# Interim Provisions on the Administration of Non-Scheduled Flights of Civil Air Transport of China (the PRC)

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

Adopted at the 31st Executive Meeting of the State Council on January 3, 1989, promulgated by Order No. 29 of the State Council of the People's Republic of China on March 2, 1989, and effective as of the date of promulgation; amended in accordance with the Decision of the State Council on Amending and Repealing Certain Administrative Regulations of November 22, 2024

Article 1 — These Provisions are formulated to safeguard the aviation rights and interests of the State, ensure the safety of air transport, and promote the development of civil air transport.

Article 2 — These Provisions apply to non-scheduled flights by Chinese and foreign civil aircraft engaged in the carriage of passengers, baggage, cargo and mail within the territory of the People's Republic of China and between the People's Republic of China and foreign countries.

Article 3 — For the purposes of these Provisions, "non-scheduled flights" means civil air transport flights that do not belong to scheduled services.

Article 4 — To engage in non-scheduled flights, an application shall be made to the civil aviation competent department of the State Council, and flights may be conducted only after approval. The application and approval procedures shall be formulated by the civil aviation competent department of the State Council.

Article 5 — Persons engaged in non-scheduled flights shall comply with the transport rules formulated by the civil aviation competent department of the State Council and shall not affect the normal operation of scheduled services.

Article 6 — Flight crew members and aircraft engaged in non-scheduled flights shall conform to the conditions or technical standards prescribed by the civil aviation competent department of the State Council, and shall be in possession of crew member licenses, aircraft registration certificates, aircraft airworthiness certificates and other certificates and documents required to be carried in accordance with the relevant provisions.

Article 7 — Non-scheduled flights conducted by foreign civil air transport enterprises flying into or out of the territory of the People's Republic of China for transport business shall be handled in accordance with the relevant provisions of the air transport agreements concluded between the government of the People's Republic of China and the government of the foreign country concerned.

Article 8 — Foreign civil air transport enterprises shall not operate non-scheduled flight transport business between any two points within the territory of the People's Republic of China.

Article 9 — For non-scheduled flights operated by foreign civil air transport enterprises for remuneration transport business, the Chinese side shall have the right to collect compensation fees for air traffic rights.

Article 10 — Non-scheduled civil air transport prices shall be subject to market-regulated pricing and shall be set independently by air transport enterprises.

Article 11 — Except where specially approved by the civil aviation competent department of the State Council, foreign aircraft engaged in non-remunerated non-scheduled flights may only fly to one designated point within the territory of the People's Republic of China, and shall not carry personnel or cargo not originally on board the aircraft out of the territory of the People's Republic of China, nor leave such original



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personnel or cargo within the territory of the People's Republic of China.

Article 12 — Aircraft engaged in non-scheduled flights for international transport shall complete the formalities of frontier inspection, customs, health quarantine and security inspection in accordance with the relevant provisions of the People's Republic of China, and pay the relevant fees as prescribed.

Article 13 — Foreign aircraft engaged in non-scheduled flights, their crew members and the passengers, baggage, cargo and mail carried on board shall, when entering or leaving the territory of the People's Republic of China and while within the territory of the People's Republic of China, comply with the relevant laws, regulations and rules of the People's Republic of China, and pay the relevant fees as prescribed.

Article 14 — The operator of a foreign aircraft engaged in non-scheduled flights shall insure against liability for damage caused to third parties on the ground during flights within the territory of the People's Republic of China; where the aircraft is engaged in non-scheduled flights carrying passengers, baggage, cargo and mail, statutory liability insurance shall also be maintained.

Article 15 — Where any unit or individual violates these Provisions, the civil aviation competent department of the State Council shall have the power to impose penalties such as a warning, a fine, ordering the suspension of flights, or the revocation of the relevant certificates; where a crime is constituted, criminal liability shall be pursued by the judicial authorities in accordance with the law.

Article 16 — These Provisions shall come into force as of the date of promulgation.

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