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LEGAL BULLETIN

Organic Law on Civil Aviation: New Aeronautical and Airport Regime

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On October 2, 2026, the Organic Civil Aviation Law (the “**Law**”) was published in the Sixth Supplement to Official Gazette No. 382. The Law unifies the legal framework applicable to civil aeronautical and airport activities in Ecuador and repeals the Aeronautical Code and the former Civil Aviation Law. The Law introduces changes to the powers of the aeronautical authority, operating permits, the provision of air services, passenger rights, and the regime of violations and sanctions, the main provisions of which are summarized below:

The most relevant aspects of the Law are as follows:

- 1. Effective Date and Repealed Regulations.** The Law has been in force since its publication. It repeals the Codification of the Aeronautical Code and the Codification of the Civil Aviation Law, published in the Supplement to Official Gazette No. 435 of January 11, 2007; the 2019 Reform Law to the Civil Aviation Law and the Aeronautical Code, which regulated the investigation of aircraft accidents and incidents, published in Official Gazette No. 521 of July 2, 2019; and the second paragraph of Article 1 of the Professional Defense Law for Aircrew Members of Ecuador, which required Ecuadorian crew members to command Ecuadorian-registered aircraft. The General Implementing Regulations must be issued within 180 days from the publication of the Law.
- 2. Operating Permits and Market Access.** The provision of air services requires an operating permit granted by the DGAC and, in order to commence activities, the corresponding technical authorization. The Law establishes that foreign companies must be domiciled in Ecuador and comply with the applicable technical and administrative requirements. Permits are granted for each service, on a non-exclusive basis, and may not be transferred without authorization from the DGAC. Operators must also provide the corresponding guarantees and maintain insurance covering the risks contemplated by the Law, while the minimum capital requirements applicable to each service will be established in the General Implementing Regulations.
- 3. Ticket Sales, Fares and Fees.** International airlines that sell tickets in Ecuador without directly operating in the country must identify before the DGAC the person responsible for the sale and issuance of tickets, who must first obtain the corresponding operating permit. Airfares must be registered with the DGAC, including the annual percentage range of commissions agreed with travel agencies. In addition, the DGAC may, on an exceptional basis, appoint airlines and other intermediaries as collection agents for aeronautical and airport fees, which must transfer the amounts collected within the first ten days of the following month.
- 4. Passenger Rights and Airline Obligations.** The Law regulates carriers’ liability in cases of cancellations, delays, travel interruptions, and loss of or damage to baggage, as well as the circumstances in which passengers are entitled to a ticket refund, a replacement ticket, or coverage of accommodation and meal expenses. It also establishes an obligation to inform passengers of route changes and the number of stopovers. With respect to the 50% discounts on airfares for senior citizens and persons with disabilities, operators must implement technological mechanisms that allow direct access to these benefits through their digital sales channels, with electronic verification of eligibility requirements. The deadline to implement these mechanisms is six months from the effective date of the Law.
- 5. Regulation of Unmanned Aircraft (Drones).** The DGAC regulates the registration, authorization, operation, and oversight of unmanned aircraft. The Law establishes technical certification and documentation requirements for their entry into the country, as well as violations and penalties for operating without the corresponding registration, permit, or certification; conducting flights in restricted or prohibited airspace; and carrying out commercial activities without the required insurance and guarantees.

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6. **Airport Management and Private Participation.** The Law regulates the exceptional delegation of aeronautical and airport services to public or private companies, whether domestic or foreign, through public tender processes and subject to specific technical, economic, and legal conditions. It also allows existing delegation agreements to be renegotiated, subject to mutual agreement between the parties, within a maximum period of five years from the publication of the Law. Any amendments must preserve the economic and financial balance of the contract and comply with the applicable legal requirements, particularly when they involve new investments, services, or changes to the contractual term.
7. **Violations and Sanctions Regime.** The Law updates the aeronautical sanctions regime and classifies violations as minor, serious, and very serious. For aircraft operators and service providers, fines may reach up to 30 Unified Basic Salaries ("SBU"), without prejudice to the suspension of permits or certificates provided for certain violations. The Law also provides for preventive measures in the event of operational safety risks, rules on repeat offenses, and limitation periods for the exercise of sanctioning powers. Proceedings are governed by the Organic Administrative Code and the special provisions established in the Law.
8. **Effective Date and Transitional Regime.** The Law entered into force on October 2, 2026 and establishes a 180-day period from its publication for the issuance of the General Implementing Regulations. Holders of permits, certificates, licenses, and other valid enabling titles must adapt to the new provisions within 180 days from the publication of the Regulations, while the DGAC will have 90 days from the issuance of such Regulations to adapt its secondary regulations. Enabling titles granted under the previous regime will remain valid until their expiration, and ongoing administrative and sanctioning proceedings will continue to be governed by the regulations in force at the time they were initiated, unless the new Law is more favorable to the regulated party.
9. **Reform to the Aviation Fuel Regime.** The Law modifies the regime applicable to the 5% charge on the value of aviation fuels and lubricants intended for aircraft engaged in international commercial service, establishing a progressive reduction of one percentage point per year from 2024 until reaching 0%. However, airlines purchasing fuel with the discount established by executive decree will be required to pay the 5%.

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