

On the basis of Article 43 paragraph 4 and Articles 239 and 265 of the Air Transport Law (“Official Gazette of Republic of Serbia” Nos 73/10, 57/11, 93/12, 45/15, 66/15 – other law, 83/18 and 9/20),

Director of the Civil Aviation Directorate of the Republic of Serbia hereby adopts

REGULATION
laying down rules on air traffic flow management

Subject matter

Article 1

This Regulation lays down rules on air traffic flow and capacity management, the appropriate measures to be undertaken, coordination of all parties involved in air traffic flow management processes and their obligations.

This Regulation applies to aerodromes in the Republic of Serbia at which more than 60 operations in general air traffic were performed under instrument flight rules (IFR), in the course of the previous calendar year.

Transposition

Article 2

This Regulation transposes Commission Regulation (EU) No 255/2010 of 25 March 2010 laying down rules on air traffic flow management amended by the following regulations:

1) Commission Implementing Regulation (EU) 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC), (EC) No 1033/2066 and (EU) No 255/2010;

2) Commission Implementing Regulation (EU) 2016/1066 of 22 June 2016 amending regulation (EU) No 255/2010 as regards the ICAO provisions referred to in Article 3(1);

3) Commission Implementing Regulation (EU) 2017/2159 of November 2017 amending Regulation (EU) No 255/2010 as regards certain references to ICAO provisions.

Commission Regulation (EU) No 255/2010 shall be provided in Addendum 1, that is printed with this Regulation and forms an integral part thereof.

Additional conditions for implementing Commission Regulation (EU) No 255/2010 in the Republic of Serbia shall be provided in Addendum 2 that is printed with this Regulation and forms an integral part thereof.

Definitions

Article 3

Terms used in this Regulation shall have the following meanings:

1) *ATFM slot allocation* means ATFM measure introduced through take-off slot with an aim to adjust traffic demand to the existing air traffic control capacity;

2) *ICAO* means an abbreviation denoting the International Civil Aviation Organization;

3) *capacity (in ATFM sense)* means operationally acceptable air traffic volume;

4) *airport capacity* means the maximum number of aircraft movements (take-offs and landings) that an airport can handle in a given period of time, under certain conditions;

5) *Network Manager* means a body established by Article 6 of the Regulation (EC) No 551/2004 which has been entrusted the task to enhance the performance of the European Air Traffic Management Network through the allocated functions. By Commission Implementing Decision (EU) No 2019/709, Eurocontrol has been appointed to perform the functions of the Network Manager until 31 December 2029;

6) *special event organizer* means a legal or natural person who, based on their activities need to temporarily organize the use of airspace of the Republic of Serbia in a particular manner (e.g. state authorities, military authorities, organisations founded to promote air sports or flying for recreational purposes, etc.);

7) *slot adherence* means consistency of aircraft operator and air traffic control with the calculated take-off time considering the slot tolerance window;

8) *RVSM airspace* means the airspace from FL290 till FL410, including both flight levels, where reduced vertical separation minima are applied;

9) *special event* means a critical event at the local level, that can affect air traffic flow (important government assemblies, state officials visit, military exercises, international sporting and other activities), that is any foreseen unusual situation that may cause a significant loss of planned, declared or expected capacity at a local and/or European air traffic management network;

10) Regulation (EC) No 549/2004 means Regulation (EC) No 549/2004 of 10 March 2004 laying down the framework for the creation of the Single European Sky (the framework Regulation) of the European Parliament and of the Council, transposed in legislation of the Republic of Serbia with Regulation on the conditions to be met by air navigation service providers (“Official Gazette of RS”, No 26/20, 154/20 and 24/21);

11) Regulation (EC) No 551/2004 of Regulation (EC) No 551/2004 of 10 March 2004 on the organisation and use of the airspace on the Single European Sky (the airspace Regulation) of the European Parliament and of the Council, transposed in the legislation of the Republic of Serbia with Regulation on transposition of EU regulations and flexible use of airspace (“Official Gazette of RS”, No 69/11);

12) Council Regulation (EEC) No 95/93 means Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports transposed in legislation of the Republic of Serbia with Regulation on common rules for slots allocation and flight schedules compliance (“Official Gazette of RS”, no 10/14);

13) Regulation (EC) No 2150/2005 means Commission Regulation (EC) No 2150/2005 of 23 December 2005 laying down common rules for flexible use of the airspace, transposed in legislation of the Republic of Serbia with Regulation on transposition of EU regulations and flexible use of airspace (“Official Gazette of RS”, No 69/11).

Definitions “Member state“ and “the Official Journal of the European Union” used in Addendum 1 to this Regulation shall be construed in accordance with point 2 and 3 of the Annex II to Multilateral Agreement between the European Union and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo (based on Security Council Resolution UN 1244 of 10 June 1999) on the establishment of a European Common Aviation Area (ECAA).

Other definitions used in this Regulation shall have the meanings as specified in Article 2 of the Commission Regulation (EU) No 255/2010.

Repeal

Article 4

On the day of entry into force of this Regulation, Regulation laying down rules on air traffic management flow (“Official Gazette of RS”, No 104/17) shall be repealed.

Entry into Force

Article 5

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

No 5/1-01-0014/2021-0001

In Belgrade, 7 September 2021

Director

Mirjana Cizmarov

**Commission Regulation (EU) No 255/2010
of 25 March 2010 laying down common rules on air traffic flow management**

Article 1

Subject matter and scope

1. This Regulation lays down the requirements for air traffic flow management (hereinafter ATFM) in order to optimise the available capacity of the European air traffic management network (hereinafter EATMN) and enhance ATFM processes.

2. This Regulation shall apply within the airspace referred to in Article 1(3) of Regulation (EC) No 551/2004 to:

(a) all flights intended to operate or operating as general air traffic and in accordance with the instrument flight rules (hereinafter IFR) in whole or in part;

(b) all phases of flights referred to in point (a) and air traffic management.

3. This Regulation shall apply to the following parties, or agents acting on their behalf, involved in ATFM processes:

(a) operators of aircraft,

(b) air traffic service (hereinafter ATS) units, including ATS reporting offices and aerodrome control services;

(c) aeronautical information services;

(d) entities involved in airspace management;

(e) airport managing bodies;

(f) the central unit for ATFM;

(g) local ATFM units;

(h) slot coordinators of coordinated airports.

Article 2

Definitions

For the purposes of this Regulation the definitions provided for in Article 2 of Regulation (EC) No 549/2004 and Article 2 of Council Regulation (EEC) No 95/93 (1) shall apply.

The following definitions shall also apply:

1. 'air traffic flow management (ATFM) measure' means the actions taken to perform air traffic flow management and capacity management;

2. 'operator' means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

3. 'instrument flight rules (IFR)' means instrument flight rules;

4. 'air traffic services (ATS) reporting office' means an ATS unit established for the purpose of receiving reports concerning ATS and flight plans submitted before the first delivery of an air traffic control clearance;

5. 'local air traffic flow management (ATFM) unit' means a flow management entity operating on behalf of one or more other flow management entities as the interface between the central unit for ATFM and an ATS unit or a group of such units;

6. 'critical event' means an unusual situation or crisis involving a major loss of EATMN capacity, or a major imbalance between EATMN capacity and demand, or a major failure in the information flow in one or several parts of the EATMN;

7. 'air traffic flow management (ATFM) departure slot' means a calculated take-off time attributed by the central unit for ATFM with a time tolerance managed by the local ATS unit;

8. 'route and traffic orientation' means policies and procedures for the use of routes by aircraft;

9. 'multiple flight plan' means more than one flight plan for the same intended flight between two airports;

10. 'air traffic service (ATS) unit sector configuration' means the four-dimensional description of an ATS unit airspace sector, or group of sectors, which may be operated on a permanent or temporary basis;

11. 'aerodrome taxi time' means the pre-determined time value from off-block to take-off, expressed in minutes and valid during normal airport operations;

12. 'updated flight position' means aircraft position, updated by surveillance data, flight plan data or position reports;

13. 'air traffic control clearance' means the authorization for an aircraft to proceed under conditions specified by an air traffic control unit;

14. 'flight plan suspension' means the process initiated by an entity performing ATFM to ensure that a change is made to the flight plan by the operator before the execution of the flight;

15. 'air service' means a flight or a series of flights carrying passengers, cargo or mail for remuneration or hire;

16. 'operational log' means a log of the ATFM system, converted into a database to allow quick search of ATFM data.

Article 3

Air traffic flow management framework

1. The planning, coordination and execution of the ATFM measures by the parties referred to in Article 1(3) shall comply with the ICAO provisions specified in the Annex.

2. ATFM shall be governed by the following principles:

(a) ATFM measures shall:

(i) prevent excessive air traffic demand compared with declared air traffic control (ATC) capacity of sectors and airports;

(ii) use EATMN capacity to the maximum extent possible in order to optimise the efficiency of the EATMN and minimise adverse effects on operators;

(iii) optimise the EATMN capacity made available through the development and application of capacity enhancing measures by ATS units;

(iv) support the management of critical events;

(b) local ATFM units and the central unit for ATFM shall be considered as part of the ATFM function.

3. The allocation of ATFM departure slots shall give priority to flights according to the order of their planned entry into the location at which the ATFM measure will apply, unless specific circumstances require application of a different priority rule which is formally agreed and is of benefit to the EATMN.

The first subparagraph may be applied to flights which are unable to accept the re-routing option to avoid or alleviate congested areas, taking into consideration the location and extent of the congested area.

Article 4

General obligations of Member States

1. Member States shall ensure that the ATFM function is available to parties referred to in Article 1(3) on a 24-hour basis.

2. The definition and implementation of ATFM measures shall be compatible with Member States security and defence requirements, in order to ensure efficiency in airspace planning, allocation and use for the benefit of parties referred in Article 1(3).

3. Consistent procedures shall be established for the cooperation between the parties involved in ATFM function, ATS units and entities involved in airspace management, in order to optimise the use of the airspace.

4. A common reference document containing the policies, procedures and description for route and traffic orientation shall be created. Where applicable, publication of route availability in national aeronautical information publications shall be fully consistent with this common reference document.

5. Common procedures for requesting exemption from an ATFM departure slot shall be drawn up in accordance with the ICAO provisions specified in the Annex. Those procedures shall be coordinated with the central unit for ATFM and published in national aeronautical information publications.

Article 5

Obligations of Member States concerning the central unit for ATFM

Member States shall ensure that the central unit for ATFM:

(a) optimises the overall performance effects on the EATMN through planning, coordination and implementation of ATFM measures;

(b) consults with operators on the definition of ATFM measures;

(c) ensures the effective implementation of ATFM measures, together with local ATFM units;

(d) in coordination with local ATFM units identifies alternative routings to avoid or alleviate congested areas, taking into account the overall performance effects on the EATMN;

(e) offers a re-routing to those flights that would optimise the effect of point (d);

(f) provides information on ATFM in a timely manner to operators and ATS units, including:

(i) planned ATFM measures;

(ii) impact of ATFM measures on take-off time and flight profile of individual flights;

(g) monitors the occurrences of missing flight plans and multiple flight plans that are filed;

(h) suspends a flight plan when, considering the time tolerance, the ATFM departure slot cannot be met and a new estimated off-block time is not known;

(i) monitors the number of exemptions granted in accordance with Article 4(5).

Article 6

General obligations of ATS units

1. When an ATFM measure has to be applied, ATS units shall coordinate through the local ATFM unit with the central unit for ATFM in order to ensure that the choice of measure is made with respect to the optimisation of the overall performance effects on the EATMN.

2. When necessary, ATS reporting offices shall facilitate the exchange of information between pilots or operators and the local or the central unit for ATFM.

3. ATS units shall ensure that ATFM measures applied to airports are coordinated with the airport managing body concerned, in order to ensure efficiency in airport planning and usage for the benefit of parties referred to in Article 1(3).

4. ATS units shall notify to the central unit for ATFM through the local ATFM unit all events that may impact air traffic control capacity or air traffic demand.

5. ATS units shall provide the central unit for ATFM with the following data and subsequent updates, in a timely manner and ensuring its quality:

- (a) availability of airspace and route structures,
- (b) ATS unit sector configurations and activations,
- (c) aerodrome taxi times,
- (d) air traffic control sector and airport capacities,
- (e) route availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005,
- (f) updated flight positions,
- (g) deviations from flight plans,
- (h) airspace availability including availability through application of flexible use of airspace in accordance with Regulation (EC) No 2150/2005,
- (i) actual flight take-off times. The data shall be made available to parties referred to in Article 1(3) and provided free of charge to, and by, the central unit for ATFM.

6. The ATS unit at the departure airport shall ensure that:

- (a) where a flight is subject to an ATFM departure slot, that slot is included as part of the air traffic control clearance;
- (b) flights adhere to ATFM departure slots;
- (c) flights not adhering to their estimated off blocks time, taking into account the established time tolerance, are not given take-off clearance;
- (d) flights whose flight plan has been rejected or suspended are not given take-off clearance.

Article 7

General obligations of operators

1. Each intended flight shall be covered by a single flight plan. The filed flight plan shall correctly reflect the intended flight profile.

2. All relevant ATFM measures and changes thereto shall be incorporated into the planned flight operation and communicated to the pilot.

3. Where departing from an airport not subject to an ATFM departure slot, operators are responsible for adhering to their estimated off blocks time, taking into account a time tolerance as laid down in relevant ICAO provisions specified in the Annex.

4. Where a flight plan has been suspended in accordance with Article 5(h), the operator concerned shall arrange for updating or cancelling the flight plan.

Article 8

General obligations of airport managing bodies

Airport managing bodies shall notify to the central unit for ATFM, directly or through the local ATFM unit or ATS units or both, all events that may impact air traffic control capacity or air traffic demand. They shall inform the local ATFM unit and ATS units where the notification is done directly.

Article 9

Consistency between flight plans and airport slots

1. Member States shall ensure that, where requested by an airport slot coordinator or a managing body of a coordinated airport, the central unit for ATFM or the local ATFM unit shall provide them with the accepted flight plan of a flight operating at that airport, before that flight takes place. The airport slot coordinators or the managing bodies of coordinated airports shall arrange access to the accepted flight plans provided by the central unit for ATFM or the local ATFM unit.

2. Before flight, operators shall provide airports of departure and arrival with the necessary information to enable a correlation to be made between the flight designator contained in the flight plan and that notified for the corresponding airport slot.

3. Any operator, airport managing body and ATS unit shall be entitled to report to the airport slot coordinator on repeated operation of air services at times that are significantly different from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to airport or air traffic operations.

4. Member States shall ensure that the central unit for ATFM reports to the airport slot coordinators on repeated operation of air services at significantly different times from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to ATFM.

Article 10

Obligations concerning critical events

1. Member States shall ensure that ATFM procedures for handling critical events are established and published by the central unit for ATFM, in order to minimise disruption to the EATMN.

2. In the preparation for critical events, ATS units and airport managing bodies shall coordinate the relevance and content of the contingency procedures with operators affected by critical events, including any adjustment to priority rules. The contingency procedures shall include:

- (a) organisational and coordination arrangements,
- (b) ATFM measures to manage access to affected areas to prevent excessive air traffic demand compared with declared capacity of the whole or part of the airspace or airports concerned,
- (c) circumstances, conditions and procedures for the application of priority rules for flights, which respect Member States' essential security or defence policy interests,
- (d) recovery arrangements.

Article 11

Monitoring of compliance to ATFM measures

1. Member States shall ensure that where adherence to ATFM departure slots at an airport of departure is 80 % or less during a year, the ATS unit at that airport shall provide relevant information of non-compliance and the actions taken to ensure adherence to ATFM departure slots. Such actions shall be indicated in a report to be submitted by the Member State concerned to the Commission.

2. The ATS unit at that airport concerned shall provide relevant information on any failure to adhere to flight plan rejections or suspensions at that airport and of the actions taken to ensure adherence. Such actions shall be indicated in a report to be submitted by the Member State concerned to the Commission.

3. Member States shall ensure that:

(a) the central unit for ATFM notifies a Member State which grants exemptions in excess of 0,6 % of that Member State's annual departures;

(b) where a Member State has been notified under point (a), it shall produce a report providing details of the exemptions granted to be submitted to the Commission.

4. Member States shall ensure that where a non-compliance to ATFM measures resulting from application of Article 5(g) is identified, the central unit for ATFM shall notify the operator of the non-compliance.

5. Operators shall submit a report to the central unit for ATFM on each non-compliance to ATFM measures providing details of the circumstances that resulted in a missing flight plan or multiple flight plans and the actions taken to correct such non-compliance.

6. Member States shall ensure that the central unit for ATFM produces an annual report providing details of missing flight plans, or multiple flight plans that are filed and that the report is submitted to the Commission.

7. Member States shall conduct an annual review of adherence to ATFM measures to ensure that parties referred to in Article 1(3) improve the level of adherence to those measures.

Article 12

Performance assessment

1. When implementing Article 11, Member States shall ensure that the central unit for ATFM produces annual reports indicating the quality of the ATFM that shall include details of:

(a) causes of ATFM measures;

(b) impact of ATFM measures;

(c) adherence to ATFM measures;

(d) contributions by parties referred to in Article 1(3) to the optimisation of the overall network effect.

2. Member States shall ensure that an archive of ATFM data listed in Article 6(5), flight plans, operational logs and relevant contextual data is created and maintained by the central unit for ATFM.

The data referred to in the first subparagraph shall be retained for 2 years from their submission and made available to the Commission, Member States, ATS units and operators.

That data shall be made available to airport coordinators and airport operators to assist their regular assessment of the declared capacity.

Article 13

Safety requirements

Member States shall ensure that a safety assessment, including hazard identification, risk assessment and mitigation, is conducted, before any significant changes to ATFM systems and procedures are introduced, including an assessment of a safety management process addressing the complete lifecycle of the air traffic management system.

Article 14

Additional requirements

1. Member States shall ensure that personnel of the parties referred to in Article 1(3) involved in ATFM activities are:

- (a) made duly aware of the provisions of this Regulation;
- (b) adequately trained and competent for their job functions.

2. Member States shall take the necessary measures to ensure that parties referred to in Article 1(3) with responsibilities for ATFM functions:

- (a) develop and maintain operations manuals containing the necessary instructions and information to enable their operations personnel to apply the provisions of this Regulation;
- (b) ensure that these manuals are consistent, accessible and kept up-to-date and that their update and distribution are subject to appropriate quality and documentation configuration management;
- (c) ensure that the working methods and operating procedures comply with this Regulation.

Article 15

Penalties

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission by 26 September 2011 at the latest and shall notify it without delay of any subsequent amendment affecting them.

Article 16

Entry into force and application

This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Union.

It shall apply from 26 September 2011.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX

List of the ICAO provisions for the purposes of air traffic flow management

1. Chapter 3 paragraph 3.7.5 (Air Traffic Flow Management) of Annex 11 to the Chicago Convention- Air Traffic Services (14th edition- July 2016, incorporating Amendment No 50A).
2. Chapter 3 (ATS system capacity and air traffic flow management) of ICAO Doc 4444, Procedures for Air Navigation Services- Air Traffic Management (PANS-ATM) (16th edition- 2016, incorporating Amendment No 7A).
3. Chapter 8 paragraph 8.3 (Exemptions from ATFM slot allocations) of ICAO Doc 7030, European (EUR) Regional Supplementary Procedures (5th edition, 2008).
4. Chapter 8 paragraph 8.4.1. (c) (Aircraft operator adherence to ATFM measures) of ICAO Doc 7030, European (EUR) Regional Supplementary Procedures (5th edition, 2008).
5. Chapter 2 paragraph 2.3.2 (on amendments to EOBT) of ICAO Doc 7030, European (EUR) Regional Supplementary Procedures (5th edition, 2008).

Additional conditions for the application of the Commission Regulation (EU) No 255/2010 in the Republic of Serbia

1. Additional conditions for the application of Article 4 paragraphs 3 and 4 of Commission Regulation (EU) No 255/2010

The air navigation service provider shall be obliged to establish continuing procedures for cooperation, ensuring that ATS service and ATFM and ASM functions are aligned and used for the purpose of optimal utilisation of the airspace.

Responsible air navigation service provider shall create a national route availability document (hereinafter RAD) for the purpose of strategic management of the air traffic flow and capacity within the airspace of the Republic of Serbia.

Air navigation service provider shall appoint national RAD coordinator.

Network manager and national RAD coordinator determine RAD content through Cooperative Decision Making- CDM.

National RAD coordinator shall act in accordance with the provisions of the European Route Network Improvement Plan (ENRIP)) published by the Network manager.

National RAD coordinator shall ensure that the data delivered to the Network manager complies with the appropriate management of the quality and of documents.

2. Additional conditions for the application of Article 6 paragraph 5 of Commission Regulation (EU) No 255/2010

Determining the capacity of the air traffic control system or of the airport shall be based on creating a qualitative analysis that shall be adequately documented and subject to periodic reviews over ATC capacity, without jeopardizing safety and security.

Internationally and professionally recognized analytical models and methods, ICAO standards and recommended practices or methods developed by the owners or users of the system for their own needs, must be used when determining the value of the capacity of the air traffic control system and airport capacity.

Air navigation service provider shall establish the capacity of elementary and/or unified sectors of airport, approach and area air traffic control, depending on work organisation within an air traffic control unit.

Airport operator determines airport capacity during the design and construction phase of a new aerodrome or during exploitation of a constructed aerodrome, when the capacity has not been previously determined or if it has changed in the course of time.

Airport operator shall deliver determined capacity and its changes, expressed in movements per hour (number of accepted and dispatched aircraft per hour), to responsible air navigation service provider at least once in the course of calendar year.

Responsible air traffic service provider and airport operator shall be responsible to determine operationally acceptable airport capacity for certain period of time.

Lower capacity value between the airport capacity, determined by the airport operator, and the capacity of air traffic control unit providing aerodrome control service, shall be determined as operationally acceptable capacity of the airport.

Air navigation service provider shall deliver to central ATFM unit operationally acceptable aerodrome capacity pursuant to Article 6, paragraph 5, point (d) of Regulation (EU) No 255/2010.

3. Additional conditions for the application of Article 10 paragraph 2 of Commission Regulation (EU) No 255/2010

Air navigation services provider and airport operator shall cooperate in order to determine the value of the operationally acceptable airport capacity in case of occurrences at the airport, they coordinate activities during these occurrences as well as recovery activities.

The cooperation and coordination referred to in paragraph 1 of this point shall be made formal through the agreement concluded between an air navigation services provider and an airport operator.

In the course of the planning phase of a special event, the organizer of the event shall be obliged to inform the Directorate, responsible air traffic service provider and airport operator of its intent to organize a special event and of the size of such event, and depending on the nature of the special event, it can form its own team for the organization of a special event.

Upon receiving notice of a planned special event, the airport operator and air traffic service provider jointly decide on the need for a special regulation of the air traffic flow at the airport and/or in the airspace.

When the airport operator and air traffic service provider reach a conclusion that it is especially necessary to organise air traffic flow, they must inform the Directorate thereof.

The air traffic service provider and aerodrome operator shall exchange information on special events with the central ATFM unit, for the purpose of planning and reviewing the impact on local network and the European air traffic management network.

4. Additional conditions for the application of Article 11 Commission Regulation (EU) No 255/2010

The airport operator can specify status indicator, STS/(reason), in flight plan, Item 18 (other information), to report to responsible air traffic control units the particular reason for special handling by air traffic control of the flight in questions.

Certain flights may be automatically exempted from ATFM slot allocation when special status indicators are used:

- 1) STS/ATFMX- for flights that have been approved for exemption from air traffic management measures;
- 2) STS/FFR- for flights performed for the purpose of fire-fighting;
- 3) STS/HEAD- for flights carrying Head of States (reigning monarch and members of his family, president etc.) or Prime Minister;
- 4) STS/MEDEVAC- for medical evacuation in case of life-threatening conditions;
- 5) STS/ SAR- for flights related to search and rescue operations.

Status indicator STS/ATFMX relates strictly to demanding exemption from air traffic management measures, when due to nature and purpose of the flight, the aircraft must not under any circumstances be late for departure.

STS/ATFMX status indicator must be used in combination with an additional status indicator, and exclusively as one of the stated combinations:

1) STS/HUM ATFMX - for flights conducted for humanitarian purposes, exclusively in the following situations:

- a) for the flight conducted for humanitarian purposes, with the intention to alleviate suffering or to contribute to the welfare of affected individuals or groups of people;
- b) for the flight carrying humanitarian team and supplies, such as food, clothing, medical and other supplies necessary to affected individuals or groups of people during or following the emergency situation and/or natural disasters; and
- v) for the flight conducted for the evacuation of persons from a place where their lives and/or health are at risk due to the emergency situation and/or natural disaster.

2) STS/HOSP ATFMX - for the flight declared as a medical flight by the relevant medical authority, exclusively in the following situations:

- a) for the flight performed in order to protect human life that might be at risk if the flight is delayed;
- b) for other urgent medical flight claimed to be operated without departure delay, such as air transport of patients threatened with the loss of limbs, as well as the transport of human organs and urgent air transport of medical staff;
- v) for flight to the destination airport where the patient is admitted for the purpose of performing emergency medical transport.

3) STS/STATE ATFMX - for a flight of public interest, where any delay is unacceptable, exclusively for military, police and customs mission of high importance for the state where any delay may threaten the success of the mission;

4) STS/ATFMX RMK/MINISTER ONBOARD– solely for a flight which is performed for the purpose of official missions of the Government ministers.

5) STS/ATFMX RMK/VACCINE- for air transport of COVID-19 vaccine, when considered critical. Whether the vaccine transport is critical or not shall be determined with respect to characteristics of the vaccine transported in order to ensure safe transport and expedited shipping. Aircraft operator shall be responsible for conducting risk assessment of vaccine transport in compliance with the established international standards and recommended practices, and with guidelines of international organisations.

Aircraft operator, specifying in the flight plan any of the status indicators ensuring automatic exemption of or allocation of ATFM slot, shall be obliged to keep the documentation confirming justification of the used status indicator for at least three months from the date of the flight and to deliver it for inspection at the request of the Directorate.

Status indicators which do not ensure automatic exemption from ATFM measures, and which provide information about the need for special handling with the flight and the possibility of having special requirements during the flight:

- 1) STS/ALTRV- for flights operating in accordance with an altitude reservation (QNE);
- 2) STS/FLTCK- for flights performing calibration;
- 3) STS/HAZMAT- for flights carrying hazardous materials;
- 4) STS/HOSP- for flights categorized as medical by medical authorities;
- 5) STS/HUM- for flights operating for the humanitarian purposes;
- 6) STS/NONRVSM- for non-RVSM capable state aircraft flights in RVSM airspace;
- 7) STS/STATE- for flights operating for the military, customs and police services.

When, at the designated airport, ATFM slot adherence is 80% or less annually, air navigation service provider shall submit a plan of measures to improve adherence to ATFM slots at the airport to the Directorate.

The air navigation service provider shall, at the request of the Directorate, submit a report on any non-compliance with a refusal or suspension of the flight plan, covering description of circumstances and activities that have led therein, as well as the activities undertaken for the purpose of decreasing the amount of the said non-compliance.

Aircraft operator shall, at the request of the Directorate, deliver the details on the circumstances and activities that have led to commencement of flight operation without the approved flight plan (missing flight plan) or it had more flight plans for the same flight (multiple flight plan), as well as the details on the actions undertaken in order to decrease number of said flight operations.

5. Additional conditions for the application of Article 14 of Commission Regulation (EU) No 255/2010

Training of staff members referred to in Article 1 paragraph 3 of Regulation (EU) No 255/2010 which is included in ATFM processes shall be implemented based on established programme and training plans for each category of staff.

Programme and training plans referred to in paragraph 1 of this point must be in consistency with the European regulations, as well as with the international standards and recommended practice covered in ICAO Docs and Network Manager Manual to the extent necessary for each category of staff.

The staff engaged by the air navigation service provider for performing the duties of local ATFM unit, must be fully trained for these tasks.

Training of staff from paragraph 3 of this point shall be implemented through the following phases:

- a) initial (*ab initio*) training- introductory training in order to acquire general knowledge for the purpose of further training, that may be a part of basic training;
 - b) basic training- theoretical training and computer/network training to acquire necessary knowledge for the purpose of competent performance of assignments;
 - v) on-the-job training- training under the competent surveillance leading to competent performance of duties;
- 2) additional training, organised by Eurocontrol, or other approved training center, leading to:
- a) specialist skill, that is the skill for conducting advanced ATFM analyses and for the application of techniques with an aim to acquire specialist titles;
 - b) competence for conducting initial and/or continuation training and/or refresher;
- 3) continuation training/refresher, consisting of:
- a) training due to extended period of time off duty;
 - b) training related to the most recent operational requirements, modern work methodologies/technologies, implementation of unusual measures and contingency measures the dynamic of which shall be determined depending on the goal of training.

The staff referred to in paragraph 3 of this point shall be subject to competence assessment in the course of training stages, the dynamic of which has been established by the

training plan and programme, and they shall be granted the appropriate certificate of competence, where applicable.

Air navigation service provider shall be obliged to keep the records on staff training referred to in paragraph 3 of this point.

Parties referred to in Article 1 paragraph 3 of Regulation (EU) No 255/2010 shall ensure that:

a) their manuals, procedures or operational procedures comply with the provisions of this Regulation;

b) procedures and operational procedures comply with the appropriate Network Manager Manual, or that they are directly applied to each category of staff, to the necessary extent.

Manuals referred to in paragraph 7 of this point must comply with the internal processes of the parties referred to in Article 1 paragraph 3 of Regulation (EU) No 255/2010, they must be available to staff of parties involved in ATFM processes, and they must be duly updated.

The process of update and distribution of manuals shall be subject to appropriate internal quality documentation management of the parties referred to in Article 1 paragraph 3 of Regulation (EU) No 255/2010.