

DRAFTING NOTE

CIVIL AVIATION ACT 2026

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed Assembly Act. It identifies the legislative need, the relationship with earlier Eritrean law, the principal matters retained, the modernization choices made and the place of the draft within the emerging constitutional statute book. The instrument remains a consultation draft and should be finalized only after legal, institutional, fiscal and public review.

2. Legislative need and prior law

Earlier aviation legislation and legal notices require consolidation and alignment with modern international civil-aviation practice. A contemporary Red Sea state needs safe, commercially credible and independently investigated aviation services.

3. What the draft retains

The draft retains aircraft registration, operator and personnel certification, safety oversight, airport regulation and accident reporting.

4. What the draft updates and modernizes

It introduces functional separation of policy, commercial operation, safety regulation and accident investigation; digital records; remotely piloted aircraft rules; cybersecurity; passenger protection; environmental duties; and implementation of applicable ICAO standards through lawful regulations.

5. Constitutional, code and treaty fit

The draft is framed under the Constitution of Eritrea 1997 and must be read with the Civil Code, Penal Code, Civil Procedure Code and Criminal Procedure Code of Eritrea 2015 where those Codes govern. It is also coordinated with the other institutional, financial, commercial, land, labour, administrative and sectoral drafts in this collection. References to international or regional standards guide compatibility and implementation; they do not bypass the Treaty-Making Act or convert an unincorporated instrument into domestic law.

6. Scope and organization

The principal divisions address preliminary provisions; civil aviation authority; airspace and air navigation; aircraft registration and interests; airworthiness and maintenance; aviation personnel and training; air operators and operations; drones and emerging aviation; aerodromes and airports; aviation security and facilitation; and the concluding enforcement, transitional and final provisions.

7. Transition, implementation and consultation

The draft preserves lawful accrued rights, completed transactions, pending proceedings and institutional continuity where appropriate, while preventing temporary savings from preserving unconstitutional coercion or indefinite executive discretion. Before enactment or issuance, authentic predecessor instruments and amendments should be verified, cross-references and fiscal capacity confirmed, implementing regulations and digital systems prepared, and affected institutions, professions, communities and the public given a practical opportunity to comment.

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ____/2026

CIVIL AVIATION ACT 2026

(ACT)

AN ACT TO GOVERN CIVIL AVIATION, ESTABLISH INDEPENDENT SAFETY REGULATION AND ACCIDENT INVESTIGATION, REGULATE AIRCRAFT, PERSONNEL, OPERATORS, AERODROMES AND AIR NAVIGATION, PROTECT PASSENGERS, AND PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS safe, regular and efficient civil aviation connects Eritrea's people, diaspora, trade, tourism, ports and economy with the region and the world;

WHEREAS Civil Aviation Proclamation 130/2003 established an aviation authority and rules for aircraft, personnel, air operators, aerodromes, air traffic management, security and accident investigation that should be modernized;

WHEREAS effective aviation governance requires separation of safety regulation, airport and air-navigation service provision, commercial operation and independent accident investigation;

WHEREAS Eritrea should implement the Convention on International Civil Aviation and applicable international standards through constitutionally authorized, transparent and reviewable domestic law;

NOW, THEREFORE, the National Assembly of Eritrea enacts as follows:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the Civil Aviation Act 2026.

Article 2 — Objects

1. maintain a high and proportionate level of aviation safety and security;
2. establish independent regulation and accident investigation;
3. facilitate competitive, reliable and accessible air services;
4. govern airspace, aircraft, personnel, aerodromes and navigation services; and
5. implement Eritrea's lawful international aviation obligations.

Article 3 — Application

1. This Act applies to civil aviation in Eritrean territory and airspace and to Eritrean-registered aircraft wherever located, subject to applicable foreign law.
2. State aircraft are excluded from ordinary certification but shall coordinate safely with civil aviation and comply with provisions expressly made applicable.
3. Military operational secrecy does not excuse conduct endangering civil air navigation.

Article 4 — Definitions

1. “aerodrome” means an area intended for aircraft arrival, departure and movement;
2. “aircraft” means a machine capable of deriving support in the atmosphere;
3. “air operator certificate” means authorization to conduct specified commercial operations safely;
4. “Authority” means the Eritrean Civil Aviation Authority established by this Act;
5. “Bureau” means the Aviation Accident Investigation Bureau;
6. “commercial air transport” means carriage by aircraft of passengers, cargo or mail for remuneration;
7. “drone” means an unmanned aircraft and its associated system;
8. “operator” means a person responsible for aircraft operation; and
9. “State aircraft” means an aircraft used in military, customs, police or another governmental sovereign service.

Article 5 — Relationship with other laws

1. The Constitution prevails, and this Act shall be interpreted consistently with treaties lawfully binding upon Eritrea.
2. The Civil and Commercial Codes govern property, contract, carriers, liability and civil remedies except where this Act or a binding convention provides a specific aviation rule.
3. Criminal, immigration, customs, public-health, environment, land, competition, data-protection, labour and national-security laws remain applicable within their fields.

Article 6 — International standards

1. The Authority may adopt or incorporate applicable international aviation standards and recommended practices through published instruments authorized by this Act.
2. A difference from an applicable international standard shall be assessed, notified where required and published unless narrowly protected for security.

CHAPTER II CIVIL AVIATION AUTHORITY

Article 7 — Establishment

1. The Eritrean Civil Aviation Authority is established as an independent safety and economic regulator.

2. It is not an airline, airport operator, air-navigation provider or accident investigator.

Article 8 — Functions

1. The Authority shall regulate safety, security, aircraft, personnel, operators, aerodromes, air navigation, drones, air services and user protection.
2. It shall maintain registers, issue certificates, inspect, enforce, collect safety data and coordinate internationally.

Article 9 — Governance

1. The Authority shall have a merit-selected board with expertise in aviation safety, operations, engineering, law, economics, security, environment and public administration.
2. Members shall disclose conflicts, remain independent of operators and political direction and serve protected terms.

Article 10 — Director General

1. A professionally qualified Director General shall manage the Authority and make technical decisions under this Act.
2. Appointment, performance, delegation and removal shall be transparent and protected against improper influence.

Article 11 — Regulatory independence

1. No Minister, airline, airport, security body or other person may direct an individual certification, inspection or enforcement outcome.
2. Government may issue general published policy consistent with this Act without compromising safety judgment.

Article 12 — Funding

1. The Authority shall be funded through appropriations, lawful cost-related fees and other transparent sources that do not compromise independence.
2. Fees, accounts, procurement and audited reports shall be public.

Article 13 — Safety programme

1. The Authority shall maintain a State Safety Programme integrating policy, risk, data, oversight, occurrence reporting and performance.
2. Regulated organizations shall maintain safety-management systems proportionate to their operations.

Article 14 — Public register

1. The Authority shall publish current certificates, licences, operators, aircraft, aerodromes, approved organizations, enforcement decisions and regulatory instruments.
2. Personal, security and proprietary information shall be protected narrowly under law.

CHAPTER III AIRSPACE AND AIR NAVIGATION

Article 15 — Sovereignty and airspace

1. Eritrea has complete and exclusive sovereignty over the airspace above its territory subject to international law.
2. No private agreement may concede airspace, route or sovereign authority.

Article 16 — Rules of the air

1. Aircraft shall comply with published rules concerning flight, separation, altitudes, routes, communications, weather, interception and emergency.
2. Rules shall coordinate civil and State aircraft and conform where appropriate to international practice.

Article 17 — Airspace organization

1. The Authority shall classify and design airspace and routes after consultation with navigation providers, defence, airports, operators and affected users.
2. Restrictions shall be necessary, proportionate, charted, published and periodically reviewed.

Article 18 — Air-navigation service provider

1. Air-traffic, communication, navigation, surveillance, meteorological and aeronautical-information services shall be provided by certified organizations.
2. The Authority may certify a public provider but shall not operate the services it regulates.

Article 19 — Provider duties

1. A provider shall maintain competent personnel, equipment, contingency, cybersecurity, quality and safety-management systems.
2. Services shall be available on transparent and nondiscriminatory terms.

Article 20 — Charges

1. Air-navigation charges shall be transparent, cost-related, nondiscriminatory and consistent with applicable international principles.
2. Users shall receive consultation and a reasoned route to review.

Article 21 — Search and rescue

1. Government shall coordinate an aeronautical search-and-rescue system with maritime, defence, police, health and neighbouring services.
2. Plans, alerting, command, communication, exercises and assistance shall be maintained and periodically tested.

Article 22 — Prohibited and restricted areas

1. A prohibited or restricted area may be established only for safety, security, environment or another compelling public purpose.
2. It shall be no broader or longer than necessary and shall not be used merely to conceal events or prevent lawful observation.

CHAPTER IV AIRCRAFT REGISTRATION AND INTERESTS

Article 23 — Registration requirement

1. An aircraft shall not operate as Eritrean civil aircraft unless registered under this Act.
2. An aircraft shall not be registered simultaneously in another State.

Article 24 — Eligibility

1. An aircraft owned or lawfully controlled by an Eritrean citizen, Eritrean entity, resident or other eligible person prescribed in accordance with international obligations may be registered.
2. The Authority shall verify beneficial ownership, control, airworthiness responsibility and absence of conflicting registration.

Article 25 — Aircraft register

1. The register shall state nationality and registration marks, aircraft identity, owner, operator, status and registered interests.
2. Registration establishes nationality but is not conclusive civil proof of ownership contrary to the Civil Code.

Article 26 — Certificate and marks

1. The Authority shall issue a certificate and assign marks to an eligible aircraft.
2. Marks and identification plates shall be displayed and protected against falsification.

Article 27 — Interests in aircraft

1. Ownership, leases, mortgages and other interests shall be recorded consistently with the Commercial Code and any law implementing an applicable international registry system.
2. This Act shall not create conflicting priority rules by implication.

Article 28 — Change and cancellation

1. A change of owner, operator, control, lease, destruction, export or loss shall be reported promptly.
2. Cancellation requires protection of registered interests, safety and applicable international obligations.

CHAPTER V AIRWORTHINESS AND MAINTENANCE

Article 29 — Airworthiness certificate

1. An aircraft shall not fly unless it has a valid airworthiness certificate or permit to fly appropriate to the operation.
2. The certificate requires conformity with approved design and condition for safe operation.

Article 30 — Type and design approval

1. The Authority may issue, validate or accept type certificates and design approvals from competent authorities.
2. Local duplication shall be avoided unless Eritrean conditions or credible safety concerns justify it.

Article 31 — Continuing airworthiness

1. The owner and operator shall maintain records, inspections, directives, life limits, defect control, modifications and approved maintenance programmes.
2. Responsibility remains notwithstanding contracting of maintenance.

Article 32 — Maintenance organizations

1. A person performing prescribed maintenance shall hold an approval demonstrating facilities, competence, tools, data, quality and safety systems.
2. Foreign approvals may be recognized under transparent equivalence and oversight arrangements.

Article 33 — Maintenance personnel

1. Certifying maintenance personnel shall hold appropriate licences, ratings and recent competence.

2. Training and recognition of foreign qualifications shall follow objective standards.

Article 34 — Mandatory safety information

1. The Authority may issue airworthiness directives and urgent safety instructions supported by evidence.
2. A directive shall be published and may provide alternative compliance and review where safety permits.

Article 35 — Permit to fly

1. A non-airworthy aircraft may receive a limited permit for testing, delivery, maintenance positioning or evacuation where flight can be conducted safely.
2. Conditions shall define route, crew, passengers, weather and other limitations.

CHAPTER VI AVIATION PERSONNEL AND TRAINING

Article 36 — Personnel licensing

1. Pilots, flight engineers, air-traffic controllers, dispatchers, maintenance certifiers and other prescribed personnel shall hold valid licences and ratings.
2. Requirements shall address knowledge, skill, experience, language, medical fitness and recent competence.

Article 37 — Medical fitness

1. Medical standards shall be risk-based and administered by approved examiners with privacy and appeal safeguards.
2. A condition shall be assessed individually, including reasonable limitation or accommodation where safety permits.

Article 38 — Foreign licences

1. The Authority may validate or convert a foreign licence issued by a competent State after verification.
2. Returning diaspora professionals shall receive efficient assessment without lowering safety standards.

Article 39 — Training organizations

1. A prescribed aviation training organization shall be approved and maintain qualified instructors, curriculum, facilities, records and quality systems.
2. Synthetic and remote training may be used where validated and suitable.

Article 40 — Fatigue management

1. Operators and navigation providers shall comply with flight, duty and rest limits and manage fatigue risk.
2. A person shall not be pressured to work when fatigue creates an unsafe condition.

Article 41 — Alcohol and drugs

1. Safety-sensitive personnel shall not perform duty while impaired.
2. Testing and disciplinary use shall follow published standards, medical confidentiality, due process and applicable criminal-procedure safeguards.

CHAPTER VII AIR OPERATORS AND OPERATIONS

Article 42 — Air operator certificate

1. Commercial air transport requires an air operator certificate specifying approved operations, aircraft, areas and limitations.
2. The applicant shall demonstrate organization, control, competence, safety, maintenance, training, finance and emergency capability.

Article 43 — Operating licence

1. Economic authority to provide commercial air services requires an operating licence distinct from safety certification.
2. The applicant shall demonstrate principal place of business, ownership and control as law requires, financial fitness, insurance and consumer compliance.

Article 44 — Operational control

1. The operator shall retain responsibility and authority to initiate, conduct, divert and terminate each flight safely.
2. Commercial, governmental or passenger pressure shall not override the commander's safety decision.

Article 45 — Operations manual

1. An operator shall maintain approved or accepted manuals addressing organization, procedures, routes, performance, weather, fuel, loading, security, dangerous goods and emergency.
2. Personnel shall have current accessible information appropriate to duty.

Article 46 — Flight preparation

1. A flight shall be planned with airworthiness, crew, weather, aerodrome, route, fuel, weight, performance and emergency considerations.
2. Records shall permit effective oversight without unnecessary retention of personal data.

Article 47 — Cabin and passenger safety

1. Operators shall provide safety briefing, restraints, emergency equipment, trained cabin crew where required and assistance to passengers needing support.
2. Refusal of carriage for safety shall be individualized, reasoned and nondiscriminatory.

Article 48 — Dangerous goods

1. Dangerous goods may be carried only under classification, packaging, documentation, training, acceptance, notification and emergency rules.
2. Hidden or undeclared dangerous goods shall be addressed through safety and criminal law as applicable.

Article 49 — General and aerial work

1. General aviation, aerial survey, agriculture, photography, medical, training and other specialized operations shall follow proportionate authorization and safety standards.
2. Permission shall not regulate lawful editorial or scientific content unrelated to flight safety, privacy or protected areas.

Article 50 — Foreign operators

1. A foreign operator requires authorization based on State certification, safety assessment, traffic rights, insurance and security.
2. Authorization shall comply with lawfully binding air-service agreements and nondiscrimination.

CHAPTER VIII DRONES AND EMERGING AVIATION

Article 51 — Risk-based drone regulation

1. Drone requirements shall reflect weight, energy, location, altitude, autonomy, purpose and risk to persons, aircraft, property, privacy and security.
2. Low-risk recreational and beneficial operations shall use registration or general rules rather than burdensome individual permits.

Article 52 — Registration and identification

1. Prescribed drones and operators shall be registered and use remote or physical identification where proportionate.
2. The system shall collect minimal data and protect users under the Data Protection and Privacy Act.

Article 53 — Operational authorization

1. Operations beyond low-risk limits require evidence of competence, airspace coordination, safety assessment and insurance where prescribed.
2. Delivery, mapping, agriculture, infrastructure, emergency and medical uses shall be facilitated where risks are controlled.

Article 54 — Privacy and expression

1. A drone operator shall comply with privacy, property and data-protection law.
2. Aviation regulation shall not be used to suppress lawful journalism, observation, research or political expression unrelated to genuine aviation or security risk.

Article 55 — Autonomous and advanced aircraft

1. The Authority may establish controlled trials for autonomous, electric, vertical-lift and other emerging aircraft.
2. A trial shall define area, duration, safety, data, cybersecurity, liability and evaluation and shall not create a permanent exemption.

CHAPTER IX AERODROMES AND AIRPORTS

Article 56 — Aerodrome certificate

1. An aerodrome open to prescribed public or commercial operations shall hold a certificate addressing facilities, rescue, maintenance, obstacles, wildlife, safety and management.
2. Small airfields and emergency sites shall use proportionate standards.

Article 57 — Airport operator

1. An airport operator shall maintain safe and efficient facilities, nondiscriminatory access, emergency response, security and customer services.
2. A State-owned airport shall be regulated on the same safety and economic principles as another operator.

Article 58 — Airport planning and land use

1. Airport plans shall coordinate runways, terminals, access, noise, environment, obstacles, surrounding land and future demand.
2. Land acquisition and restrictions require lawful authority, necessity, consultation and fair compensation.

Article 59 — Obstacle control

1. Structures, lights, emissions and activities creating aviation hazard may be restricted under mapped and published standards.
2. A person affected is entitled to notice, technical reasons, review and compensation where law requires.

Article 60 — Airport charges

1. Charges shall be transparent, nondiscriminatory, cost-related where market power exists and developed through user consultation.
2. A public airport shall not impose an unofficial security, foreign-exchange or political charge.

Article 61 — Slots and capacity

1. Scarce airport capacity shall be allocated under transparent, neutral and efficient rules considering continuity, competition and new entry.
2. A slot shall not become private property or political patronage.

Article 62 — Ground handling and concessions

1. Ground handling, fuel, catering, retail and other concessions shall be open to qualified competition where space and safety permit.
2. Public concessions shall follow procurement, competition and public-finance law.

Article 63 — Accessibility

1. Airports and operators shall progressively provide accessible facilities, information, boarding and assistance for persons with disabilities.
2. Assistance shall be dignified, timely and not subject to an unjustified extra charge.

CHAPTER X AVIATION SECURITY AND FACILITATION

Article 64 — National aviation security programme

1. Government shall maintain a programme preventing unlawful interference through risk assessment, screening, access control, intelligence coordination, training and quality control.
2. Security measures shall respect dignity, equality, privacy and due process.

Article 65 — Security responsibilities

1. Airport, airline, cargo, catering and other participants shall perform assigned security duties under approved programmes.
2. Government remains responsible for oversight and shall not impose undisclosed obligations or political screening.

Article 66 — Screening and search

1. Passenger, baggage, cargo and personnel screening shall be authorized, necessary, proportionate and conducted respectfully by trained persons.
2. Intrusive search shall use heightened safeguards, privacy and same-gender accommodation where practicable.

Article 67 — No political travel control

1. Aviation security shall not be used to deny boarding, seize a passport, impose an exit visa or restrict travel because of lawful opinion, association, family, diaspora status or criticism.
2. A travel restriction requires specific law, competent authority, reasons and effective review.

Article 68 — Facilitation

1. Agencies shall coordinate immigration, customs, health, security and airport processes to reduce unnecessary delay and duplicate documents.
2. Digital systems shall preserve nondigital alternatives, privacy and human review.

Article 69 — Cybersecurity

1. Operators, airports, navigation providers and the Authority shall protect safety-critical systems, data and supply chains through risk-based cybersecurity and recovery.
2. A significant incident shall be reported and coordinated without concealing safety information.

CHAPTER XI

AIR SERVICES AND PASSENGER PROTECTION

Article 70 — Air-service authorization

1. Scheduled and nonscheduled commercial services require traffic rights or permits under this Act and applicable agreements.
2. Allocation shall be transparent, competitive where rights are scarce and not used to protect an inefficient State airline.

Article 71 — Fares

1. Airfares shall ordinarily be set by the market and disclosed with all mandatory charges.
2. Regulation may address monopoly abuse, deceptive pricing or a subsidized public-service route under competition and consumer law.

Article 72 — Public-service routes

1. Government may support essential service to an underserved route through an openly tendered, time-limited public-service obligation.
2. The subsidy, performance, operator and results shall be published and audited.

Article 73 — Passenger information

1. Before purchase, a passenger shall receive identity of carrier, itinerary, total price, baggage, change, cancellation, accessibility and complaint terms.
2. A code-share or substitute carrier shall be disclosed promptly.

Article 74 — Delay and cancellation

1. Operators shall provide timely information, assistance, rerouting, refund and compensation as prescribed according to cause, duration and journey.
2. Extraordinary circumstances may limit compensation but not reasonable care or refund for service not provided.

Article 75 — Denied boarding

1. Where seats are insufficient, volunteers shall be sought before involuntary denial under transparent priorities.
2. A denied passenger is entitled to assistance, alternative or refund and prescribed compensation unless lawful safety or document grounds apply.

Article 76 — Baggage and cargo

1. Liability and claims for baggage, cargo and delay are governed by applicable conventions, the Commercial Code and published terms.

2. A carrier shall provide accessible claim procedure and shall not impose a term below mandatory protection.

Article 77 — Insurance

1. Aircraft operators, airports and prescribed service providers shall maintain insurance proportionate to passenger, third-party, employee and operational risk.
2. Foreign coverage may be recognized where enforceable and adequate.

Article 78 — Complaints

1. Airlines and airports shall maintain accessible, free and timely complaint procedures.
2. An unresolved complaint may be referred to the Authority or an independent transport ombud without barring court access.

CHAPTER XII ACCIDENT AND INCIDENT INVESTIGATION

Article 79 — Accident Investigation Bureau

1. An independent Aviation Accident Investigation Bureau is established solely to improve safety through investigation.
2. It is institutionally separate from the Authority, operators, navigation providers, airports, police and prosecution.

Article 80 — Investigation mandate

1. The Bureau shall investigate accidents and serious incidents occurring in Eritrea and participate internationally as applicable.
2. Its purpose is prevention, not allocation of civil liability or criminal guilt.

Article 81 — Notification and preservation

1. An operator, service provider and responsible person shall notify an occurrence promptly and preserve wreckage, recordings, documents and site evidence.
2. Immediate action may rescue persons, protect the public and prevent further damage and shall be documented.

Article 82 — Investigator powers

1. Investigators may secure the site, inspect, copy records, examine wreckage, obtain recordings and interview persons under protective procedure.
2. Coercive access to privileged or private material requires lawful safeguards and judicial authority where applicable.

Article 83 — Protected safety information

1. Cockpit recordings, medical information, confidential safety reports and compelled safety statements shall receive heightened protection.
2. Disclosure outside safety purposes requires a court to find an overriding interest after balancing safety and justice.

Article 84 — Reports and recommendations

1. The Bureau shall publish factual, interim and final reports with causes, contributing factors and safety recommendations.
2. Recipients shall respond publicly with action or reasons for nonacceptance.

Article 85 — No use as proof of guilt

1. A Bureau conclusion or safety recommendation is not itself admissible to prove criminal guilt or civil fault.
2. Underlying factual evidence lawfully obtained elsewhere remains governed by the procedural Codes.

CHAPTER XIII COMPLIANCE, ENFORCEMENT AND REVIEW

Article 86 — Inspection

1. Authorized inspectors may access aircraft, aerodromes, facilities, personnel, records and systems reasonably necessary for oversight.
2. Intrusive search, seizure or entry into a dwelling requires judicial authority except during immediate safety danger.

Article 87 — Compliance and emergency orders

1. A compliance notice shall state facts, law, action, period and review rights.
2. An emergency order may ground an aircraft or restrict operation for imminent serious danger but shall be narrow and reviewed promptly.

Article 88 — Certificate action

1. A certificate may be amended, suspended or revoked for loss of qualification, serious noncompliance, fraud, unsafe operation or abandonment.
2. Notice, disclosure, hearing, reasons and appeal are required except temporary emergency action.

Article 89 — Administrative penalties

1. A penalty may be imposed only for a contravention and maximum enacted by law and shall reflect danger, harm, intention, gain, history and correction.
2. Criminal responsibility arises only under the Penal Code or another express Act and requires full procedural safeguards.

Article 90 — Appeal

1. A person materially affected by a final Authority decision may appeal to the competent tribunal or court.
2. The reviewing body may grant interim relief, require the record, receive expert evidence and order an effective lawful remedy.

Article 91 — Reporting culture

1. A person making a good-faith safety report shall be protected from retaliation and disproportionate punitive use, except for wilful misconduct, gross disregard or knowingly false reporting.
2. Anonymous and confidential reporting channels shall be maintained.

CHAPTER XIV TRANSITION AND FINAL PROVISIONS

Article 92 — Aviation inventory

1. Within twelve months, Government shall inventory aircraft, personnel, operators, aerodromes, navigation systems, agreements, assets, liabilities, safety findings and institutional functions.
2. The verified baseline shall guide certification, separation and capacity building.

Article 93 — Functional separation

1. Airport and air-navigation operational functions presently held by the former Authority shall transfer to certified service providers under a published plan.
2. Accident-investigation records and personnel shall transfer to the Bureau with safeguards for independence and evidence.

Article 94 — Existing certificates

1. A lawful certificate, licence, approval and permit continues temporarily and shall be converted without unnecessary repetition or fee.
2. Continuity does not validate unsafe operation, political restriction, corruption or lack of lawful authority.

Article 95 — Existing agreements

1. Air-service, airport, navigation, concession, procurement and financing agreements shall be reviewed for authority, safety, competition, fiscal exposure and publication.
2. Correction shall protect legitimate reliance without preserving corruption or unconstitutional terms.

Article 96 — Repeal

1. Civil Aviation Proclamation 130/2003 and its general amendments are repealed upon full commencement.
2. Existing regulations continue temporarily only to the extent publicly listed and consistent with this Act.

Article 97 — Regulations and technical standards

1. The Authority may make regulations and technical standards within delegated powers after consultation, with urgent temporary safety action where strictly necessary.
2. Every instrument shall be published and accessible, and an urgent instrument shall expire within ninety days unless confirmed through ordinary procedure.

Article 98 — Periodic review

1. The National Assembly shall review this Act five years after commencement and thereafter at intervals not exceeding five years.
2. The review shall assess safety, independence, connectivity, competition, passenger rights, airports, drones, security and compliance with international obligations.

Article 99 — Commencement

1. Chapters I, II, XII and XIV commence upon publication in the Gazette.
2. The remaining Chapters commence six months after publication to permit institutional separation and regulatory preparation.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA