

## LAW AMENDING AIR TRANSPORT LAW

### Article 1

The Article 3 of the Air Transport Law (“Official Gazette of RS“, No 73/10, 57/11 and 93/12) is amended as follows:

#### „Article 3

Specific definitions used in the Law have the following meaning:

1) *Aerodrome* shall mean a defined area (including any buildings, installations and equipment) on land or water or on a fixed, fixed offshore or floating structure intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

2) *Schedules facilitated airport* shall mean an airport where there is potential for congestion at some periods of the day, week or year which is amenable to resolution by voluntary cooperation between air carriers and where a schedules facilitator has been appointed to facilitate the operations of air carriers operating services or intending to operate services at that airport;

3) *Aerodrome infrastructure* shall mean the basic physical, logistic, technological and information and communication structure covering manoeuvring areas, platforms, roads, facilities, installations, systems and equipment;

4) *Unmanned aircraft* shall mean an aircraft the flight of which is controlled by onboard computers or by the remote control of an operator on the ground;

5) *Aircraft* shall mean any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface;

6) *Model aircraft* shall mean an unmanned aircraft, weighing 20 kg, not including fuel, which is flown for sport or recreational purposes, to which the provisions of the Convention on International Civil Aviation, Chicago, 1944 have not been applicable;

7) *Aeronautical product* shall mean an aircraft, engine or propeller;

8) *Flight time* shall mean:

- for aeroplanes, touring motor gliders and powered lift it means the total time from the moment an aircraft first moves for the purpose of taking off until the moment it finally comes to rest at the end of flight;
- for helicopters it means the total time from the moment a helicopter’s rotor blades start turning until the moment the helicopter finally comes to rest at the end of flight and the rotor blades are stopped;
- for airships it means the total time from the moment an airship is released from the mast for the purpose of taking off until the moment it finally comes to rest at the end of the flight ,and is secured on the mast;
- for gliders – the total time from the moment the glider first moves for the purpose of taking off until the moment it comes to the rest at the end of flight;

9) *Flight duty period* shall mean a period that commences when a crew member is required to report for duty, which includes a sector or a series of sectors, and finishes

when the aircraft finally comes to rest and the engines are shut down, at the end of the last sector on which the crew member acts as an operating crew member;

10) *Parts and appliances* shall mean any instrument, equipment, mechanism, part, apparatus, appurtenance, software or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight or is installed in or attached to the aircraft, including parts of an airframe, engine or propeller, or equipment used to manoeuvre the aircraft from the ground;

11) *Occurrence* shall mean an operational interruption, defect, fault or other irregular circumstance that has or may have influenced flight safety and that has not resulted in an accident or serious incident;

12) *Additional crew members* shall mean technical crew members, other than flight crew or cabin crew members, but allocated duties on board or on the ground by an operator to assist the pilot on flights on which specific onboard equipment may be requested;

13) *Prohibited area* shall mean a defined portion of the airspace above particular territory in which air operations are prohibited;

14) *Military operating area* shall mean the particular portion of air space used for the navigation of military aircraft (piloting area, instrumental navigation area, group flight area, low level flight area and the like);

15) *Interoperability* shall mean a range of functional, technical and operational characteristics of systems and the constituents of the technical systems of air navigation, as well as of their operating procedures, aimed at ensuring safe, seamless and efficient performance;

16) *Calibration from air* shall mean the control from air of ground-based navigation and surveillance systems, air navigation communications and aerodrome lighting systems, to ensure that the parameters of the mentioned systems meet the operational requirements, and which may be periodical or conducted immediately before release to service;

17) *Commercial operation* shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator;

18) *Security control* shall mean the application of procedures, measures and actions by which the introduction of prohibited articles is prevented;

19) *Access control* shall mean the application of means by which the entry of unauthorized persons or of unauthorized vehicles, may be prevented;

20) *Airside* shall mean the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is restricted;

21) *Coordinated airport* shall mean an airport where, in order to land or take-off, it is necessary for an air carrier or any other aircraft operator to have been allocated a slot by a coordinator, with the exception of State flights, humanitarian flights or emergency landing;

22) *Airspace user* shall mean civil or state aircraft flying within the air space, as well as other users requiring the use of air space;

23) *Route* shall mean a one direction flight between the airport of the first departure and the airport of the final destination;

24) *Local night* shall mean a period of eight hours falling between 22:00 and 08:00 local time;

25) *Local day* shall mean a 24 hours period commencing at 00:00 local time;

26) *Local flight* shall mean any flight other than a flight for carriage of passengers, baggage, mail and cargo between different airports or other approved landing locations;

27) *Manoeuvring area* is a part of an aerodrome, to be used for the take-off, landing and taxiing of aircraft, excluding aprons;

28) *International recommended practices* shall mean any specification dealing with physical features, configuration, equipment, performance, staff or procedures the uniform application of which has been accepted as desirable in view of safety, regularity or efficiency of air transport and which the State strives to meet, in accordance with the Convention on International Civil Aviation, Chicago, 1944;

29) *International standard* shall mean any specification dealing with physical features, configuration, equipment, performances, staff or procedures the uniform application of which has been accepted as desirable in view of safety, regularity or efficiency of air transport and which the State must meet, in accordance with the Convention on International Civil Aviation, Chicago, 1944;

30) *Meteorological analysis* shall mean the information obtained through a detailed study of the conditions in the atmosphere above a designated area, based on actual monitoring;

31) *Meteorological forecast* shall mean information on expected meteorological conditions for a specific time or period of time and for a particular area or a portion of airspace;

32) *Meteorological report* shall mean the information on observed meteorological conditions related to particular time and location;

33) *Aircraft incident* shall mean an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

34) *Security-restricted area* shall mean the area of airside where, in addition to access being restricted, other aviation security standards are applied;

35) *Flight information region* shall mean an airspace of defined dimensions within which flight information service and alerting service are provided;

36) *Danger area* shall mean the portion of airspace within which the flight of aircraft is limited because activities dangerous to the flight of aircraft may exist at specified times;

37) *Aerodrome operator* shall mean any legal or natural person who manages an aerodrome and holds a certificate, an approval or an agreement for an aerodrome operation;

38) *Operator of an aircraft* shall mean any legal or natural person, operating or proposing to operate one or more aircraft;

39) *Operating licence* shall mean an authorization by which its holder is authorized to carry out commercial air transport operations as specified thereon;

40) *Operational air traffic* shall mean flights of state aircraft which are not operated according to the rules and procedures of International Civil Aviation Organization but are operated in accordance with the rules and procedures laid down by competent authorities;

41) *General air traffic* shall mean all flights of aircraft, including flights of state aircraft, conducted in accordance with rules and procedures of the International Civil Aviation Organization;

42) *Aircraft stand* shall mean the part of an apron or a special area of the aerodrome designated for parking an aircraft;

43) *Flight plan* shall mean specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;

44) *Apron* shall mean a defined area intended to accommodate aircraft for the purpose of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance;

45) *Known consignor* shall mean a consignor who is authorized to directly load his own cargo or mail onto the aircraft;

46) *Known supplier of airport supplies* shall mean a supplier authorized by an aerodrome operator for delivery of supplies intended to be sold in security restricted area of an airport;

47) *Runway* shall mean a defined rectangular area on a land aerodrome prepared for landing and take-off of aircraft;

48) *Aerial work* shall mean an aircraft operation in which an aircraft is used for specialized services, except for commercial air transport operations, such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement etc.

49) *Screening* shall mean the application of technical or other means that are intended to identify and/or detect prohibited articles;

50) *Check-in baggage* shall mean baggage that is supposed to be carried in a cargo compartment of the aircraft;

51) *Cross-border area* shall mean the structure of airspace stretching over the state borders and/or borders of flight information regions;

52) *Obstacle shall mean* all fixed (whether temporary or permanent) and mobile objects, or parts thereof, that:

- are located on an area intended for the surface movement of aircraft, or
- extend above defined surface intended to protect aircraft in flight, or
- stand outside those defined surfaces and that have been assessed as being a hazard to air navigation;

53) *Temporary segregated area* shall mean the portion of airspace that has been temporarily segregated at the request of a particular user, to enable its exclusive use by that user;

54) *Temporary reserved area* shall mean the portion of airspace temporarily reserved for a particular user, which however, may be available to other users, upon obtaining an approval from the air traffic control unit;

55) *Duty period of a crew member* shall mean a period which starts when a crew member is required by an operator to report for or to commence a duty and ends when the person is free of all duties, including post-flight duty;

56) *Regulated agent* shall mean an air carrier, agent, freight forwarder or any other entity who ensures security controls in respect of cargo or mail;

57) *Regulated supplier of in-flight supplies intended for use on board an aircraft* shall mean a supplier who is authorized for direct loading of in-flight supplies intended for use on board onto the aircraft;

58) *Risk* shall mean the combination of probability or frequency of a repeated danger and severity of possible consequences arising from such a danger;

59) *Taxiway* shall mean a defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including:

(1) *aircraft stand taxilane* shall mean a portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;

(2) *apron taxiway* shall mean a portion of a taxiway system located on an apron and intended to provide a through taxi-route across the apron;

(3) *rapid exit taxiway* shall mean a taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways and thereby minimizing runway occupancy times;

60) *ATS route* shall mean airspace route, advisory route, controlled or uncontrolled air traffic route, arrival or departure route to and from aerodrome, established primarily to direct the flow of traffic for the purpose of providing air traffic services, which is defined by route criteria including markings, direction related to the waypoint, distance between two waypoints, reporting requirements and the lowest safe altitude;

61) *Cabin baggage* shall mean baggage intended for carriage in the cabin of an aircraft;

62) *Complex motor-powered aircraft* shall mean:

(1) an aeroplane:

- with a maximum certified take-off mass exceeding 5.700 kg, or
- certified for a maximum passenger seating configuration of more than nineteen, or
- certified for operation with a minimum crew of at least two pilots, or
- equipped with one or more turbojet engines or more than one turboprop engine, or

(2) a helicopter certified:

- for a maximum take-off mass exceeding 3.175 kg, or
- for a maximum passenger seating configuration of more than nine, or
- for operation with a minimum crew of at least two pilots, or

(3) a tilt rotor aircraft;

63) *Slot* shall mean the permission given by a coordinator to use the full range of airport infrastructure necessary to operate an air service at a coordinated airport on a specific date and time for the purpose of landing or take-off;

64) *Managing body of an airport* shall mean the body which, in conjunction with other activities or otherwise, has the task under national laws or regulations of administering and managing the airport facilities and coordinating and controlling the activities of the various operators present at the airport or within the airport system concerned;

65) *Technical air navigation systems* shall mean the set of integral elements in an aircraft and on the ground, including satellite devices, enabling provision of services during all phases of an aircraft operations;

66) *Conditional route* shall mean the route of air traffic, or a part of such route, which does not have permanent characteristics and may be planned and used under prescribed conditions;

67) *Restricted area* shall mean the part of airspace within which the operations of aircraft are limited and conducted in accordance with certain predefined conditions, for a specific period;

68) *Functional system* shall mean a combination of equipment, procedures and human resources organized in an entirety to perform a function;

69) *Heliport* shall mean an aerodrome or a defined area on the ground or a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters.”.

## **Article 2**

Following the Article 4 the title of the Article 4a and Article 4a are inserted as follows:

### **“Rules of the Air**

#### **Article 4a**

In the airspace of the Republic of Serbia the aircraft shall observe the Rules of the Air.

The Rules of the Air referred to in paragraph 1 hereof shall be laid down by the Regulation adopted by the Civil Aviation Directorate of the Republic of Serbia.

Provisions of the Regulation referred to in the paragraph 2 hereof shall be applicable to all the aircraft performing general air traffic in the airspace of the Republic of Serbia.”.

## **Article 3**

The title of the Article 10 and Article 10 are replaced as follows:

### **“Unmanned Aircraft, Model Aircraft, Rockets and other Flying Objects**

#### **Article 10**

Unmanned aircraft, model aircraft, rockets and other flying objects may be used for economic, scientific, sporting and other purposes but so as not to compromise air transport safety.

Prior approval granted by the Air Navigation Service Provider shall be required for launching rockets and other flying objects.

Conditions for safe use of unmanned aircraft and model aircraft, their classification, equipment, registration and maintenance, as well as requirements to be fulfilled by the persons using unmanned aircraft or model aircraft, conditions for launching rockets and other flying objects shall be laid down in detail by the Directorate.

For possible damage that arises from use of unmanned aircraft, model aircraft, rockets and other flying objects, a person using unmanned aircraft, model aircraft, rockets and other flying objects shall be liable.”.

#### **Article 4**

The title of the Article 13 and Article 13 are replaced as follows:

#### **”Prohibited, Restricted and Danger Areas**

##### **Article 13**

Operations of aircraft in a prohibited area or opposite to the conditions for operations in a prohibited area shall be prohibited.

The Directorate shall define danger, prohibited and restricted areas, as well as conditions for operations of aircraft in a restricted area, upon obtained opinions of the minister in charge of defence and minister in charge of interior.

The Directorate shall approve the operations of aircraft in a restricted area, upon obtained opinions of the minister in charge of defense and ministger in charge of interior.“.

#### **Article 5.**

Following the Article 15, a title of the Article 15 and Article 15a are inserted as follows:

#### **“National Aviation Safety Committee**

##### **Article 15a**

For coordinating the operation of the authorities, organizations and aviation entities which are liable for the aviation safety and giving recommendations how to improve it, the Government shall establish the National Aviation Safety Committee, as a provisional Government working body.

The National Aviation Safety Committee shall coordinate the preparation and development of the National Aviation Safety Programme.

The composition and a method of operation of the National Aviation Safety Committee shall be laid down by the Government, on the proposal of the minister in charge of transport.”.

#### **Article 6.**

Following the Article 17, the title of the Article 17 and Article 17a are inserted as follows:

#### **“Protection of Data**

##### **Article 17a**

When processing information on occurrences collected by the Directorate, through a mandatory or voluntary reporting on occurrences, provisions of the regulations that govern protection of the personal data pertaining to the reporter, as well as the provisions of the regulations that govern the confidentiality of data shall be applicable.

Data referred to in paragraph 1 thereof shall not be used for other purposes, except for the aviation safety and security promotion.

All the personal data pertaining to the reporter, as well as data of the persons involved in an occurrence, shall be considered confidential and the Directorate shall not forward them to other persons, unless requested by the judicial authorities of the Republic of Serbia.

Except in the case of a criminal act, the Directorate shall not institute proceedings against persons in respect of unintentional infringements of the law, and where it is not the case of gross negligence, which came to its attention only because they had been reported pursuant to the mandatory occurrence reporting system.

Employers shall encourage their employees, for general good, to report occurrences which they consider real or potential threat to aviation safety, with no fear they will be subject to any consequences.”.

#### **Article 7**

The Article 24 is amended as follows:

##### **“Article 24**

An aircraft may fly in the airspace of the Republic of Serbia on the basis of a flight plan previously submitted to an air navigation service provider.

A content, procedure of submitting, amending and closing a flight plan in general air traffic and a procedure of issuing approvals which precede to submitting a flight plan shall be prescribed by the Directorate.

A content, procedure of submitting, amending and closing a flight plan for aircraft operating in operational air traffic shall be laid down by the Regulation adopted by the Government on the joint proposal of the minister in charge of defense and the minister in charge of internal affairs.”.

#### **Article 8**

The Article 38 is amended as follows:

##### **“Article 38**

An air traffic route network shall be established at a regional level, in line with the air traffic flows and requirements of the air transport participants.

The air traffic route network in the Republic of Serbia shall be harmonized by the air navigation service provider, and approved by the Directorate.”.

#### **Article 9**

In the Article 54 the paragraph 1 is amended as follows:

“The air navigation service provider shall plan, design, procure, use, maintain and technically supervise the operation and serviceability of the communication, navigation and surveillance systems, devices, equipment and facilities, the technical specifications and operating and maintenance procedures of which meet the international regulations and standards, commitments assumed by a ratified international agreement and conditions laid down by the Directorate.“.

In the paragraph 2, the full stop is replaced by a coma and the following words are added: “in accordance with the regulation referred to in paragraph 1 thereof.“.



### **Article 10**

The Article 61(2) is amended as follows:

“Search and rescue of an aircraft and persons shall be organized and coordinated by the Directorate, through the rescue-coordination centre, in accordance with the regulation on providing search and rescue services.”.

### **Article 11**

The Article 64 is amended as follows:

#### **“Article 64**

An air navigation service provider shall be an undertaking, other legal person, a State administration authority competent for hydrometeorological services or an entrepreneur providing air navigation services for general air traffic.

To qualify for an air navigation service provider, an undertaking, other legal person, a State administration authority competent for hydrometeorological services or an entrepreneur shall hold a certificate to provide air navigation services and shall be designated by the Government to provide services in the airspace or a portion of the airspace.

Notwithstanding Article 46(2), for providing search and rescue services, neither a certificate nor a Government designation is required, and for providing communications, navigation and surveillance services and aeronautical information services no Government designation is required.“.

### **Article 12**

The Article 72 is amended as follows:

#### **“Article 72**

The Directorate shall recognize a certificate for providing air navigation services issued in another State if the requirements under which this certificate is issued are as strict as the requirements prescribed by this Law.

A certificate for providing air navigation services issued or recognized by the national supervisory authority of the European Union Member State shall be recognized without any additional recognition procedure, in accordance with a ratified international agreement.

A charge shall be payable to the Directorate to process an application for the recognition of a certificate for providing air navigation services issued by another State.“.

### **Article 13**

The Article 74 is amended as follows:

#### **“Article 74**

The air transport comprises commercial and non-commercial aircraft operations.

Commercial aircraft operations comprise commercial air transport and specialized operations for remuneration.

Non-commercial operations of aircraft comprise flights for operator's own purposes or operator's carriage of his goods or employees or business partners and their baggage, as well as specialized operations, without remuneration.“.

#### **Article 14**

In the **Chapter Five AIR TRANSPORT OPERATIONS**, the title of the Section **2. Commercial Air Transport Operations**, titles of the Articles 75-77 and Articles 75-77 are amended as follows:

#### **“2. Commercial Air Transport Operations**

##### *a) Commercial Air Transport*

##### *Article 75*

Commercial air transport operations shall mean a flight or a series of flights to transport passengers, baggage, mail and cargo for remuneration or other valuable consideration.

Commercial air transport operations may be scheduled or non-scheduled operations.

##### *Scheduled and Non-scheduled Air Services*

##### *Article 76*

Scheduled air services shall mean a series of flights with the following characteristics:

1) each flight, seats or capacities for the transport of cargo and/or mail are open to individual booking to public, directly from the air carrier or from its authorized representatives;

2) it is operated between the same two or more airports:

(1) according to a published timetable, or

(2) with flights so regular or frequent that they constitute a recognizably systematic series.

A non-scheduled air service is a commercial air transport service performed as other than a scheduled service.

##### *Operating Licence*

##### *Article 77*

Commercial air transport may be operated by an undertaking holding an operating licence (air carrier).

An operating licence shall be granted to an undertaking that:

1) has its principal place of business in the Republic of Serbia,

2) holds a valid air operator certificate;

3) has at his disposal at least one aircraft through ownership or dry lease;

4) is registered to operate commercial air transport as a predominant activity;

5) has internal organisation which provides for the implementation of the provisions thereof;

6) is owned through majority ownership by the Republic of Serbia or its nationals and under their effective control, direct or indirect, unless otherwise provided by a ratified international agreement;

7) meets the financial conditions referred to in Article 78 of the Law;

- 8) meets the legal liability insurance requirements from the compulsory traffic insurance regulations;
- 9) has a good business repute.”.

### **Article 15**

The title of the Section 3. **Commercial Air Transport Operations** is deleted, and the titles of the Articles 78-80 and Article 78-80 are amended as follows:

#### *“Financial Conditions to issue Operating Licence*

##### Article 78

An undertaking applying for the first time for the operating licence shall demonstrate that:

1) it can meet its actual and potential obligations, established under realistic assumptions, for a period of 24 months from the start of commercial air transport operations;

2) it can meet its fixed and operational costs from operations according to its business plan and established under realistic assumptions, for a period of the first three months from the start of commercial air transport operations, without taking into account any income from its operations;

As an evidence for the purpose of paragraph 1 thereof, each applicant shall submit a business plan for, at least, the first three years of operation, which shall detail the applicant’s financial links with any other commercial activities in which the applicant is engaged either directly or indirectly through related undertakings or other legal persons, as well as provide other requested data on its financial capabilities.

Notwithstanding provisions referred to in paragraphs 1 and 2 thereof, an undertaking applying for an operating licence to operate non-scheduled air services with aircraft of less than 10 tones maximum take-off weight and/or less than 20 seats, shall demonstrate that its net capital is at least 100.000 Euros or the equivalent amount of Serbian Dinars or provide, on the request of the Directorate, all data necessary for assessment of its financial capabilities.

The provisions referred to in paragraphs 1 and 2 thereof, shall be applicable to an applicant referred to in paragraph 3 thereof, who intends to operate scheduled air services or whose turnover exceeds 3.000.000 Euros per year or the equivalent amount of Serbian Dinars.

#### *Granting an Operating Licence*

##### Article 79

An operating licence shall be granted by the Directorate for an unlimited period of time and it shall remain valid as long as the air carrier is compliant with the conditions for its granting.

An air carrier shall at all times be able on request of the Directorate to demonstrate that it meets the conditions prescribed for granting an operating licence.

An operating licence shall not be granted for:

1) the carriage operated by non-power driven aircraft or ultralight power-driven aircraft;

2) local flights.

In a case referred to in paragraph 3 thereof, only an aircraft operator certificate shall be granted.

*Assessment of the Compliance for granting an Operating Licence*

**Article 80**

The Directorate shall assess 24 months after granting an operating licence, whether an air carrier still meets the conditions required for granting an operating licence, as well as whenever there is any doubt in respect of the fulfillment of the prescribed conditions.

A holder of an operating licence shall provide to the Directorate, upon request, all data relevant for the fulfillment of conditions prescribed for granting an operating licence.

A holder of an operating licence shall provide to the Directorate the annual financial reports within six months of the financial year ending, in accordance with the regulations laying down accounting and revision.

In case of a financial reorganisation of an air carrier, the Directorate may grant a temporary operating licence with the validity period of 12 months, provided safety of the services operated by an air carrier is not at risk, stating the possible changes of the air operator certificate in the operating licence, as well as that the financial reorganisation is possible within a period for which a temporary operating licence is granted.“.

**Article 16**

The Article 83 is amended as follows:

“Article 83

The conditions and a procedure under which an operating licence or a temporary operating licence is issued, amended, suspended or revoked and the procedure under which an air carrier provides to the Directorate its financial reports, shall be prescribed in detail by the regulation of the Directorate.

The Directorate shall publish in the “Official Gazette of the Republic of Serbia“ a list of acts on issuing, suspending or revoking operating licences every calendar year.

To process an application for issuing or amending an operating licence, a charge shall be payable to the Directorate.“.

**Article 17**

The title of the Article 84 and Article 84 are amended as follows:

*“Air Operator Certificate*

**Article 84**

An air operator certificate shall mean a certificate granted to an undertaking, other legal person, entrepreneur or a State authority which holds equipment, staff and organization for safe operations stated in the certificate.

An air operator certificate holder shall, while operating commercial air transport, observe the terms of the certificate.

An air operator certificate shall be granted by the Directorate for an unlimited period.

The Directorate shall amend, suspend or revoke an air operator certificate where an air carrier fails to be compliant with any of the conditions necessary for granting the certificate.“.

#### **Article 18**

In the title of the Article 85 and in paragraphs 1 and 2 thereof the words:“certificate for commercial air transport“ shall be replaced with the words: “air operator certificate“.

#### **Article 19**

The Article 86 is amended as follows:

##### **“Article 86**

The conditions under which an air operator certificate is granted, amended, suspended or revoked, and the form of the certificate shall be defined in detail by the regulation of the Directorate.

To process an application for granting or amending an air operator certificate, a charge shall be payable to the Directorate.“.

#### **Article 20**

In the Article 87(3) a full stop at the end is replaced by coma, and the following words are added: “and when an aircraft is wet leased it shall notify the Directorate thereon.“.

In paragraph 5 following the word: “Directorate”, a coma and the words: “noting that the decision procedure in respect of such an approval shall be carried as urgent“ are deleted.

Following paragraph 5, the paragraph 6 is added as follows:

“Provisions of this Article shall be also applicable to the lease of aircraft used in specialized operations.“.

#### **Article 21**

The Article 91 is amended as follows:

##### **“Article 91**

“A foreign air carrier may operate international commercial air transport operations with the Republic of Serbia only when holding a permit, unless foreseen by a ratified international agreement that a permit is not requested.

A permit referred to in paragraph 1 thereof shall be granted by the Directorate.

The conditions under which a permit referred to in paragraph 1 thereof is granted shall be laid down by the Directorate.”.

#### **Article 22**

In the title of the Article 92 the word: “scheduled“ is deleted.

The paragraph 2 is amended as follows:

“An air carrier shall publish a total amount of air fares and air rates and clearly state the elements which make the air fares and air rates.”.

Following paragraph 2, the paragraph 3 is added as follows:

“Conditions of publishing a total amount of air fares and air rates and their elements which shall be stated, as well as the obligations of the air carriers in respect of access of the public to such rates and fares shall be laid down by the Directorate.”.

### **Article 23**

In the Article 39 the paragraph 1 is amended as follows:

“The Directorate may, on the proposal of the ministry in charge of environment, limit or suspend the commercial air transport on a particular route when the threshold values of the emissions of the contamination substances in air or threshold values of environmental noise are exceeded, particularly when other modes of transport provide an appropriate level of services.”.

In the paragraph 3, the words: “the minister in charge of transport” are replaced with the word: “Directorate”.

### **Article 24**

The title of the Article 94 and Article 94 are amended as follows:

#### *“Flight Schedule Coordination and Slots Allocation*

#### **Article 94**

Flight schedule is established time of aircraft take-off and landing in scheduled air services and shall be determined separately for summer and winter seasons.

An air carrier shall publish the flight schedule not later than 15 days prior to the beginning of its application, and the timetable changes – not later than ten days prior to the application of the changed timetable.

An air carrier shall perform operations in accordance with the published flight schedule as long as it is in force.

An air carrier shall notify the public immediately on the disruption of air services or the alternations in the flight schedule by public media.

On schedules facilitated airports, coordination of flight schedule and slot allocation, in the manner prescribed by the regulation referred to in paragraph 7 thereof, shall be performed by the flight coordinator appointed by an airport operator, and on coordinated airports by an independent coordinator.

Decision on establishing or changing status of an airport as a schedules facilitated airport or a coordinated airport, as well as a decision on appointing an independent coordinator, on the request of an airport operator, shall be made by the Directorate with the agreement of the ministry in charge of transport.

Rules to determine a schedules facilitated airport or a coordinated airport, slots allocation and coordination of flight schedules, planning of airport traffic on schedules facilitated airport or on a coordinated airport, as well as the operation of a coordination committee, slots coordinator and schedules facilitator for their purpose of achieving efficient, harmonized and coordinated air traffic at airports with increased air traffic volume shall be laid down by the Directorate.”.

## **Article 25**

The titles of the Sections 4-6 are deleted, and the titles of the Articles 95-96 and Articles 95-96 are amended as follows:

### *“b) Specialized Operations conducted for Remuneration*

#### Article 95

To conduct specialized operations for remuneration, an aircraft operator shall submit to the Directorate a declaration on his capabilities for conducting such operations, and when conducting high risk specialized operations an aircraft operator shall hold an authorization to conduct such operations.

An authorization on fulfilling the conditions referred to in paragraph 1 thereof shall be issued by the Directorate for an unlimited period.

For checking the fulfillment of the conditions to conduct high risk specialized operations, a charge shall be payable to the Directorate.

#### *Bylaw*

#### Article 96

Types of specialized operations conducted for remuneration, the meaning and types of high risk commercial specialized operations, conditions and the manner of conducting such operations, conditions under which an authorization to conduct such operations is issued, amended, suspended or revoked, as well as the format and the content of the authorization, shall be laid down in detail by the regulation of the Directorate.“.

## **Article 26**

Following the Article 96 the title of the Section 3 is inserted and the title of the Article 97 and Article 97 is amended as follows:

### **“3.Non-Commercial Operations and Air Shows**

#### *Non-Commercial Operations*

#### Article 97

An aircraft operator performing non-commercial operations, and using complex engine aircraft, shall submit to the Directorate a declaration by which he confirms that he is qualified as required and has ensured sufficient financial resources in order to perform air operations.

Requirements to be fulfilled by the aircraft operator performing non-commercial operations, as well as the content of the declaration referred to in paragraph 1 thereof shall be defined in detail by the regulation adopted by the Directorate.”.

## **Article 27**

**The Chapter Six AERODROMES is amended as follows:**

### **“Chapter Six AERODROMES**

#### **“1. Use and Classification of Aerodromes**

##### *Use of Aerodromes*

##### **Article 99**

Aerodromes shall be used for take-off, landing and surface movement of aircraft.

The provision referred to in paragraph 1 thereof shall not be applicable to:

- 1) aircraft the landing location of which due to their characteristics cannot be determined in advance (free balloon, paraglider, non-power driven kite);
- 2) aircraft landing in an emergency;
- 3) aircraft operating urgent medical flight;
- 4) aircraft taking-off and landing for search and rescue purposes;
- 5) aircraft participating in fire-fighting;
- 6) flights operated by military aircraft;
- 7) special purpose flights operated by the ministry in charge of interior in performing their operational functions.

Notwithstanding paragraph 1 hereof, an aircraft which is not a complex aircraft, as well as a helicopter, may use locations outside an aerodrome for take-off and landing, under conditions laid down by the Directorate.

##### *Aerodromes Classification*

##### **Article 100**

Aerodromes may be civil, military and joint civil/military.

Civil aerodrome shall mean an aerodrome used for civil air transport operations and is managed by an aerodrome operator.

Civil aerodromes shall be classified in accordance with the physical characteristics and equipment of the runway and taxi way, in accordance with the regulation enacted by the Directorate.

Military aerodrome shall mean an aerodrome intended for military operations and is managed by the ministry in charge of defense.

##### *Use of a Military Aerodrome for Civil Air Transport Operations*

##### **Article 101**

A military aerodrome or a part of the military aerodrome may be used for the civil purposes, as a joint civil/military aerodrome, where an agreement between the ministry in charge of defence and the civil operator at the military aerodrome is concluded.

The agreement referred to in paragraph 1 thereof, defines runways and taxiways, parking positions, devices that may be used for the needs of the civil air transport operations, use and conditions of an aerodrome maintenance or its parts, devices or aids and mutual rights and obligations of the contracting parties.

When used for civil purposes, a military aerodrome or a part of the military aerodrome shall meet the conditions laid down in this Law and regulations adopted



thereon for the civil aerodrome, and the aerodrome operator shall be compliant with the conditions laid down for the civil operator.

Notwithstanding paragraph 1 thereof, a military aerodrome or a part of the military aerodrome may be used for particular civil air transport operations where an aircraft operator holds an approval from the ministry in charge of defence.

Military part of the of the joint civil/military aerodrome shall be managed by the ministry in charge of defence.

#### *Use of a Civil Aerodrome for Military Operations*

##### *Article 102*

A civil aerodrome or a part of the civil aerodrome may be used for military operations, where an agreement between an aerodrome operator and the ministry in charge of defence is concluded, with previously obtained opinion from the Directorate in respect of the safety effects to civil air transport operations.

In respect of the content of the agreement related to the use of the civil aerodrome or a part of the civil aerodrome for military operations, provisions referred to in the Article 101(2) thereof shall be applicable.

Notwithstanding paragraph 1 thereof, a civil aerodrome may be used for particular military aircraft operations based on an aerodrome operator agreement.

#### *Use of an Aerodrome for International Air Transport Operations.*

##### *Aerodrome Opening Hours*

##### *Article 103*

An aerodrome may be used for international air transport operations if an aerodrome operator provides conditions for the State border crossing in accordance with the law which defines the State border protection and if the crossborder transition for international air transport operations is defined by an act of the Government.

Notwithstanding paragraph 1 thereof, other aerodromes for international air transport operations may be used if an aerodrome operator, upon request and on his own expenses, ensures conditions for the implementation of the law which defines the State border protection.

Opening hours of an aerodrome is a period during which an aerodrome intended for commercial air transport operations shall be open for commercial air transport operations, and shall be determined by the Directorate, on the proposal of an aerodrome operator.

Outside an aerodrome opening hours an aircraft may take-off or land within the period determined by an aerodrome operator.

## **2. Aerodrome Certificate, Approval to operate an Aerodrome and Agreement to operate an Aerodrome**

#### *Conditions to operate an Aerodrome in Air Transport Operations*

##### *Article 104*

An aerodrome may be operated in air transport operations where an aerodrome operator holds an aerodrome certificate, approval to operate an aerodrome or an agreement to operate an aerodrome, and when at the moment of operating an aerodrome he is compliant with all the conditions to ensure safe air transport operations, as well as all conditions related to aviation security.

### *Aerodrome Certificate*

#### Article 105

An aerodrome certificate shall be granted to the operator of an aerodrome open for public and which is used for commercial air transport and operations using instrument approach or departure procedures, if:

- 1) it has a paved runway of at least 800 m in length or longer, or
- 2) exclusively handles helicopters.

Exceptionally, to the operator of an aerodrome who is compliant with the conditions referred to in paragraph 1 thereof, but who fails to realize a turnover that exceeds 10.000 and performs not more than 850 operations related to carriage of cargo, the Directorate may grant an approval to operate an aerodrome.

### *Approval to operate an Aerodrome and Agreement to operate an Aerodrome*

#### Article 106

An approval shall be granted to the operator of an aerodrome intended for take-off and landing of aircraft with the maximum take-off mass (*MCTOM*) which exceeds 2.0370 kg and which is intended for commercial air transport operations.

Notwithstanding paragraph 1 thereof, an approval shall be granted to the operator of an aerodrome which is intended for take-off and landing of the aircraft with the maximum take-off mass (*MCTOM*) lower than 2.0370 kg, and which is intended for commercial air transport of passengers or pilots' training.

The operator of an aerodrome not covered with paragraphs 1 and 2 thereof, shall be granted an agreement to operate an aerodrome.

Unless otherwise laid down, the provisions of the Law which refer to an approval to operate an aerodrome shall be applicable to an aerodrome certificate, accordingly.

The Directorate shall keep the records of the aerodromes to which an approval or an agreement for their operation is granted.

### *Granting an Approval or an Agreement to operate an Aerodrome*

#### Article 107

The Directorate shall grant an approval or an agreement to operate an aerodrome upon verifying that an aerodrome and the operator of an aerodrome are compliant with the conditions foreseen by this Law and regulations adopted thereon in respect of: physical characteristics of an aerodrome, ensured visual aids for navigation (markings, lighting, markers), obstacles and obstacle marking systems and surfaces with restricted use, electrical systems, operational services, aerodrome equipment and installations, in respect of an aerodrome technical maintenance and security.

Together with an application for an approval to operate an aerodrome, the aerodrome operator shall provide the Directorate with the aerodrome manual, and together with an application for an agreement to operate an aerodrome, the aerodrome operator shall provide the Directorate with the guidelines for operating an aerodrome.

A structure, content, procedure and approval of an aerodrome manual and guidelines to operate an aerodrome, as well as other documentation necessary to make a decision upon an application, shall be defined in detail by the regulation of the Directorate.

For verifying compliance with the conditions to issue an approval or an agreement to operate an aerodrome, a charge shall be payable to the Directorate.

*Specification of an Approval or an Agreement for using an Aerodrome*

Article 108

An aerodrome may be operated in air transport operations only in accordance with the privileges defined by the Directorate in the terms of an approval or an agreement specifications attached to it.

Content of an approval or an agreement for using an aerodrome shall be defined in detail by the regulation of the Directorate.

*Validity of an Approval or an Agreement to operate an Aerodrome*

Article 109

An approval and an agreement for using an aerodrome shall be granted by the Directorate for an unlimited period.

Upon issuing an approval for using an aerodrome, the Directorate shall conduct periodical oversights of an approval holder, in accordance with the established periodical oversight programme.

The Directorate shall suspend or revoke an approval or an agreement for using an aerodrome, where an approval or agreement holder fails to be compliant with any of the applicable conditions for issuing an approval or an agreement.

*Notification of Changes and Termination of Aerodrome Operation*

Article 110

The operator of an aerodrome open to public shall notify the Directorate and the competent air traffic control unit on planned works of a larger scope which may lead to closure of an aerodrome or limitations of its use, as well as of all other changes which relate to conditions under which an approval or an agreement is issued for operating an aerodrome.

Where an aerodrome or an aerodrome operator no longer fulfills, as a whole or partially, any of the conditions related to safe air transport operations or aviation security, an aerodrome operator shall limit or permanently or temporarily terminate the operation of an aerodrome and shall notify thereon the Directorate and the competent air traffic control unit.

*Amending an Approval or an Agreement to operate an Aerodrome*

Article 111

If an aerodrome operator, within the validity of an approval or an agreement for operating an aerodrome, intends to make changes at an aerodrome, which may affect the approval or agreement specification for operating an aerodrome, he shall apply to the Directorate for amendment of an approval or an agreement submitting the necessary documentation supporting the application.

The aerodrome operator shall submit an application referred to in paragraph 1 thereof to the Directorate at the latest 60 days before any such change takes place.

Upon an application for amending the approval or the agreement for operating an aerodrome, the Directorate shall conduct an oversight in the scope necessary to make a decision on amending the approval or an agreement for operating an aerodrome.

For verifying the compliance with the conditions for amending the approval or agreement for operating an aerodrome, a charge shall be payable to the Directorate.

#### *Transfer of an Approval or an Agreement to operate an Aerodrome*

##### Article 112

An aerodrome operator may, with prior approval by the Directorate, transfer a valid approval or an agreement for operating an aerodrome to other operator, whereby the operator who transfers an approval or an agreement keeps the whole responsibility for operating an aerodrome, until the transfer is approved by the Directorate.

The Directorate shall approve the transfer of the approval or agreement for operating an aerodrome after verifying, upon conducted oversight, that the recipient of the approval or agreement is compliant with the conditions for being issued an approval or an agreement for operating an aerodrome prescribed by the Law and regulations adopted thereon.

For verifying compliance with the conditions to transfer an approval or an agreement for operating an aerodrome, a charge shall be payable to the Directorate.

#### *Temporary Approval for operating an Aerodrome*

##### Article 113

In the course of the procedure to issue or transfer an approval for operating an aerodrome, the Directorate may, on the proposal of an applicant to issue or transfer an approval, issue a temporary approval for operating an aerodrome.

The Directorate shall issue a temporary approval for operating an aerodrome where the following conditions are fulfilled:

1) if the procedure for verifying compliance with the conditions for issuing or transferring an approval is initiated, and thereby there is a significant probability that such a procedure will be positive;

2) if issuing a temporary approval is of significance for public and it does not impose any risk to safety and security of air transport operations.

A temporary approval for operating an aerodrome shall be valid for one year from the date of being issued and shall cease to be valid:

1) by making a decision on issuing an approval for operating an aerodrome or refusing an application for issuing such an approval; or

2) by making a decision which approves a transfer of an approval for operating an aerodrome or refusing an application for transferring such an approval;

3) expiry of the period on which the temporary approval is issued.

The provisions of this Law and regulations adopted thereon which refer to an aerodrome operator shall also be applicable to holders of a temporary approval to operate an aerodrome.

*Bylaw*  
Article 114

Conditions and the procedure to grant an approval or an agreement for operating an aerodrome, conditions and the procedure under which an approval or an agreement is amended, suspended or revoked, conditions and the procedure to grant a temporary approval for operating an aerodrome, conditions and the procedure to transfer an approval or an agreement for operating an aerodrome, as well as conditions under which an aerodrome is operated in air transport operations shall be defined in detail by the regulation of the Directorate.

**3. Planning, Design and Construction of an Aerodrome**  
*Specific Conditions for Planning, Design, Construction, Building, Adaptation or Reconstruction of an Aerodrome*  
Article 115

An aerodrome shall be planned, designed and constructed in the manner which enables safe take-off, landing and surface movement of aircraft, as well as ground-handling and which ensures compliance with the security requirements.

The investor and operator of an aerodrome shall ensure that planning, design, building, adaptation and reconstruction of an aerodrome is carried in accordance with the regulations on planning and construction of facilities, as well as in accordance with the specific conditions laid down in Article 114 thereof.

A designer of the planning documentation which refers to construction, building, adaptation and reconstruction of an aerodrome and the planning documentation which regulates the environment around an aerodrome, prior to make known to public, shall be submitted to the Directorate for obtaining an opinion.

*Approval of the Documentation*  
Article 116

Prior to applying for the construction permission with the competent authority and/or prior to commencing the works, the investor shall submit to the Directorate the technical and safety documentation for approval, which demonstrates maintenance of the acceptable safety and security levels of air transport operations.

An approval referred to in paragraph 1 thereof shall be granted by the Directorate, with the agreement of the ministries in charge of defence, interior and customs where an aerodrome is of significance within their competences.

To process an application for the approval of the documentation, a charge shall be payable to the Directorate.

In the oversight referred to in paragraph 4 thereof, the representatives of the ministries in charge of defence, interior and customs shall be involved, where an aerodrome is of significance within their competences.

For the oversight referred to in paragraph 4 thereof, a charge shall be payable to the Directorate.

*Permission for positioning Facilities, Installations and Devices which may represent an Obstacle*  
Article 117

Obstacles which jeopardize air traffic safety shall be removed or demolished, and obstacles which may affect the air traffic safety shall be marked to be visible by day, by night and in low visibility conditions.

Facilities, installations and devices which are intended to be constructed or installed within or outside an aerodrome perimeter, and which as an obstacle may affect the air traffic safety, may be constructed or positioned by an investor only upon obtained permission of the Directorate.

The Directorate shall issue a permission referred to in paragraph 2 thereof when identifying that such facilities, installations or devices do not affect the air traffic safety.

To process an application for obtaining a permission referred to in paragraph 2 thereof, a charge shall be payable to the Directorate.

*Marking of Obstacles*  
Article 118

Where an obstacle is subject to marking, the Directorate shall, in the Decision by which it grants an approval for positioning facilities, installations or devices which may represent an obstacle, order an obstacle marking.

An obstacle shall be marked by:

1) the owner of a facility, installation or a device which represents an obstacle, if an obstacle was built or positioned after an aerodrome construction, if an obstacle is located outside an aerodrome perimeter or if an obstacle is mobile;

2) the operator of an aerodrome, if an aerodrome is constructed in the vicinity of an obstacle.

A method of determining whether a facility, installation or device represents an obstacle, as well as the procedure of marking obstacles shall be laid down in detail by the Directorate.

*Approval for positioning Facilities, Installations and Devices which may affect the Operation of Radio Devices*  
Article 119

Facilities, installations and devices intended to be constructed or positioned within or outside an aerodrome perimeter, and which can affect the operation of radio devices used in air navigation services, may be positioned by an investor only upon an obtained approval from the Directorate.

The Directorate shall grant an approval referred to in paragraph 1 thereof when determined that such facilities, installations or devices do not affect the air traffic safety.

A method to determine whether a facility, installation or device may affect the the operation of radio devices used in air navigation services shall be laid down in detail by the Directorate.

To process an application for obtaining an approval referred to in paragraph 1 thereof, a charge shall be payable to the Directorate.

#### **4. Maintenance of an Aerodrome and Aerodrome Services**

##### *Definition of Conditions for an Aerodrome Operation, Inspection and Maintenance*

###### Article 120

The operator of an aerodrome shall undertake all the measures necessary for the safe take-off, landing, surface movement and reside of aircraft, as well as for providing groundhandling services.

The operator of an aerodrome which is open to public shall define conditions for an aerodrome operation, to ensure undisturbed use of manoeuvring surfaces and aprons, facilities, devices and equipment according to their purpose, technical properties and an aerodrome capacity.

The operator of an aerodrome shall provide regular inspections and maintenance of manoeuvring areas, runways, aprons, facilities, installations, devices and equipment which enable safe take-off, landing and surface movement of aircraft, and shall notify the competent air traffic control unit thereon.

The Directorate shall adopt a regulation which lays down in detail the inspection and maintenance procedures, types of inspections and maintenance, as well as plans and programmes of an aerodrome inspection and maintenance.

##### *Apron Management*

###### Article 121

The operator of an aerodrome shall establish management activities and control of aircraft and vehicles movement on the aerodrome apron.

The operator of an aerodrome may delegate by an agreement services which provide for management activities and control of aircraft and vehicles movement on an aerodrome apron to other undertaking, other legal person or an entrepreneur.

An undertaking, other legal person or an entrepreneur to which apron management services have been delegated shall submit to the Directorate a declaration on its capability for providing such services.

The Directorate shall adopt a regulation which lays down in detail conditions that shall be fulfilled by the apron management service providers, as well as conditions which refer to submission and validity of the declaration on the capability for providing such services.

##### *Risk Mitigation from the Presence of Birds and other Animals*

###### Article 122

The operator of an aerodrome shall, in cooperation with the competent authorities of the State administration and local self-management authorities, undertake measures for removal or prevention of dumps formation or other materials that may attract birds and other animals at an aerodrome or its vicinity, and in the cases when the removal of such materials is not possible, he shall ensure that every risk for aircraft is assessed and mitigated to the lowest possible level.

The operator of an aerodrome shall ensure birds observation and dispersion of birds and other animals at an aerodrome perimeter and in its vicinity, information collection from aircraft operators, aerodrome personnel and other sources on the presence of birds or other animals at an aerodrome and in its vicinity, analysis of such information,

and shall undertake other measures which bring the probability of birds and other animals collision and the aircraft to the lowest possible level.

The Directorate shall adopt a regulation which lays down in detail the procedure to mitigate risks from birds and other animals strike at an aerodrome and in its vicinity.

*Safeguarding of Aerodromes from uncontrolled Access of People and Animals*

Article 123

The operator of an aerodrome holding a certificate shall position a barrier or other suitable obstacle for preventing entry of the animals big enough that may pose a threat to an aircraft, as well as for preventing occasional or intentional access of unauthorized persons at an aerodrome surface which is not public.

The operator of an aerodrome holding an approval or an agreement for operating an aerodrome, shall position a barrier or other suitable obstacle or undertake other appropriate measure for safeguarding of an aerodrome, only when the Directorate, when assessing the fulfillment of the conditions for issuing an approval or an agreement assesses that such positioning is necessary for the air traffic safety.

The Directorate shall adopt a regulation which lays down in detail the procedure of safeguarding an aerodrome against uncontrolled access of people and animals and criteria for the assessment referred to in paragraph 2 thereof.

*Rescue and Fire Fighting Services and Rescue and Fire Fighting Protection*

Article 124

An aerodrome operator holding an approval to operate an aerodrome shall organize, depending on the fire fighting category of the aerodrome, a fire fighting service and rescue or a fire fighting protection .

An aerodrome operator holding an agreement to operate an aerodrome open to public shall organize a fire fighting protection.

The Directorate shall adopt a regulation which lays down a method of determining an aerodrome fire fighting category, conditions to be fulfilled by the fire fighting service or a fire fighting protection, minimum equipment and fire extinguishing agents, minimum number and conditions to be fulfilled by the firefighting personnel, minimum premises, devices and installations of the fire fighting service, as well as a procedure in case of an emergency landing, accident or serious incident at an aerodrome.

The aerodrome operator may conclude an agreement to delegate functions of the fire fighting service or the fire fighting protection to other organisation (professional fire fighting units of the city etc.), whereby that organisation shall be compliant with the conditions laid down by the Law and regulations adopted thereon in respect of personnel, vehicles, equipment and fire extinguishing agents and rescue.

*Emergency Medical Service and Emergency Medical Protection*

Article 125

An aerodrome operator holding a certificate to operate an aerodrome shall establish an emergency medical service, and an aerodrome operator holding an approval shall organize an emergency medical protection at an aerodrome.



An aerodrome operator holding an agreement to operate an aerodrome shall organize at an aerodrome open to public an emergency medical protection.

An aerodrome operator on which an emergency medical service is organized shall ensure adequately qualified personnel, premises, equipment, devices and medical vehicles, as well as to establish operational procedures in an emergency situations.

The Directorate shall adopt a regulation which lays down in detail conditions for providing emergency medical services and emergency medical protection at an aerodromes.

An aerodrome operator may conclude an agreement to delegate functions of the emergency medical service or emergency medical protection to a medical institution, whereby such an institution shall be compliant with the conditions laid down by the Law and regulations adopted thereon.

## **5. Ground Handling Services**

### *Categories of Ground Handling Services*

#### Article 126

At aerodromes intended for commercial air transport operations the following ground handling services may be provided:

- 1) administrative operations and control;
- 2) passengers handling;
- 3) baggage loading and unloading;
- 4) freight and mail loading;
- 5) aircraft ramp handling;
- 6) aircraft handling;
- 7) aircraft fuel and oil handling;
- 8) aircraft maintenance;
- 9) flight preparation and crew administration;
- 10) ground transport of passengers and crew from and to aircraft;
- 11) catering services.

### *Authorization for providing Ground Handling Services*

#### Article 127

Ground handling services may be provided by an undertaking, other legal person or an entrepreneur who is registered in the Republic of Serbia and holds an authorization for providing one or more ground handling services, issued by the Directorate.

Notwithstanding paragraph 1 thereof, ground handling services may be provided by an operator of an aerodrome or an aerodrome management body if compliant with the conditions laid down for ground handling services provider.

In case referred to in the paragraph 2 thereof, no special authorization is granted for ground handling services, but such services shall be stated within the scope of an aerodrome approval.

The Directorate shall grant an authorization for providing ground handling services upon verifying that an applicant is compliant with the organisational, financial, technical, technological and personnel requirements for providing ground handling services.

For verifying compliance with the conditions to issue, amend or revalidate the validity of an authorization for providing ground handling services, a charge shall be payable to the Directorate.

*Self-handling*  
Article 128

An air carrier may provide, for itself, one or more categories of ground handling services (hereinafter referred to as: self-handling).

Services referred to in Article 126 points 2)-5) and 7) thereof shall be subject to an authorization for self-handling.

The Directorate shall grant an authorization for self-handling if it verifies that an applicant is compliant with the organisational, financial, technical, technological and personnel conditions for providing self-handling.

For verifying compliance with the conditions to issue, amend or revalidate the validity of an authorization for self-handling, a charge shall be payable to the Directorate.

*Validity of an Authorization for providing Ground Handling Services  
and an Authorization for Self-handling*  
Article 129

An authorization for providing ground handling services and an authorization for self-handling shall be issued for an unlimited period.

The Directorate shall suspend or revoke an authorization referred to in paragraph 1 thereof, if an authorization holder fails to meet any of the conditions necessary for issuing an authorization.

The Directorate shall adopt a regulation which lays down in detail conditions and the procedure under which an authorization for providing ground handling services and an authorization for self-handling is issued, amended, suspended or revoked, defines a period to which such authorizations are issued, defines an approach to ground handling services market at aerodromes, determines ground handling services and self-handling services for which a number of service providers may be limited and a number of air carriers entitled for self-handling, as well as measures and the procedure according to which service providers are selected.

*Free Market Access. Aerodrome Infrastructure Access*  
Article 130

At an aerodrome used for commercial air transport operations with annual transportation higher than 2.000.000 passengers or 50.000 tones of goods, ground handling service providers have a free market access for providing one or more services.

Notwithstanding paragraph 1 thereof, the Directorate may limit a number of ground handling service providers at particular aerodromes or the privilege for self-handling under conditions foreseen by the regulation referred to in the Article 129(3) thereof.

An air carrier shall independently decide whether he will and with whom conclude an agreement for providing ground handling services.

The operator of an aerodrome shall publish a list of aerodrome infrastructure, determine charges for an access to such infrastructure, enable an access of the ground

handling services providers to an aerodrome infrastructure under objective, transparent and non-discriminatory principles, as well as conclude an agreement with the ground handling services providers on using an aerodrome infrastructure.

*Obligations of the Ground Handling Services and Self-handling Services Providers*  
*Subcontracting*

Article 131

A holder of an authorization for providing ground handling services or an authorization for self-handling shall ensure the continuity in providing ground handling services or self-handling services, as well as provide services for which an authorization is granted in fair and non-discriminatory principles.

A ground handling services provider shall separate ground handling services accounting from other operations performed.

A holder of an authorization for providing ground handling services may delegate provision of particular ground handling services by contract to other legal person or an entrepreneur (subcontractor) who holds a valid authorization for providing such ground handling services.

In the case referred to in paragraph 3 thereof, a subcontractor cannot further delegate the provision of services to other entities by contract.

*Committee of Air Carriers using Aerodrome Services*

Article 132

The operator of an aerodrome holding an aerodrome certificate shall set up a Committee of air carriers using aerodrome services.

The Committee referred to in paragraph 1 thereof shall represent the interests of the aerodrome users, propose improvements in the use of aerodrome and the operation of air transport, consider the extension of the aerodrome capacity, give opinion when selecting providers of ground-handling and self-handling services and give opinion on slot allocation, taking into consideration the principle of non-discrimination among air carriers using aerodrome services.

The procedure for the establishment of the Committee of air carriers using aerodrome services and its rules of procedure shall be laid down by the Directorate.

*Aerodrome Charges*

Article 133

The operator of an aerodrome shall be entitled to charges paid by aerodrome users for using facilities, devices and services, exclusively provided by the operator of an aerodrome and which relate to landing, take-off, illumination systems, aircraft parking, as well as passengers and freights handling.

The Directorate shall adopt a regulation which lays down in detail services chargeable to the aerodrome operator, basic rules for calculating aerodrome charges and aerodromes to which such rules shall be applicable.

National State aircraft operating special purpose flights shall not pay aerodrome charges.

The amount of charges shall be defined by the aerodrome operator in non-discriminatory manner for aerodrome users.

The aerodrome operator shall notify all aerodrome services users of reasons to increase a particular charge and its precise amount at the latest 60 days before the planned date of introducing the increased charge.

In case the aerodrome operator and the users fail to make an agreement on the proposed changes of the accounting system and the amount of the aerodrome charges, any of the parties may apply to the Directorate, which shall assess the justification of the reasons for changing the accounting system and the amount of the aerodrome charges, make an expert analysis, make a decision on changing the accounting system and the amount of the aerodrome charges upon consultations with the aerodrome operator and the aerodrome users, in accordance with the regulation referred to in paragraph 2 thereof.

## **6. Heliports**

### *Approval to operate Heliports and Agreement to operate Heliports*

#### **Article 134**

Provisions of the Law which refer to an approval or an agreement to operate an aerodrome shall be applicable to heliports, accordingly.

Conditions and the procedure for issuing an approval and an agreement to operate heliports, conditions and the procedure under which an approval or an agreement to operate heliports is amended, suspended or revoked, conditions and the procedure to issue a temporary approval to operate a heliport, conditions and the procedure to transfer an approval or an agreement to operate a heliport, as well as conditions under which a heliport is operated in air transport shall be defined in details by the regulation of the Directorate.“.

#### **Article 28**

In the Article 135(1) the words: “continuously airworthy“ are replaced with the words: “remains in a condition to safely operate a flight”.

#### **Article 29**

In the Article 142 the paragraph 5 is amended as follows:

“Where an aircraft is removed from the Aircraft Register to allow re-registration into a foreign register, the Directorate shall issue a certificate of de-registration, and if an aircraft is airworthy the Directorate shall, on the request of an applicant, issue an export certificate of airworthiness.“.

#### **Article 30**

In the Article 149(2) the words: “who is not subject to“ are replaced with the words: “a natural person who is not subject to“.

#### **Article 31**

In the Article 150 following the paragraph 4 the word: “charge” is replaced with the word: “tax”.

Following the paragraph 4, paragraphs 5-8 are added as follows:

“The Directorate shall carry out an oversight 12 months following an issue of the maintenance organisation approval certificate, and afterwards every 24 months to ensure

that the person referred to in paragraph 1 thereof is continuously compliant with the conditions to carry out such activities.

A tax shall be payable to the Directorate for verifying compliance with the conditions to issue a maintenance organisation approval certificate.

Notwithstanding paragraph 1 thereof, in accordance with the conditions determined by a ratified international contract, a maintenance organisation approval certificate for design of specific categories of aeronautical products, parts and appliances shall be issued by the European Aviation Safety Agency (hereinafter referred to as: EASA).

In case the Directorate carries out an oversight of the maintenance organisation on behalf of EASA, a tax shall be payable to the Directorate.“.

### **Article 32**

In the Article 151 the paragraph 2 is amended as follows:

“A document issued or recognized by a competent authority of the European Union Member State or EASA shall be accepted, without any additional recognition procedure, in accordance with a ratified international agreement.”.

In the paragraph 3 the word: “charge” is replaced with the word: “tax”.

### **Article 33**

The paragraph 4 of the Article 153 is amended as follows:

“Conditions under which a type of an aeronautical product is determined, as well as the technical regulations on airworthiness shall be laid down by the Directorate.”

### **Article 34**

In the Article 154(3) the words: “a type certificate shall be issued” are replaced with the words: “The Directorate shall issue a type certificate”.

In the paragraph 5 the word: “charge” is replaced with the word: “tax”.

Following the paragraph 5, a paragraph 6 is added as follows:

Notwithstanding paragraph 3 thereof, a type certificate, a noise certificate and a emissions certificate for specific categories of aeronautical products shall be issued by EASA, in accordance with the conditions determined by a ratified international agreement.“.

### **Article 35**

In the Article 155 the paragraph 2 is amended as follows:

“A type certificate issued or recognized by EASA shall be accepted, without any additional recognition procedure, in accordance with a ratified international agreement.“.

In the paragraph 3 the word: “charge” is replaced with the word: “tax”.

### **Article 36**

The paragraph 2 of the Article 157 is amended as follows:

“A continuing airworthiness of the aircraft is demonstrated by a certificate of airworthiness and airworthiness review certificate.“.

Paragraph 3 is deleted.

### **Article 37**

The title of the Article 160 and Article 160 are amended as follows:

#### *“Issue and Revalidation of an Airworthiness Review Certificate* Article 160

Depending on an identified type, purpose and a category of the aircraft, an airworthiness review certificate shall be issued or revalidated by the maintenance organisation which holds an approval certificate or the Directorate.

An aircraft owner or user who intends to maintain continuing airworthiness shall ensure revalidation of an airworthiness review certificate every 12 months.

Notwithstanding paragraph 1 thereof, for aircraft which do not have a type certificate issued or recognized by EASA, an airworthiness review certificate shall be issued by the Directorate every 12 months.

Where a revalidation of an airworthiness review certificate is carried by the Directorate, to process an application for revalidation of an airworthiness review certificate, a charge shall be payable to the Directorate.“.

### **Article 38**

Article 161 is amended as follows:

#### “Article 161

Depending on the type, purpose and category of the aircraft, periodical aircraft inspections for issuing an airworthiness review certificate shall be conducted by the Directorate or a maintenance organisation which holds an approval certificate and which is selected by the aircraft user.

Where a periodical inspection referred to in paragraph 1 thereof is conducted by the Directorate, a charge shall be payable to the Directorate.“.

### **Article 39**

The Article 162 is deleted.

### **Article 40**

**In the Chapter Seven AERONAUTICAL PRODUCTS, PARTS AND APPLIANCES**, the title of the Section **2. Aircraft Maintenance Programme** and the Article 164 are amended as follows:

#### **“2. Aircraft Maintenance Programme**

##### Article 164

“For continued aircraft airworthiness, an aircraft user shall carry out the aircraft maintenance foreseen by the aircraft maintenance programme.

The aircraft maintenance programme is a series of measures and procedures undertaken to maintain the continuing airworthiness of the aircraft and shall be applicable when approved by the Directorate.

A tax shall be payable to the Directorate for the aircraft maintenance programme approval.“.

#### **Article 41**

The title of the **Section 3 Ferry Flight** and the Article 165 are amended as follows:

#### **“3. Ferry Flight Permit**

##### **Article 165**

The Directorate may issue a ferry flight permit to an aircraft which is not continuing airworthy or for which it still has not been proved that it is continuing airworthy, but remains in a condition to safely operate a ferry flight under the specific circumstances.

The Directorate shall lay down the conditions and limitations under which the aircraft to which a ferry flight permit is issued shall operate a ferry flight.

A tax shall be payable to the Directorate for the issue of the ferry flight permit.“.

#### **Article 42**

The Article 166 is deleted.

#### **Article 43**

In the Article 167 the words: „and to whom charges for the periodical aircraft inspections shall be payable” and the word: “ferry” are deleted.

#### **Article 44**

The title of the **Section 5. Airworthiness of other Aeronautical Products** and the Article 168 are amended as follows:

#### **“5. Airworthiness of other Aeronautical Products and Parachutes**

##### **Article 168**

Airworthiness of ultralight aircraft, amateur built aircraft, other aeronautical products and parachutes shall be defined in detail by the regulation of the Directorate.“.

#### **Article 45**

The Article 171 is amended as follows:

##### **“Article 171**

Aviation personnel whose activities directly affect the air transport safety shall be composed of flight crew, other than flight crew personnel and cabin crew.

Flight crew personnel are aircraft pilot, flight engineer, flight navigator and a parachutist.

Other than flight crew personnel are air traffic controller, student air traffic controller, aircraft maintenance staff, air traffic safety electronics personnel and a flight dispatcher.

Cabin crew means personnel assigned to perform duties related to the safety of passengers on board based on the licence.“.

#### **Article 46**

In the Article 172 the paragraph 4 is deleted.

#### **Article 47**

In the Article 173 following the paragraph 2, the paragraph 3 is added as follows:  
A charge shall be payable to the Directorate for the competence assessment.“.

#### **Article 48**

In the Article 174 the words: “technical personnel of the air navigation service providers” are replaced with the words: “aeronautical meteorological personnel”.

#### **Article 49**

In the Article 175 the paragraph 3 is amended as follows:

“Together with the certificate of competence referred to in paragraph 2 thereof, the personnel carrying out security screening at an aerodrome shall also hold a certificate issued by the Directorate.“.

Following the paragraph 3, paragraphs 4-6 are added as follows:

Detailed classification of the personnel whose activities indirectly affect the air transport safety, conditions under which a certificate of competence is issued, amended, suspended or revoked, the format of the certificate of competence, as well as the conditions under which the certificate referred to in paragraph 3 thereof is issued and amended shall be prescribed by the Directorate.

Provisions of the Articles 184-186 thereof shall be accordingly applicable to suspension and revocation of the certificate referred to in paragraph 3 thereof.

A tax shall be payable to the Directorate for issuing and amending the certificate referred to in paragraph 3 thereof.“.

#### **Article 50**

The Article 179 is amended as follows:

#### **“Article 179**

Training to acquire, revalidate or renew a licence, rating, certificate and a certificate of competence shall be provided in the training centres in accordance with the training programmes approved by the Directorate.

Notwithstanding paragraph 1 thereof, training to acquire or renew the cabin crew licence may also be provided by the aircraft operator in commercial air transport operations.

To qualify as the training centre of aviation personnel, an organisation shall have an approval certificate for providing training of aviation personnel issued by the Directorate.

Conditions under which the approval certificate for providing training of an aviation personnel is issued, amended, suspended and revoked, its validity and format shall be prescribed by the Directorate.

To proceed upon an application to issue or amend an approval certificate for providing training of aviation personnel, a tax shall be payable to the Directorate.’.



### **Article 51**

The title of the Article 180 and Article 180 are amended as follows:

*“Flight Simulation Training Devices and other Types of Synthetic Training Devices*  
Article 180

Where training of the aviation personnel to acquire, revalidate or renew a licence or rating requires use of a flight simulator training device or other types of synthetic training devices, for using such a device the training centre shall obtain a user approval from the Directorate.

A flight simulator training device user approval shall be issued if a device holds an appropriate qualification certificate, issued or accepted by the Directorate.

Conditions to be fulfilled for issuing a user approval for a flight simulator training device or other types of synthetic training devices, as well as for issuing a qualification certificate, shall be laid down by the regulation of the Directorate.

A tax shall be payable to the Directorate for issuing a user approval for a flight simulator training device or other types of synthetic training devices and for issuing a qualification certificate.”.

### **Article 52**

The paragraph 1 of the Article 188 is amended as follows:

“The flight crew, air traffic controllers, student air traffic controllers and cabin crew may perform the functions they are authorized to only when they demonstrate that they are medically fit with an appropriate medical certificate.”.

### **Article 53**

The Article 189 is amended as follows:

“Article 189

Medical fitness of the aviation personnel referred to in the Article 188(1) thereof shall be determined by medical examinations carried out by medical examiners and medical centres holding a certificate issued by the Directorate.

Certified medical examiners and authorized medical centres (aero-medical centres) shall conduct medical examinations, assess the medical fitness and issue medical certificates under conditions prescribed by the Directorate.

Notwithstanding paragraphs 1 and 2 thereof, medical fitness of parachutists and paraglider pilots may be determined also by medical examinations prescribed for the motor vehicles drivers.“.

### **Article 54**

The title of the Article 192 and Article 192 are amended as follows:

*“Second Instance Evaluation of Medical Fitness*  
Article 192

A person disatisfied with an assessment of his medical fitness may file a second instance appeal before the Directorate, which shall set up a second instance medical examination commission composed of independent expert medical examiners.

An appeal of a second instance shall be filed within 15 days from the date a person has received his medical certificate.

To process an appeal of a second instance, a tax shall be payable to the Directorate.“.

#### **Article 55**

In the Article 194 the paragraph 1 is amended as follows:

“The aircraft crew shall be composed of persons exercising professional duties related to aircraft flight and comprises flight crew members, cabin crew members and other crew members.”.

#### **Article 56**

The title of the Article 196 and Article 196 are amended as follows:

#### *“Age Limit for Exercising the Privileges of the Pilot in Commercial Air Transport Article 196*

A person who has attained the age of 60 shall act as a pilot of an aircraft engaged in commercial air transport operations only:

- 1) as a member of a multi-pilot crew;
- 2) when such a pilot is the only pilot in the flight crew who has attained age of 60.

A person who has attained the age of 65 years shall not act as a pilot of an aircraft engaged in commercial air transport operations.”.

#### **Article 57**

In the Article 198 the paragraph 4, a full stop at the end is replaced with coma and the following words are added: “in accordance with the regulation enacted by the Directorate.”.

#### **Article 58**

The title of the Article 199 and Article 199 are amended as follows:

#### *“Flight Duty Period, Flight Time and Rest Periods and Breaks of Aircraft Crew Members Article 199*

Flight duty period of the aircraft crew members in commercial air transport operations shall not exceed:

- 1) 60 hours in seven consecutive calendar days;
- 2) 110 hours in 14 consecutive calendar days;
- 3) 190 hours in 28 consecutive calendar days;
- 4) 2.000 hours in one calendar year.

Flight time of the aircraft crew members in commercial air transport operations shall not exceed:

- 1) 100 hours in 28 consecutive calendar days;
- 2) 900 hours in one calendar year.
- 3) 1.000 hours in 12 consecutive calendar days.

The aircraft crew member in commercial air transport operations is entitled to paid vacations for at least 28 calendar days.

The aircraft operator shall provide a rest period to the aircraft crew member in commercial air transport operations of:

1) at least 36 hours continuously (including two local nights and a local day), whereby no more than 168 hours may pass between the two consecutive breaks;

2) at least seven local days in a calendar month, which may encompass the vacations referred to in point 1) thereof;

3) at least 96 local days in every calendar year, which may encompass the vacations referred to in point 2) thereof.

Conditions for duty period, flight time, flight duty period, breaks and rest periods of the aircraft crew members shall be prescribed in detail by the Directorate.

The operator of aircraft in commercial air transport operations shall ensure that provisions on duty period, flight time, flight duty period, break and rest periods of the aircraft crew members are observed, and shall keep the records thereon.”.

### **Article 59**

Following the Article 199, the title of the Article 199a and Article 199a are inserted as follows:

#### *“Working Time and the Right to paid Air Traffic Controllers Vacations Article 199a*

Working time of air traffic controllers shall not exceed 40 hours per week, whereby within 30 consecutive calendar days it shall not exceed 160 hours.

An air traffic controller is entitled to 15 calendar days of paid vacations (recreational rest period) within a calendar year, for maintaining his psycho-physical condition.

Shift duration within a working day, duration of a continuous work and the duration of a daily rest periods of air traffic controllers shall be laid down by the regulation of the Directorate.

The air navigation service provider shall ensure that the working time provisions, duration of shifts within a working day, duration of continuous work and duration of daily break periods are observed.”.

### **Article 60**

In the paragraph 1 of the Article 203 the words:”general purpose aerodromes and” are deleted.

### **Article 61**

In the Article 221 the paragraph 2 is amended as follows:

”The National Aviation Security Programme shall lay down: aviation security measures and procedures, particularly safeguarding against various acts of unlawful interference and obligations of State authorities and other entities related to implementation of civil aviation security measures; plan for acting in emergency situations; method of determining airside and security-restricted areas at an aerodromes

and the conditions to access and exit such areas and movement within; control of a manner of undertaking security measures; control of the efficiency of the security measures; training in respect of security; conditions to be fulfilled by all the security screening personnel; conditions which shall be fulfilled by the security equipment; a method to determine critical facilities, parts of infrastructure and systems used in civil aviation, safeguarding against electronic threats, as well as alternative measures which an aerodrome operators holding an approval to operate an aerodrome on which air transport operations are conducted, shall apply.”.

#### **Article 62**

In the Article 223 the paragraph 1 is amended as follows:

“An aerodrome operator holding an aerodrome certificate shall set up an Aerodrome Aviation Security Committee to coordinate security measures implementation established by the National Civil Aviation Security Programme, and the security programme established by an aerodrome operator, as well as to propose the new aviation security measures.”.

#### **Article 63**

The Article 224 is amended as follows:

#### **”Article 224**

An aerodrome operator holding an aerodrome certificate, ground handling service providers, air carriers, air navigation service providers, as well as other subjects determined by the National Civil Aviation Security Programme, shall, in accordance with that programme draw up and apply their own security programmes.

Programmes referred to in paragraph 1 thereof shall be applicable upon the approval of the Directorate.

A foreign air carrier conducting international scheduled commercial services with the Republic of Serbia or a series of charter flights in international commercial operations shall, prior to entry into force of the timetable for each season, provide the Directorate with its security programme, as well as an approval of such a programme granted by the competent State authority of the air carrier.

The programme referred to in paragraph 3 thereof shall be accepted with no additional approval procedure, where it is approved by the competent authority of the State of the air carrier, except in case where it is necessary that such an air carrier amends such a programme by developing local procedures in accordance with the National Civil Aviation Security Programme.

An aerodrome operator holding an approval for the operation of an aerodrome, on which commercial air services are conducted, shall draw up, apply and amend security measures procedures.

To process an application for security programme approval and for its amendment a tax shall be payable to the Directorate.”.

#### **Article 64**

Titles of the Articles 225 – 228 and Articles 225 – 228 are replaced as follows:

## **“Airside and Security Restricted Area of an Aerodrome and Safeguarding Measures**

### **Article 225**

An aerodrome operator holding an aerodrome certificate shall, upon an obtained agreement of the ministry in charge of interior and specific organizations in charge of security information, determine airside and security restricted area, access points and passenger gates and obtain an approval of the Directorate.

An aerodrome operator referred to in paragraph 1 thereof shall mark the access points and passenger gates and shall position appropriate warnings, cautions or prohibitions to prevent an unauthorized entry to an airside or security restricted area.

An aerodrome operator holding an aerodrome approval on which commercial air transport operations are provided, shall, on the basis of a particular security risk assessment determine an airside and security restricted area of an aerodrome or shall position a barrier or other suitable obstacle or shall undertake other appropriate measure to safeguard an aerodrome.

An aerodrome operator shall obtain a security risk assessment referred to in paragraph 3 thereof from the ministry in charge of interior and from a special organization in charge of security information.

## **Access Control. Security Control**

### **Article 226**

At an aerodrome the operator of which holds a certificate, an access control of persons and vehicles into an aerodrome airside and security restricted area shall be conducted.

Besides access control, also screening of all passengers and their hold baggage, other than passengers and items carried, check-in baggage, cargo and mail, supplies intended to be sold at an aerodrome, in-flight supplies intended for use on board an aircraft, air carrier materials and mail, as well as security control of vehicles shall be conducted at an entry into an aerodrome security restricted area or inside this area.

An access control and security screening shall be conducted by an aerodrome operator or a legal person that concludes an agreement with an aerodrome operator for conducting such activities.

Screening referred to in paragraph 2 thereof shall be conducted with direct surveillance of the ministry in charge of interior, which shall conduct any additional security screening when necessary.

Notwithstanding paragraph 2 thereof, screening shall not be mandatory:

1) for cargo and mail for which an air carrier, a regulated agent or known consignor has applied screening from the National Civil Aviation Security Programme;

2) for airport supplies intended to be sold at an aerodrome for which a known supplier of such supplies has applied screening from the National Civil Aviation Security Programme;

3) for in-flight supplies for which an air carrier or a regulated supplier of such supplies has applied screening from the National Civil Aviation Security Programme;

4) for check-in baggage which upon arrival to the destination continues the flight to other destination, under different flight number, by another aircraft or transfer baggage, and in other cases foreseen by the National Civil Aviation Security Programme;

No access to a person refusing screening shall be allowed into a security restricted area, as well as to a person for which personnel conducting screening has any doubt in respect of his intentions, his baggage or cabin baggage.

At an aerodrome the operator of which holds an approval for aerodrome operation, and on which commercial air transport operations are conducted, a control of access of persons and vehicles into an aerodrome airside and security restricted area shall be conducted, as well as screening on the basis of a particular security risk assessment referred to in Article 225(3) thereof.

### **Permit to conduct Access Control and Screening**

#### **Article 227**

For the purpose of performing an access control and screening an aerodrome operator or a legal person who concludes an agreement with the aerodrome operator to conduct an access control and screening shall hold a permit issued by the Directorate, for a limited time.

To qualify as a regulated agent, known consignor and regulated supplier of the in-flight supplies intended for use on board an aircraft, a permit is required issued by the Directorate.

Conditions under which a permit to conduct access control and screening is issued, amended, revalidated, suspended or revoked, time period and format, as well as conditions to issue an approval for a regulated agent, known consignor and regulated supplier of the in-flight supplies intended for use on board an aircraft, shall be laid down in detail by the regulation of the Directorate.

For the purpose of processing an application to issue, revalidate or amend a permit to conduct access controls and screening, as well as for issuing an approval for a regulated agent known consignor and regulated supplier of the in-flight supplies intended for use on board an aircraft, a charge shall be payable to the Directorate.

### **Obligations of an Aerodrome Operator**

#### **Article 228**

An aerodrome operator holding an aerodrome certificate shall conduct inspections and safeguarding of facilities, installations, devices and equipment at an aerodrome and shall ensure: an area for the inspection of aircraft which is subject of an act of unlawful interference; conditions for access control and prevention of an unauthorised access into an aerodrome airside or security restricted area; suitable premises and technical equipment for conducting screening, as well as a suitable place for destroying detected explosive and flammable substances or dangerous goods.

For an aerodrome operator holding an approval to operate an aerodrome, obligations referred to in paragraph 1 thereof shall be determined on the basis of the particular security risk assessment referred to in Article 225(3) thereof.

An aircraft security check which is subject of an unlawful interference, as well as removal of detected explosive and flammable substances or dangerous goods shall be conducted by the ministry in charge of interior.

Conditions for access control and preventing an unauthorized access to an aerodrome airside or security restricted area and conditions which the premises and technical equipment for screening and a place for destroying detected explosive and

flamable substances or dangerous goods must meet, shall be laid down by the Regulation of the Directorate.”.

#### **Article 65**

The title of the Article 231 and Article 231 are amended as follows:

#### **“Identification Sign and Security Check**

##### **Article 231**

Access and movement other than passengers and vehicles in an aerodrome airside and security restricted area shall be prohibited, as well as critical facilities, infrastructure parts and systems used for civil aviation needs outside an aerodrome, with no suitable identification card.

An identification card for access and movement in an aerodrome airside and security restricted area shall be issued by an aerodrome operator, for a limited time, and an identification card for access to critical facilities, infrastructure parts and systems outside an aerodrome shall be issued by the user.

Prior to issuing an identification card, and where needed upon its issuance, ministry in charge of interior and a special organization in charge of security information shall conduct security check of all the persons to which an identification card is issued, including persons that apply security control and screening.

A person to whom an identification card is issued shall in case of the expiry of the identification card, its loss, change of a working position or a termination of the employment, notify the person that issued an identification card.

A legal person using a vehicle for which an identification card is issued shall upon the expiry of the identification card, its loss or termination of the use of that vehicle, notify the person that issued an identification card.”.

#### **Article 66**

Following the Article 231 the title of the Article 231a and Article 231a are inserted as follows:

#### **”Security Test of Aviation Security Measures**

##### **Article 231a**

For the purpose of quality control of the aviation security measures, the Directorate shall, in cooperation with the ministry in charge of interior conduct the security test of the aviation security measures.

The security test of the aviation security measures is a simulation of an act of unlawful interference with the purpose of checking an application of the aviation security measures.

For using a weapon replica or a simulation of an explosive device when conducting a security test of aviation security measures, an authorization of the ministry in charge of interior is required.

The security test of the security measures shall be conducted in accordance with the requirements from the National Aviation Security Programme and Quality Control Programme of Aviation Security Measures.”.

#### **Article 67**

In the Article 237 point 3) is deleted.

#### **Article 68**

The Article 238 is amended as follows:

##### **“Article 238**

The Management Board shall have five members, appointed by the Government for a period of five years on the proposal of the minister in charge of transport and may be reappointed.

The Management Board shall have a President appointed by the Government among the members of the appointed Management Board, on the proposal of the minister in charge of transport.

The members of the Management Board shall be entitled to allowance the net amount of which cannot be higher than simple total average earning per an employee, without taxes and contributions, paid in the Republic of Serbia in the month of October of the year preceding the year when payment of the allowance takes place, as per data of the State authority in charge of statistics.”.

#### **Article 69**

In the Article 239 the words: “enacts individual legislative acts of the Directorate“ is replaced with the words: “enacts regulations and individual legislative acts of the Directorate“.

#### **Article 70**

In the Article 241(1) point 1) the word: “charge” is replaced with the word: “tax”.

In the paragraph 2 the words: “The Regulation of the Directorate on the amount of charges” are replaced with the words: “The Regulation of the Directorate on the amount of taxes”.

Following the paragraph 2 the paragraph 3 is inserted as follows:

Resources referred to in paragraph 1 thereof shall be paid directly to the business account.”.

#### **Article 71**

In the Article 244(1) following the word: “legal persons“, a coma is added and the words: “State authority, organisation“.

In the paragraph 5 the word: “charge” is replaced with the word: “tax”.

#### **Article 72**

The Article 258 is amended as follows:

##### **“Article 258**

A legal person shall be liable to a fine for infringement which may range from 500.000 up to 2.000.000 RSD if it:

- 1) performs air transport operations contrary to the international acts, this Law and other regulations (Article 4(2));
- 2) does not observe the rules of the air (Article 4a(1));



- 3) performs air transport operations or operations of aircraft over cities, populated areas and industrial facilities below the altitude laid down by the regulation on the airspace classes referred to in Article 37 thereof (Article 8(1));
- 4) flies over cities, populated areas and industrial facilities below the laid down altitude contrary to instructions of the air traffic control services Article 8(2));
- 5) drops out items and liquids from an aircraft in flight contrary to the Article 9 thereof;
- 6) uses unmanned aircraft, model aircraft, rockets or other flying object in a manner which jeopardizes air transport safety (Article 10(1)) or contrary to conditions laid down by the regulation referred to in Article 10(3) thereof;
- 7) launches a rocket or other flying object with no prior approval by the air navigation service provider Article 10(2) thereof;
- 8) allows parachute descents contrary to the Article 11 thereof;
- 9) operates an aircraft in a prohibited area or contrary to the conditions for operations in a prohibited area (Article 13(1));
- 10) operates an aircraft in a restricted area without obtained approval of the Directorate (Article 13(3));
- 11) fails to report any occurrences, in accordance with the safety management manual (Article 17(1));
- 12) fails to notify the Directorate of introducing changes into the functional system or fails to provide the Directorate with the safety argumentation or fails to obtain an approval of the Directorate for a planned change (Article 18(1));
- 13) fails to continuously and automatically identify hazards, assess and mitigate risks in performing its functions (Article 19(1));
- 14) fails to act upon issued safety order (Article 19a(1));
- 15) as an aircraft operator uses an aircraft flying in the airspace of the Republic of Serbia without previously filing a flight plan (Article 24(2));
- 16) fails to provide regular and reliable services as a communication, navigation and surveillance services provider (Article 53(1));
- 17) fails to use systems, devices, equipment and facilities in accordance with the technical documentation, user manuals and maintenance programmes or if technical documentation, user manuals and maintenance programmes are not properly kept and maintained (Article 53(2));
- 18) fails to plan or design or procure or use or maintain or monitor the operation and serviceability of the communication, navigation and surveillance systems, devices, equipment and facilities, the technical properties and operating and maintenance procedures of which meet the international regulations and standards, commitments assumed by ratified international agreement, and conditions prescribed by the Directorate (Article 54(1));
- 19) fails to regularly check and calibrate from air communication, navigation and surveillance systems, devices and equipment (Article 54(2));
- 20) fails to make available observed meteorological data or place such data at the disposal of service users (Article 57(1));
- 21) fails to provide in due time aeronautical information service providers with the information relevant for aircraft operations for the purpose of publishing in the Integrated Aeronautical Information Package (Article 60(2));

- 22) provides air navigation services and does not hold a certificate to provide services or has not been designated by the Government to provide such services (Article 64(2));
- 23) as an air navigation service provider fails to record data in electronic form or fails to keep all data on provided services in other manner (Article 71(1));
- 24) operates commercial air transport without a valid operating licence (Article 77(1));
- 25) operates a non-power driven aircraft or ultralight power-driven aircraft or local flights without an air operator certificate (Article 79(3),(4));
- 26) fails to provide the Directorate, upon request, data relevant for the fulfillment of conditions prescribed for granting an operating licence (Article 80(2));
- 27) as a holder of an operating licence fails to provide the Directorate with the annual financial reports within six months of the financial year ending (Article 80(3));
- 28) while operating commercial air transport operations fails to observe conditions stated in the air operator certificate (Article 84(2));
- 29) prior to aircraft lease fails to obtain an approval from the Directorate to conclude a leasing agreement (Article 87(2));
- 30) dry leases an aircraft to a foreign air carrier with no previous approval from the Directorate or wet leases an aircraft without notifying the Directorate thereon (Article 87(3));
- 31) fails to operate international air transport operations under conditions determined with ratified international agreement (Article 89(2));
- 32) fails to publish a total amount of air fares and air rates or to clearly state the elements which make the air fares and rates (Article 92(2));
- 33) fails to publish the flight schedule at the latest 15 days prior to the beginning of its application, and the timetable and changes at the latest ten days prior to the application of the changed timetable (Article 94(2));
- 34) fails to perform its functions in accordance with the published flight schedule as long as it is in force (Article 94(3));
- 35) fails to immediately notify the public on the disruption of air services or the alternations in the flight schedule by public media (Article 94(4));
- 36) conducts specialized operations for remuneration, without submitted declaration on his capabilities for conducting such operations, or when conducting high risk specialized operations without holding an authorization to conduct such operations (Article 95(1));
- 37) performs non-commercial operations using complex engine aircraft, and fails to provide the Directorate a declaration which confirms that he is qualified as required and has ensured sufficient financial resources in order to perform air operations (Article 97(1));
- 38) performs non-commercial operations contrary to the conditions determined by the regulation referred to in Article 97(2) thereof;
- 39) organizes an air show without approval of the Directorate (Article 98(1));
- 40) fails to use an aerodrome for take-off, landing and surface movement (Article 99(1));
- 41) for take-off and landing uses locations outside an aerodrome contrary to the conditions prescribed by the Directorate (Article 99(3));

42) take-off or land at an aerodrome outside an aerodrome opening hours, out of the period determined by an aerodrome operator (Article 103(4));

43) operates an aerodrome in air transport operations and does not hold an aerodrome certificate, approval or agreement for the operation of an aerodrome or if at the moment of using an aerodrome fails to be compliant with all the conditions to ensure safe air transport operations, as well as all the conditions related to aviation security (Article 104);

44) operates an aerodrome in air transport operations contrary to the conditions determined by the Directorate in the approval specification or an agreement specification to operate an aerodrome (Article 108(1));

45) fails to notify the Directorate and the competent air traffic control unit on planned works of a larger scope which may lead to closure of an aerodrome or limitations of its use, as well as of all other changes which relate to conditions under which an approval or an agreement to operate an aerodrome is issued (Article 110(1));

46) fails to limit or permanently or temporarily terminate the operation of an aerodrome which no longer fulfills any of the conditions related to safe air transport operations or aviation security or fails to notify thereon the Directorate and the competent air traffic control unit when (Article 110(2));

47) makes a change at an aerodrome which may affect the approval or agreement specification for operating an aerodrome, and fails to submit to the Directorate an application for amendment of an approval or an agreement (Article 111(1));

48) prior to make known to public, fails to submit to the Directorate the planning documentation which refers to construction, building, adaptation and reconstruction of an aerodrome or the planning documentation which regulates the environment around an aerodrome for obtaining an opinion (Article 115(3));

49) fails to submit to the Directorate the technical and safety documentation prior to applying for the construction with the competent authority and/or prior to commencing the works (Article 116(1));

50) fails to mark the obstacles which may affect the air traffic safety (Article 117(1));

51) constructs or positions facilities, installations and devices within or outside an aerodrome perimeter, which as an obstacle may affect the air traffic safety without the permission from the Directorate (Article 117(2));

52) constructs or positions positions facilities, installations and devices within or outside an aerodrome perimeter, which may affect the operation of radio devices used in air navigation services without obtaining an approval from the Directorate (Article 119(1));

53) fails to undertake all the measures necessary for the safe take-off, landing, surface movement and reside of the aircraft, as well as the provision of ground handling services at an aerodrome (Article 120(1));

54) fails to define conditions for an aerodrome operation, to ensure undisturbed use of manoeuvring surfaces and aprons, facilities, devices and equipment according to their purpose, technical properties and an aerodrome capacity (Article 120(2));

55) fails to provide regular inspections and maintenance of manoeuvring areas, runways, aprons, facilities, installations, devices and equipment which enable safe take-

off, landing and surface movement, or to notify the competent air traffic control unit thereon (Article 120(3));

56) fails to establish management activities and control of aircraft and vehicles movement on the aerodrome apron (Article 121(1));

57) fails to submit to the Directorate a declaration of its capabilities for providing an apron management services (Article 121(3));

58) fails to undertake measures for removal or prevention of dumps formation or other materials that may attract birds and other animals at an aerodrome or its vicinity, or in the cases when the removal of such materials is not possible, to ensure that every risk for aircraft is assessed and mitigated to the lowest possible level (Article 122(1));

59) fails to ensure birds observation and dispersion of birds and other animals at an aerodrome perimeter and in its vicinity, or information collection from aircraft operators, aerodrome personnel and other sources on the presence of birds or other animals at an aerodrome and in its vicinity, or fails to make analysis of such information, or fails to undertake other measures which bring the probability of birds and other animals collision and the aircraft to the lowest possible level (Article 122(2));

60) fails to position a barrier or other suitable obstacle for preventing entry of the animals big enough that may pose a threat to an aircraft, as well as for preventing occasional or intentional access of unauthorized persons at an aerodrome surface which is not public (Article 123(1));

61) fails to position a barrier or other suitable obstacle or to undertake other appropriate measure for safeguarding of an aerodrome, if the Directorate, when assessing the conditions for an approval or an agreement, assesses that such positioning is necessary for the air traffic safety (Article 123(2));

62) fails to organize, depending on the fire-fighting category of the aerodrome, a fire-fighting service or a fire-fighting protection at an aerodrome (Article 124(1),(2));

63) delegates functions of the firefighting service or firefighting protection to an organisation which is not compliant with the conditions laid down by the Law and regulations adopted thereon in respect of personnel, vehicles, equipment and fire extinguishing agents and rescue (Article 124(4));

64) fails to establish an emergency medical service, or fails to organize an emergency medical protection (Article 125(1),(2));

65) delegates functions of the emergency medical service or emergency medical protection to a medical institution which is not compliant with the conditions laid down by the Law and regulations adopted thereon (Article 125(5));

66) provides ground handling services and does not hold an authorization of the Directorate for providing such services (Article 127(1));

67) as an air carrier provides self-handling without an authorization of the Directorate (Article 128 (1),(2));

68) fails to publish a list of aerodrome infrastructure, or to determine charges for an access to such infrastructure, or fails to enable an access of the ground handling services providers to an aerodrome infrastructure under objective, transparent and non-discriminatory principles, or fails to conclude an agreement with the ground handling services providers on using an aerodrome infrastructure (Article 130(4));

69) as a holder of an authorization for self-handling fails to ensure the continuity in providing ground handling services or self-handling services, or fails to provide

services for which an authorization is granted in fair and non-discriminatory principles (Article 131(1));

70) fails to separate ground handling services accounting from other operations performed (Article 131(2));

71) delegates provision of particular ground handling services to other legal person or an entrepreneur (subcontractor) who does not hold a valid authorization for providing such ground handling services (Article 131(3));

72) fails to set up a Committee of air carriers using aerodrome services (Article 132(1));

73) defines the amount of aerodrome charges which is discriminatory for particular aerodrome users (Article 133 (4));

74) fails to notify all aerodrome services users of reasons to increase a particular charge and its precise amount at the latest 60 days prior to the planned date of introducing the charge increased (Article 133(5));

75) uses an aircraft not entered in the Aircraft Register of the Republic of Serbia, Records of the Republic of Serbia or Military Aircraft Register of the Republic of Serbia or which is not in a condition to safely operate a flight (Article 135(1));

76) uses an aircraft contrary to its category, type or purpose (Article 135(3));

77) uses an aircraft with the nationality marks of the Republic of Serbia, and fails to bear the nationality marks or the registration marks or common marks (Article 145(2));

78) uses an aircraft entered in the Aircraft Register, and while in flight it fails to carry on board the registration certificate, or certificate of airworthiness, or airworthiness review certificate, or aircraft radio station licence or other records and logbooks (Article 147(1));

79) performs maintenance activities without an approval for providing maintenance activities (Article 149(2));

80) designs or produces aeronautical products, parts and appliances contrary to the conditions prescribed by the Directorate (Article 152(5));

81) operates an aircraft in commercial air transport operations which fails to meet additional requirements for establishing and maintaining continuing airworthiness (Article 163(1));

82) applies an aircraft maintenance programme which is not approved by the Directorate (Article 164(2));

83) operates an aircraft contrary to the conditions and limitations determined in the flight permit by the Directorate (Article 165(2));

84) enables aviation personnel whose activities directly affect the air transport safety to exercise functions without an appropriate licence (Article 172(1));

85) enables an exercise of the functions which indirectly affect the air transport safety to the personnel not holding a certificate of competence (Article 175(1),(3));

86) provides training to aviation personnel in accordance with training programmes which are not approved by the Directorate (Article 179(1));

87) provides training to the aviation personnel without an approval certificate for providing training (article 179(3));

88) provides training to the aviation personnel on a flight simulator training device or on other types of synthetic training devices for which no user approval from the Directorate is obtained (Article 180(1));

89) conducts medical examinations of the aviation personnel without holding a certificate (Article 189(1));

90) conducts medical examinations, assesses the medical fitness or issues medical certificates contrary to the conditions prescribed by the Directorate (Article 189(2));

91) fails to ensure assessment of the psychological and physical condition of the aviation personnel prior to exercising their functions, as well as while exercising their functions, in the manner which does not prevent their work (Article 193(2));

92) fails to ensure the number and composition of the aircraft crew members in accordance with the aircraft type certificate or aircraft operations manual or operations manual of the aircraft operator or the regulation of the Directorate (Article 194(2));

93) enables that a person who exceeds the age limit defined by the Article 196 of the Law is engaged in commercial air transport operations;

94) fails to determine the pilot-in-command for each flight or a portion of the flight (Article 197(3));

95) fails to ensure observation of the provisions on the flight duty period, flight time, duty period, breaks and rest periods of the aircraft crew members or fails to keep records thereon (Article 199(6));

96) fails to ensure an observation of the working time provisions, duration of shifts within a working day, duration of continuous work and duration of daily break periods of air traffic controllers (Article 199a(4));

97) fails to undertake measures for protection of environment against aircraft noise and other noise related external factors which affect noise, and originate from operations and services provision in aviation (Article 200(1));

98) fails to ensure that, while using an aerodrome, environment protection measures are applied, in accordance with the Law and regulations that govern environment protection (Article 201);

99) fails to provide permanent measuring of noise generated at an aerodrome and in its vicinity during take-offs and landings of aircraft (Article 203(1));

100) fails to notify immediately the Accidents and Serious Incidents Investigation Centre that an accident or a serious incident occurred (Article 204(3));

101) removes from the scene of accident or serious incident parts of an aircraft that suffered an accident or a serious incident prior to preservation of relevant evidences of the accident or serious incident or obtaining an approval of the Chief Investigator or investigating authority (Article 213(1));

102) fails to remove damaged aircraft or its wreckage or its parts upon the completion of the accident or serious incident investigation (Article 213(3));

103) fails to set up an Aerodrome Aviation Security Committee (Article 223(1));

104) fails to draw up or apply its own aviation security programme in accordance with the National Civil Aviation Security Programme (Article 224(1));

105) applies its own aviation security programme without an approval without being approved by the Directorate (Article 224(2));

106) fails to draw up, amend or apply its security measures procedures (Article 224(5));

107) fails to determine an aerodrome airside and security restrictive area or official corridors or passenger corridors or fails to obtain an approval thereon by the Directorate (Article 225(1));

108) fails to mark the official access points and passenger gates or fails to position appropriate warnings, cautions or prohibitions to prevent an unauthorized entry into an airside and security-restricted area (Article 225(2));

109) fails to determine an airside and security restricted area of an aerodrome or to position a barrier or other suitable obstacle or fails to undertake other appropriate measure to safeguard an aerodrome on the basis of a particular security risk assessment (Article 225(3));

110) fails to ensure an access control of persons and vehicles into an aerodrome airside and security restricted area (Article 226(1));

111) fails to ensure screening at entry into a security-restricted area or inside this area referred to in Article 226(2) thereof;

112) allows an access to a person refusing screening into a security restricted area or a person for which there is a reasonable doubt in respect of his intentions, his baggage or hand baggage (Article 226(6));

113) performs an access control or screening without holding a permit of the Directorate (Article 227(1));

114) fails to conduct inspections and safeguarding of facilities, installations, devices and equipment at an aerodrome or fails to ensure: an area for the inspection of aircraft which is subject of an act of unlawful interference; conditions for access control and prevention of an unauthorized access into an aerodrome airside or security restricted area; suitable premises and technical equipment for conducting screening or a suitable place for destroying detected explosive and flammable substances or dangerous goods (Article 228(1));

115) fails to prohibit access and movement of other than passengers and vehicles in an aerodrome airside and security restricted area, as well as critical facilities, infrastructure parts and systems used for civil aviation needs outside an aerodrome, with no suitable identification card (Article 231(1));

116) fails to act upon the decision of the aviation inspector (Article 252(2));

For the infringement referred to in paragraph 1 thereof, an accountable person within the a legal person shall be liable to a fine which may range from 50.000 up to 150.000 RSD.

For the infringement referred to in paragraph 1 thereof, an entrepreneur shall be liable to a fine which may range from 100.000 up to 500.000 RSD.“.

### **Article 73**

The Article 259 is deleted.

### **Article 74**

The Article 260 is amended as follows:

“Article 260

The natural person shall be liable to a fine which may range from 50.000 to 150.000 for the infringement if it:

- 1) performs air transport operations contrary to the international acts, this Law and other regulations (Article 4(2));
- 2) fails to observe the rules of air (Article 4a(1));
- 3) performs air transport operations or operations of aircraft over cities, populated areas and industrial facilities below the altitude laid down by the regulation on the organization and use of the airspace classes referred to in Article 37 thereof (Article 8(1));
- 4) flies over cities, populated areas and industrial facilities below the laid down altitude contrary to the instructions of the air traffic control services (Article 8(2));
- 5) drops out items and liquids from an aircraft in flight contrary to the Article 9 thereof;
- 6) uses unmanned aircraft, model aircraft, rockets or other flying object in a manner which jeopardizes air transport safety (Article 10(1)) or contrary to conditions laid down by the regulation referred to in Article 10(3) thereof;
- 7) launches a rocket or other flying object with no prior approval by the air navigation service provider (Article 10(2)) thereof;
- 8) makes parachute jumps or allows parachute descents contrary to the Article 11 thereof;
- 9) operates an aircraft in a prohibited area or contrary to the conditions for operations in a prohibited area (Article 13(1));
- 10) operates an aircraft in a restricted area without an approval of the Directorate (Article 13(3));
- 11) fails to report any occurrences, in accordance with the safety management manual (Article 17(1));
- 12) fails to act upon an issued safety order (Article 19a(1));
- 13) as a pilot in command causes an airspace infringement of the Republic of Serbia (Article 23(1));
- 14) as a pilot in command is in command of the aircraft flying in the airspace of the Republic of Serbia without previously filing a flight plan (Article 24(1));
- 15) while providing air traffic control services fails to use standard phraseology in English language (Article 48(1));
- 16) if as a schedules facilitator or a coordinator performs coordination of flight schedules and slots allocation in the manner contrary to the regulation referred to in Article 94(7) thereof;
- 17) performs non-commercial operations using complex engine aircraft, and fails to provide the Directorate with a declaration which demonstrates that he is qualified as required and has ensured sufficient financial resources in order to perform air operations (Article 97(1));
- 18) performs non-commercial operations contrary to the conditions laid down by the regulation referred to in Article 97(2) thereof;
- 19) fails to use an aerodrome for take-off, landing and surface movement (Article 99(1));



20) for take-off and landing uses locations outside an aerodrome contrary to the conditions prescribed by the Directorate (Article 99(3));

21) operates an aerodrome in air transport operations and fails to hold an aerodrome certificate, approval or agreement for the operation of an aerodrome or if at the moment of using an aerodrome fails to be compliant with all the conditions to ensure safe air transport operations, as well as all the conditions related to aviation security (Article 104);

22) operates an aerodrome in air transport operations contrary to the conditions determined by the Directorate in the approval specification or an agreement specification to operate an aerodrome (Article 108(1));

23) fails to notify the Directorate and the competent air traffic control unit on planned works of a larger scope which may lead to closure of an aerodrome or limitations of its use, as well as of all other changes which relate to conditions under which an approval or an agreement to operate an aerodrome is issued (Article 110(1));

24) fails to limit or permanently or temporarily terminate the operation of an aerodrome which no longer fulfills any of the conditions related to safe air transport operations or aviation security or fails to notify thereon the Directorate and the competent air traffic control unit when an aerodrome (Article 110(2));

25) makes a change at an aerodrome which may affect the approval or agreement specification to operate an aerodrome, and fails to submit to the Directorate an application for amendment of an approval or an agreement (Article 111(1));

26) prior to make known to public, fails to submit to the Directorate the planning documentation which refers to construction, building, adaptation and reconstruction of an aerodrome and the planning documentation which regulates the environment around an aerodrome for obtaining an opinion (Article 115(3));

27) fails to submit to the Directorate the technical and safety documentation for approval prior to applying for the construction with the competent authority and/or prior to commencing the works (Article 116(1));

28) constructs or positions facilities, installations and devices within or outside an aerodrome perimeter which as an obstacle may affect the air traffic safety, without the permission from the Directorate (Article 117(2));

29) constructs or positions facilities, installations and devices within or outside an aerodrome perimeter which may affect the operation of radio devices used in air navigation services without obtaining an approval from the Directorate (Article 119(1));

30) fails to undertake all the measures necessary for the safe take-off, landing, surface movement and reside of the aircraft, as well as the provision of ground handling services at an aerodrome (Article 120(1));

31) fails to define conditions for an aerodrome operation, to ensure undisturbed use of manoeuvring surfaces and aprons, facilities, devices and equipment according to their purpose, technical properties and an aerodrome capacity (Article 120(2));

32) fails to provide regular inspections and maintenance of manoeuvring areas, runways, aprons, facilities, installations, devices and equipment which enable safe take-off, landing and surface movement or to notify the competent air traffic control unit thereon (Article 120(3));

33) fails to establish activities management and control of aircraft and vehicles movement on the aerodrome apron (Article 121(1));

34) fails to submit to the Directorate a declaration of its capabilities for providing an apron management services (Article 121(3));

35) fails to undertake measures for removal or prevention of dumps formation or other materials that may attract birds and other animals at an aerodrome or its vicinity, or in the cases when the removal of such materials is not possible, to ensure that every risk for aircraft is assessed and mitigated to the lowest possible level (Article 122(1));

36) fails to ensure birds observation and dispersion of birds and other animals at an aerodrome perimeter and in its vicinity or information collection from aircraft operators, aerodrome personnel and other sources on the presence of birds or other animals at an aerodrome and in its vicinity or fails to make analysis of such information or fails to undertake other measures which bring the probability of birds and other animals collision and the aircraft to the lowest possible level (Article 122(2));

37) fails to position a barrier or other suitable obstacle for preventing entry of the animals big enough that may pose a threat to an aircraft, as well as for preventing occasional or intentional access of unauthorized persons at an aerodrome surface which is not public (Article 123(1));

38) fails to position a barrier or other suitable obstacle or to undertake other appropriate measure for safeguarding of an aerodrome, if the Directorate, when assessing the conditions for an approval or an agreement, assesses that such positioning is necessary for the air traffic safety (Article 123(2));

39) fails to organize, depending on the fire-fighting category of the aerodrome, a fire-fighting service or a firefighting protection at an aerodrome (Article 124(1),(2));

40) delegates functions of the firefighting service or firefighting protection to other organisation which is not compliant with the conditions prescribed by the Law and regulations adopted thereon in respect of personnel, vehicles, equipment and fire extinguishing agents and rescue (Article 124(4));

41) fails to establish an emergency medical service or fails to organize an emergency medical protection (Article 125(1),(2));

42) delegates functions of the emergency medical service or emergency medical protection to a medical institution which is not compliant with the conditions laid down by the Law and regulations adopted thereon (Article 125(5));

43) uses an aircraft not entered in the Aircraft Register of the Republic of Serbia, Records of the Republic of Serbia or Military Aircraft Register of the Republic of Serbia or which is not in a condition to safely operate a flight (Article 135(1));

44) uses an aircraft contrary to its category, type or purpose (Article 135(3));

45) uses an aircraft with the nationality marks of the Republic of Serbia, and fails to bear the nationality marks or the registration marks or common marks (Article 145(2));

46) uses an aircraft entered in the Aircraft Register, and while in flight it fails to carry on board the registration certificate or certificate of airworthiness or airworthiness review certificate or aircraft radio station licence or other records and logbooks (Article 147(1));

47) designs or produces aeronautical products, parts and appliances contrary to the conditions prescribed by the Directorate (Article 152(5));

48) operates an aircraft in commercial air transport operations which fails to meet additional requirements for establishing and maintaining continuing airworthiness (Article 163(1));

- 49) applies an aircraft maintenance programme not being approved by the Directorate (Article 164(2));
- 50) operates an aircraft contrary to the conditions and limitations laid down in the flight permit by the Directorate (Article 165(2));
- 51) exercises the functions which directly affect the air transport safety without an appropriate licence endorsed by its holder's ratings (Article 172(1));
- 52) exercises the functions which indirectly affect the air transport safety without holding an appropriate certificate of competence (Article 175(1)(3));
- 53) when exercising functions fails to have a licence or a certificate of competence, and the flight crew, air traffic controllers and cabin crew also a medical certificate (Article 187(1));
- 54) in the course of practical training fails to have a document which proves that a person is undergoing practical training (Article 187(2));
- 55) exercises functions he is authorized to and fails to demonstrate that he is medically fit with an appropriate medical certificate (Article 188(1));
- 56) carries out medical examinations of the aviation personnel without holding a certificate to assess medical fitness (Article 189(1));
- 57) conducts medical examinations, assesses the medical fitness or issues medical certificates contrary to the conditions prescribed by the Directorate (Article 189(2));
- 58) while exercising his privileges he is under the influence of the alcohol or psychoactive substances or in a psycho-physical condition which might render him unable to safely exercise his privileges (Article 193(1));
- 59) acts as a pilot of an aircraft engaged in commercial air transport operations and has exceeded the age requirements defined in the Article 196 thereof;
- 60) fails to verify prior to flight that the aircraft and the aircraft crew are ready for the flight, that all the needed documents and logbooks are on board or fails to undertake measures defined by the operations manual of the aircraft operator (Article 198(1));
- 61) fails to observe the orders given by the pilot-in-command (Article 198(2));
- 62) fails to undertake all the necessary measures to maintain the flight safety and aircraft security (Article 198(4));
- 63) fails to undertake measures in accordance with the regulation referred to in the Article 199(5) thereof;
- 64) fails to notify immediately the Accidents and Serious Incidents Investigation Centre that an accident or a serious incident occurred (Article 204(3));
- 65) removes from the scene of accident or serious incident parts of an aircraft that suffered an accident or a serious incident prior to preservation of relevant evidences of the accident or serious incident or obtaining an approval of the Chief Investigator or investigating authority (Article 213(1));
- 66) fails to remove damaged aircraft or its wreckage or its parts upon the completion of the accident or serious incident investigation (Article 213(3));
- 67) allows an access to a person refusing screening into a security restricted area, or a person for which there is a reasonable doubt in respect of his intentions, his baggage or cabin baggage (Article 226(6));
- 68) introduces weapons or firearms, ammunition, explosive, flammable or hazardous substances into the cabin compartment of an aircraft and into the security

restricted areas, as well as the articles specified in the list of prohibited items prescribed by the Directorate (Article 230(1));

69) prior to embarkation when checking in for the flight fails to present and fails to hand over weapon or firearm or ammunition to an officer of the ministry in charge of interior at an aerodrome (Article 230(3));

70) without a suitable identification card enters the airside and the security restricted area and moves inside them or in critical facilities, infrastructure parts and systems used for civil aviation needs outside an aerodrome (Article 231(1));

71) fails to notify the person that issued an identification card in case of the expiry of the identification card, its loss, change of a working position or a termination of the employment (Article 231(4));

72) fails to act upon an order of the aviation inspector (Article 251(4));

73) fails to act upon the decision of the aviation inspector (Article 252(2));

74) fails to notify in writing the aviation inspector within 48 hours from the deadline whether irregularities have been rectified (Article 252(3)).”.

#### **Article 75**

In the Article 9, Article 46(2), Article 49(2), Article 50, Article 51(3), Article 55(3), Article 58(2), Article 59(3), Article 60(3) and Article 71(2) the words: “minister in charge of transport” in a particular case is replaced with the word: “Directorate” in a particular grammatical case.

#### **Article 76**

In the Article 16(4), Article 18(3), Article 66(4), Article 158(4), Article 159(4), Article 177(2), Article 183(4) and Article 248(4) the word: “charge” in a particular case is replaced with the word: “tax” in a particular grammatical case.

#### **Article 77**

Regulations for the implementation of this Law shall be adopted within 18 months from the date of its entry into force.

#### **Article 78**

Licences and other legislative acts adopted on the basis of the regulations in force on the day of the entry into force of this Law, which certify that their holders are competent to perform activities or exercise functions or to provide services in aviation, shall remain in force until their expiry date indicated therein, or until issuing appropriate legislative acts which are adopted on the basis of this Law and regulations adopted thereon, and at the latest 24 months from the date of the entry into force of this Law.

Entities bound by the provisions of this Law to be granted a legislative act which certifies that they are compliant with the conditions to perform activities, exercise functions or provide services in aviation, shall be compliant with the conditions laid down by this Law within 24 months from the entry into force of this Law.

#### **Article 79**

The Management Board of the Civil Aviation Directorate of the Republic of Serbia shall continue to act from the entry into force of the Law composed as laid down by the Air Transport Law (“Official Gazette of the Republic of Serbia”, No 73/10, 57/11 and 93/12) up to an appointment of the Management Board on the basis of this Law.

The Management Board of the Civil Aviation Directorate of the Republic of Serbia will be appointed in accordance with the provisions of this Law within three months from the day of the entry into force of this Law.

#### **Article 80**

This Regulation shall enter into force on the eighth day following the day of its publication in the “Official Gazette of the Republic of Serbia.”