

SIGURNOSNI NALOG

BROJ: 2012/001-Rev 03

SAFETY ORDER

NUMBER: 2012/001-Rev 03



CRNA GORA
AGENCIJA ZA CIVILNO VAZDUHOPLOVSTVO

Naslov: Sigurnosni nalog o odobravanju pružanja usluga iz vazduha stranim operatorima vazduhoplova u vazдушnom prostoru Crne Gore

Title: Safety order related to approval of aerial work operations performed by foreign aircraft operators in airspace of Montenegro

Na inicijativu: Agencija za civilno vazduhoplovstvo Crne Gore (u daljem tekstu: Agencija) /

Initiated by: The Civil Aviation Agency of Montenegro (hereinafter: the CAA)

Na osnovu člana 6 stav 1 tačka 10, a u vezi sa članom 23 stav 2 Zakona o vazдушnom saobraćaju ("Službeni list CG", br. 30/12 i 30/17), Agencija za civilno vazduhoplovstvo donijela je:

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Područje primjene:

Ovaj sigurnosni nalog primjenjuje se na:

- Operatora vazduhoplova čije se sjedište i/ili prebivalište nalazi na teritoriji države koja nije država članica EU, i
- Operatora vazduhoplova čije se sjedište i/ili prebivalište nalazi na teritoriji države članice EU, a koji namjerava da pruža usluge iz vazduha vazduhoplovima na koje se ne primjenjuje Uredba Evropskog parlamenta i Savjeta (EZ) br. 216/2008 od 20. februara 2008. godine o osnovnim pravilima u oblasti civilnog vazduhoplovstva i osnivanju Evropske agencije za sigurnost vazдушnog saobraćaja.

Referentni propisi:

Zakon o vazдушnom saobraćaju („Službeni list CG“, br. 30/12 i 30/17)

Pravilnik o načinu, pravilima i postupcima letenja vazduhoplova i operativnim uslugama u vazдушnom saobraćaju ("Službeni list CG", broj 11/16), kojim je preuzeta Uredba Komisije br. 923/2012 od 26. septembra 2012. godine, kojom se utvrđuju zajednička pravila letenja i operativne odredbe u vezi sa uslugama i postupcima u vazdušnoj plovidbi.

In accordance with Article 6, paragraph 1, point 10, in conjunction with Article 23 paragraph 2 of the Law on Air Transport ("Official Gazette of Montenegro", No. 30/12 and 30/17), the Agency for Civil Aviation, issued:

SAFETY ORDER

Number: 2012/001-Rev 03

Scope:

This Safety Order applies to:

- Aircraft operator whose main office or registered office is at the territory of non-EU Member State, and
- Aircraft operator whose main office and/or registered office is at the territory of the EU Member State, which intends to perform aerial work operations with aircraft exempted from compliance with Regulation of the European Parliament and of the Council (EC) No. 216/2008 from 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation safety Agency.

Regulation Reference:

Law on Air Transport ("Official Gazette of Montenegro", No. 30/12 and 30/2017)

Regulation on method, rules and procedures for flight operations and operational air traffic services ("Official Gazette of Montenegro", No. 11/2016), transposing Commission Regulation 923/2012 from 26 September 2012, laying down the common rules of the air and operational provisions regarding services and procedures in air navigation.

Referentna dokumenta:

ICAO Aneks 6 (Operacije vazduhoplova) Dio II (Međunarodna opšta avijacija – Avioni), Dio III Sekcija III (Međunarodna opšta avijacija – Helikopteri)

Svrha:

Ovim nalogom utvrđuje se postupak odobravanja pružanja usluga iz vazduha stranim operatorima vazduhoplova u vazдушnom prostoru Crne Gore u cilju zaštite sigurnosti vazdušnog saobraćaja.

1. Uvod

Strani operator vazduhoplova koji namjerava da pruža usluge iz vazduha u vazдушnom prostoru Crne Gore mora da ima odobrenje Agencije za civilno vazduhoplovstvo. Odobrenje se izdaje za pružanje komercijalnih i nekomercijalnih usluga iz vazduha.

Izrazi u ovom nalogu imaju sljedeće značenje:

1) Strani operator vazduhoplova je pravno ili fiziko lice koji vrši operacije vazduhoplovom ili namjerava da vrši operacije vazduhoplovom u vazдушnom prostoru Crne Gore a čije sjedište i/ili prebivalište se ne nalazi u Crnoj Gori ili EU ili čije se sjedište i/ili prebivalište nalazi na teritoriji države članice EU, a koji namjerava da pruža usluge iz vazduha vazduhoplovima na koje se ne primjenjuje Uredba Evropskog parlamenta i Savjeta (EZ) br. 216/2008 od 20. februara 2008. godine, koja je preuzeta Pravilnikom o osnovnim pravilima u oblasti civilnog vazduhoplovstva i nadležnostima Evropske agencije za sigurnost vazdušnog saobraćaja ("Službeni list CG", br. 22/13 i 15/17).

2) Pružanje usluga iz vazduha su operacije vazduhoplova kojima se pružaju usluge u poljoprivredi, šumarstvu, građevinarstvu, protiv požarnoj zaštiti, protiv gradnoj odbrani, potrazi i spašavanju, marketingu, snimanju iz vazduha, nadzoru i patroliranju iz vazduha, provjeri radionavigacionih uređaja i sl.

2. Izdavanje odobrenja za pružanje usluga iz vazduha stranim operatorima vazduhoplova

2.1. Strani operator vazduhoplova podnosi Agenciji zahtjev za izdavanje odobrenja za pružanje usluga iz vazduha, na obrascu iz Priloga 1 ovog naloga, koji sadrži:

- naziv, adresu i kontakt detalje operatora ili vlasnika vazduhoplova,
- IATA/ICAO kod (ukoliko je primjenjivo),

Documents Reference:

ICAO Annex 6 (Operation of aircraft) Part II (International General Aviation – Aeroplanes), Part III Section III (International General Aviation – Helicopters)

Purpose:

This Order has prescribed the requirements for obtaining approval of aerial work operations performed by foreign aircraft operators in airspace of Montenegro in order to protect aviation safety.

1. Introduction

Foreign aircraft operator who intends to perform aerial work operations in airspace of Montenegro shall have the approval issued by the Civil Aviation Agency. Approval is issued for commercial and non-commercial aerial work operations.

For the purpose of this Order, the following terms mean:

1) Foreign Aircraft Operator is a legal or natural person who performs or intends to perform operations with aircraft in airspace of Montenegro whose head office and/or registered office is not in Montenegro or the EU or whose head office and/or registered office is located at the territory of the EU member State, and which intends to conduct aerial work operations with aircraft exempted from compliance with Regulation of the European Parliament and of the Council (EC) No. 216/2008 from 20 February 2008 transposed by the Regulation on common rules in the field of civil aviation and the competences of the European Aviation Safety Agency ("Official Gazette of Montenegro", No. 22/13 and 15/17).

2) Aerial Work Operations are aircraft operations where aircraft are used to provide services in agriculture, forestry, construction, fire-fighting, cloud seeding, search and rescue, aerial advertisement, photography, observation and patrol, testing radio-navigation systems/devices and similar.

2. Issuance of approvals for aerial work operations to foreign aircraft operators

2.1. The foreign aircraft operator shall submit to the Agency an application for approval of aerial work operations, in the form provided in Annex 1 of this Order, which contains:

- Name, address and contact details of aircraft operator or owner,
- IATA/ICAO designator (if applicable),

- broj važećeg certifikata kojim se odobrava operatoru stranog vazduhoplova pružanje usluga iz vazduha izdat od strane države operatora (ukoliko je primjenjivo),
- podatke o tipu vazduhoplova i serijski broj,
- broj putničkih sjedišta,
- registarsku oznaku vazduhoplova,
- najveću dopuštenu masu pri polijetanju (MTOM),
- vremenski period za koji se traži odobrenje,
- vrste operacija,
- područje na kojem se planira obavljanje operacija,
- aerodrom polijetanja i slijetanja (ulaska/izlaska iz Crne Gore),
- naziv naručioca/korisnika usluge (ukoliko je primjenljivo),
- podatke o pliotima.

2.2. Strani operator vazduhoplova uz zahtjev iz podtačke 2.1 ove tačke prilaže kopije sljedećih dokumenata:

- važeći Certifikat ili ekvivalentni dokument kojim se operatoru vazduhoplova odobrava pružanje usluga iz vazduha izdat od strane države operatora (ukoliko je primjenljivo),
- operativne specifikacije ili ekvivalentni dokument izdat od strane države operatora (napomena: područje operacija mora pokrivati područje teritorije Crne Gore) (ukoliko je primjenljivo),
- potvrdu o registraciji,
- važeće Uvjerenje o plovidbenosti vazduhoplova sa važećom Potvrdom o provjeri plovidbenosti,
- važeće dozvole i ovlašćenja članova letačke posade koji učestvuju u operacijama,
- važeće polise osiguranja od odgovornosti za štetu nastalu trećim licima izdatu shodno zahtjevima Uredbe EC 785/2004,
- Ugovor zaključen između naručioca usluga iz vazduha i operatora stranog vazduhoplova (bez finansijskih detalja),
- Uvjerenje o buci vazduhoplova (kada se zahtijeva),
- Operativni priručnik ili standardne operativne procedure (SOP) na engleskom jeziku,
- po potrebi i druga dokumenta od značaja za obavljanje operacija koje se smatraju relevantnim za procjenu rizika, povezanih sa izvođenjem operacija (npr. dokaz o modifikacijama vazduhoplova, održavanju i sl.)

- Reference number of valid Certificate approving aerial work operations issued to aircraft operator for aerial work operations, by the State of operator (if applicable),
- Aircraft type and serial number,
- Number of passengers' seats,
- Aircraft registration mark,
- Maximum Take-off Mass (MTOM),
- Time period to be covered by approval,
- Type of operation,
- Area of planned operation(s),
- Airport take-off and landing (arrival/departure from Montenegro),
- Name of client/service user (if applicable),
- Pilot(s) information.

2.2. In addition to the application specified in 2.1, the aircraft operator shall enclose copies of following documents:

- Valid Certificate or equivalent document issued to aircraft operator approving aerial work operations, issued by the State of operator (if applicable),
- Operational specifications or equivalent issued by the State of operator (note: area of operation must cover the territory of Montenegro) (if applicable),
- Certificate of registration,
- Valid Certificate of Airworthiness and the associated Airworthiness Review Certificate,
- Valid licences and ratings for the flight crew members involved in operations,
- Valid third party liability insurance policy issued pursuant to requirements of EC Regulation No. 785/2004,
- Contract between client and foreign aircraft operator of aerial work operations (financial details excluded),
- Aircraft noise certificate (as appropriate),
- Operational Manual, or Standard Operating Procedures (SOP) in English language,
- As appropriate, other documents important for performing operations which are considered relevant to the risk assessment, related to performance of operations (e.g. evidence of modification to the aircraft, maintenance and similar).

- Odobrenje za snimanje iz vazduha teritorije Crne Gore izdato od strane Ministarstva odbrane, ako se usluge iz vazduha pružaju radi snimanja teritorije Crne Gore.

Strani operator vazduhoplova je dužan da podnese Agenciji zahtjev za izdavanje posebnog odobrenja za letenje ispod minimalne sigurne visine, za letove ispod mostova i sličnih građevina, dalekovoda i antena, kao i za izbacivanje predmeta ili drugih stvari iz vazduhoplova u letu, vanaerodromska polijetanja i slijetanja, te druge operacije za koje je, saglasno propisima Crne Gore, potrebno posebno odobrenje, u skladu sa Pravilnikom o načinu, pravilima i postupcima letenja vazduhoplova i operativnim uslugama u vazdušnom saobraćaju („Službeni list CG“, broj 11/16).

3. Rok za podnošenje i evaluacija zahtjeva

- 3.1.** Zahtjev za izdavanje odobrenja za pružanje usluga iz vazduha, sa potrebnom dokumentacijom dostavlja se Agenciji najkasnije petnaest dana prije planiranog početka pružanja usluga. Nakon razmatranja dokumentacije i sprovedene analize rizika utvrđuje se ispunjenost uslova za izdavanje odobrenja za pružanje usluga iz vazduha.
- 3.2.** Agencija može da odluči da, prije izdavanja odobrenja za pružanje usluga iz vazduha, izvrši neposredni pregled kako bi utvrdila da li je moguće sigurno pružanje usluga iz vazduha. Nakon izdavanja navedenog odobrenja, Agencija može u svako doba da sprovede inspekcijski pregled nad pružanjem usluga iz vazduha i kontrolu ispunjenosti uslova na osnovu kojih je izdato odobrenje za pružanje usluga iz vazduha.
- 3.3.** Odobrenje iz tačke 2 ovog naloga izdaje Agencija na ograničeni period važenja i može da sadrži uslove i ograničenja za vršenje operacija pružanja usluga iz vazduha.

4. Ukidanje odobrenja za pružanje usluga iz vazduha

Ukoliko, na osnovu sprovedene analize rizika, Agencija procijeni da nijesu ispunjeni kriterijumi za sigurno obavljanje operacija pružanja usluga iz vazduha i da strani operator vazduhoplova postupi protivno važećim propisima Crne Gore, kao i uslovima i ograničenjima utvrđenim u izdatom odobrenju, Agencija može da ukine ili suspenduje izdato odobrenje za pružanje usluga iz vazduha.

Approval for air filming of the territory of Montenegro issued by the Ministry of Defence, in case the purpose of aerial work operations is video recording of the territory of Montenegro.

Foreign aircraft operator shall submit the application for special approval for flight below minimum safety altitude, for flights below bridges and similar constructions, high voltage cables and antennas, as well as for dropping objects or other items from the aircraft in flight, out of the aerodrome take offs and landings, and other operations for which, under the regulations of Montenegro, the special approval is required, pursuant to the Regulation on method, rules and procedures for flight operations and operational air traffic services (“Official Gazette of Montenegro”, No. 11/2016).

3. Due time for submission of applications and their evaluation

- 3.1.** Application for approval of aerial work operations, with required accompanying documents shall be submitted to the Agency no later than fifteen days before the scheduled start of aerial work operations. After consideration of documents and risk analysis, the compliance with requirements for approval shall be determined.
- 3.2.** Before issuing the approval, the Agency may decide to perform an on-site inspection to determine whether the aerial work operations can be performed safely. After the issuance of the stated approval, the Agency may conduct inspections of provided aerial work operations and compliance with the requirements pursuant to which the approval for aerial work operations is issued.
- 3.3.** Approval referred to in point 2 of this Order shall be issued by the Agency and it may contain requirements and limitations for performing aerial work operations.

4. Revocation of the approval for aerial work operations

If, on the basis of conducted risk assessment, the Agency evaluates that the criteria for safe performance of operations are not complied with and that the foreign aircraft operator acts against the applicable regulations of Montenegro, as well as conditions and limitations defined in issued approval, the Agency may revoke or suspend issued approval of aerial work operations.

<p>5. Stupanje na snagu</p> <p>Ovaj sigurnosni nalog stupa na snagu osmog dana od dana objavljivanja na internet stranici Agencije. Danom stupanja na snagu ovog sigurnosnog naloga prestaje da važi Sigurnosni nalog broj 2012/001 rev 02 od 01.05.2017. godine.</p> <p>Zahtjev za dobijanje odobrenja za pružanje usluga iz vazduha operator stranog vazduhoplova dostavlja putem e-maila na adresu: arhiva@caa.me</p> <p>ili na adresu: Agencija za civilno vazduhoplovstvo ul. Josipa Broza Tita bb 81000 Podgorica, Crna Gora</p>	<p>5. Entry into force</p> <p>This Safety Order shall enter into force on the 8th day following its publication on Agency's website. The Safety Order No. 2012/001 rev 02 of 01.05.2017. shall be repealed on the day of entry into force of this Safety Order.</p> <p>The foreign aircraft operator shall submit the application for approval of aerial work operations by e-mail at: arhiva@caa.me</p> <p>or by mail at: Civil Aviation Agency Josipa Broza Tita bb 81000 Podgorica, Montenegro</p>		
<p>Direktor / Director Dragan Đurović</p>		<p>Datum / Date</p>	

Prilog 1 Zahtjev za izdavanje odobrenja za pružanje usluga iz vazduha stranim operatorima vazduhoplova u vazдушnom prostoru Crne Gore	Annex 1 Application for Approval of Aerial Work Operations performed by foreign aircraft operators in airspace of Montenegro
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**APPLICATION FOR APPROVAL OF AERIAL WORK OPERATIONS
PERFORMED BY FOREIGN AIRCRAFT OPERATORS IN THE AIRSPACE
OF MONTENEGRO**

<p>This form shall be used for obtaining approval of aerial work operations The form shall be submitted together with appendices to CIVIL AVIATION AGENCY81000 PODGORICA, Josipa Broza Tita bb or scanned to arhiva@caa.me</p>
Note: Please note that incomplete forms will not be processed.

First Issue

Renewal

Variation/Amendment

Operator Information

Name:	
Address:	
Phone:	
Fax:	
E-mail:	
Operators state approval document reference (if applicable):	
IATA/ICAO Designator (2-letter/3-letter Code) (if applicable)	

Aircraft Information (enclose additional sheets if needed):

Type:	
Serial Number:	

Pax. Seats:	
Registration Marks:	
MTOM (kg):	

Requested period of operation:

From (Date): _____

To (Date): _____

Type(s) of Aerial Work:

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Area of Operation:

- Territory of MONTENEGRO
- Limited area (to be specified below*)

*

Airport of entry / departure to / from MONTENEGRO

First Arrival Airport	Departure Airport

Pilot information:

	Pilot name	Licence No/ valid till	Medical class/valid till	Total flight hours
1.				

2.				
3.				
4.				
5.				

Accompanying documents (copies of):

- AOC for aerial work or other applicable certificate
- Operation specifications or equivalent document (note: area of operation must include Montenegro)
- Certificate of Registration
- Certificate of Airworthiness (and Airworthiness Review Certificate, if applicable)
- Pilot licences and certificates
- Third Party Liability Insurance Certificate
- Contract between customer and aircraft (financial details excluded)
- Noise Certificate (as appropriate)
- Other documents relevant to operations in question
- SOP or applicable part of the OM (English language) (if applicable)
- Approval from Ministry of defences (if applicable)

Applicant:

Place:	Date:	Signature: