

18. Detention of aircraft, and, having regard to the best practices, any other regulations needed for development of civil aviation and its proper control.

#### CHAPTER FOUR—CIVIL AVIATION COUNCIL

ARTICLE XVI. There shall be a Civil Aviation Council which shall be the highest authority to advise the Government in all civil aviation matters, and which shall particularly:

- a. Advise the Government in civil aviation policy matters;
- b. Submit international agreement for ratification;
- c. Advise the Government on civil aviation administration and investment budgets;
- d. Interpret the civil aviation laws and rules, regulations and orders; especially in eventual disputes between the Department of Civil Aviation and other parties;

The Civil Aviation Council shall consist of five members appointed by the Government from Ministries interested in civil aviation and from persons especially qualified by knowledge and experience.

The chairman and vice-chairman of the Council shall be nominated by the Government.

A quorum of three, including either chair- or vice-chairman shall be needed for lawful decisions.

Decisions shall be taken by a majority of votes. If the votes are equally divided, the acting chairman shall have a second vote.

The Director of the Civil Aviation shall act as a secretary to the Civil Aviation Council.

The Council meeting will be called by the acting chairman at least once every three months.

ARTICLE XVII. By the judgment of the court the following persons shall be subject to a fine of not less than 1,000 Afs. [Afghanis] and of not more than 10,000 Afs. [Afghanis] or to imprisonment of not less than two months and not more than six months or to both.

- a. Any person who engages in commercial air transportation without an operating certificate;
- b. Any person who pilots an aircraft or, as a member of the crew, participates or assists in any way in operating an aircraft, or who acts as a flying instructor without the appropriate license.
- c. Any person who pilots an aircraft without a certificate of airworthiness or with one the validity of which has expired.

ARTICLE XVIII. If the offenses mentioned in Article XVII result in injury or death, the offender may also be subject to penalty laid down for a crime.

ARTICLE XIX. For minor infringements of this Act, rules or regulations, the Director General of Civil Aviation can impose a disciplinary fine not exceeding Afghanis 1,000.

20 Assad 1335

12 August 1956

#### AMENDMENT TO THE CIVIL AVIATION ACT

The sentence "Director General of Civil Aviation" stated in articles (15-16 and 19) of the Civil Aviation Act has been amended to "President of Civil Aviation".