not take off or land. In emergency circumstances, if the captain of the aircraft decides to land below the aerodrome meteorological minimums, he or she shall bear full responsibility for the decision and the consequences arising therefrom.

When the actual weather conditions at the airport are extremely adverse, the air traffic control department of the airport shall close the airport and prohibit aircraft from taking off or landing.

Article 31 — When there is dangerous weather threatening aircraft flight along an air route or in the vicinity of a take-off or landing airport within the territory of the People's Republic of China, the air traffic control department concerned of the competent civil aviation department of the State Council may suggest to the

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captain of a foreign civil aircraft that he or she delay take-off, return, or proceed to an alternate airport; the captain of the aircraft shall have the final decision-making authority over such suggestions and shall be responsible for his or her decisions.

Article 32 — Where a foreign civil aircraft flying within the territory of the People's Republic of China is found to have a serious malfunction that may endanger flight safety, the relevant department of the competent civil aviation department of the State Council shall have the authority to stop the aircraft from continuing its flight and notify the country of its registration; whether the aircraft may continue to fly shall be determined by the country of registration of the aircraft.

Article 33 — Under no circumstances may a foreign civil aircraft flying within the territory of the People's Republic of China fly into a prohibited area designated by the People's Republic of China. The competent civil aviation department of the State Council shall deal seriously with the captain of a foreign civil aircraft that flies into a prohibited area, and shall bear no responsibility whatsoever for all consequences arising from the aircraft's flight into the prohibited area.

Article 34 — Where, under special circumstances, the competent civil aviation department of the State Council announces the temporary closure of the relevant air routes or airports, foreign civil aircraft relating to flights on those air routes or at those airports must revise their flight plans in accordance with the notices to airmen of the competent civil aviation department of the State Council or the notices of the air traffic control departments concerned.

Article 35 — A foreign civil aircraft flying within the territory of the People's Republic of China may not drop objects, spray liquids, or use parachutes toward the ground except for parachute jumping in distress circumstances, and only with the permission of the air traffic control department concerned of the competent civil aviation department of the State Council and under the designated conditions.

Article 36 — Where a foreign civil aircraft flying within the territory of the People's Republic of China encounters a situation that seriously endangers the safety of the aircraft and the persons on board and requires immediate assistance, its flight crew shall immediately send a distress signal to the air traffic control department concerned of the competent civil aviation department of the State Council so that search and rescue may be conducted in a timely manner. The distress signal shall be MAYDAY when sent by radiotelephony and SOS when sent by radiotelegraphy. After sending the distress signal, the aircraft in distress shall, to the extent possible, transmit in the distress communication the call sign of the aircraft, the nature of the distress, the current position, altitude, and heading, and the captain's intentions. The distress communication shall be transmitted on the air-ground radio communication frequency then in use; when necessary, in accordance with the notice of the air traffic control department concerned of the competent civil aviation department of the State Council, the communication frequency shall be shifted to the emergency frequency to continue liaison. Such emergency frequency shall be provided in the aeronautical information publication.

Article 37 — Where a foreign civil aircraft flying within the territory of the People's Republic of China encounters a situation that may endanger the safety of the aircraft or the persons on board but does not require immediate assistance, its flight crew shall immediately send an urgency signal to the air traffic control department concerned of the competent civil aviation department of the State Council. The urgency signal shall be PAN when sent by radiotelephony and XXX when sent by radiotelegraphy. After sending the urgency signal, the aircraft in an urgent situation shall also transmit in the urgency communication the call sign of the aircraft, the nature of the urgent situation, the current position, altitude, and heading, and the captain's intentions. The urgency communication shall be transmitted on the air-ground radio communication frequency then in use; when necessary, in accordance with the notice of the air traffic control department concerned of the competent civil aviation department of the State Council, the communication frequency shall be shifted to the emergency frequency to continue liaison. Such emergency frequency shall be provided in the aeronautical information publication.

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Article 38 — Foreign civil aircraft flying into or out of the borders of the People's Republic of China must land at or take off from airports designated as having customs, quarantine, and border inspection posts.

Article 39 — Foreign civil aircraft within the territory of the People's Republic of China (including the documents required to be carried by them, as well as their flight crew members, passengers, and cargo) shall be subject to inspection by the relevant authorities of the People's Republic of China.

Article 40 — Foreign civil aircraft flying within the territory of the People's Republic of China are prohibited from carrying explosives, inflammable materials, weapons, ammunition, and other contraband prescribed by the Government of the People's Republic of China.

Article 41 — Where a flight crew member or passenger of a foreign civil aircraft falls ill with an acute illness during flight, the flight crew shall report to the air traffic control department concerned so that assistance may be obtained after landing to provide the necessary medical treatment for the patient.

Article 42 — Where a foreign civil aircraft flying within the territory of the People's Republic of China violates these Rules, the air defense alert aircraft of the Chinese People's Liberation Army may compel it to land at a designated airport. Violating the instructions of the air traffic control department concerned of the competent civil aviation department of the State Council shall be treated as a violation of these Rules.

The signals used by air defense alert aircraft in intercepting foreign civil aircraft that violate these Rules and by the intercepted foreign civil aircraft shall be executed in accordance with the provisions of Annex II.

A foreign civil aircraft compelled to land may continue its flight only with the permission of the competent civil aviation department of the State Council.

Article 43 — Where the flight crew members or passengers of a foreign civil aircraft flying into or out of the borders of the People's Republic of China, or flying or staying within the territory of the People's Republic of China, violate these Rules, the competent civil aviation department of the State Council or other competent authorities shall, according to the specific circumstances, impose fines and other sanctions; where the circumstances are serious, the matter shall be handled by the people's courts of the People's Republic of China.

Article 44 — These Rules shall, after approval by the State Council of the People's Republic of China, be issued and implemented by the competent civil aviation department of the State Council.

Note: These Rules contain two technical annexes — Annex I, Symbols and Signals for Auxiliary Command and Liaison, and Annex II, Interception Signals — which are appended to the official Chinese text.

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