



**REPUBLIC OF MACEDONIA**

**CIVIL AVIATION AGENCY**

**INSPECTING STAFF MANUAL – OPERATIONS**

**GUIDANCE MATERIAL ON SPECIFIC MATERS  
RELATED TO THE CERTIFICATION PROCESS  
AND INITIAL ISSUE OF AN AIR OPERATOR  
CERTIFICATE FOR ALL AIR OPERATOR  
CERTIFICATE HOLDERS AND CAA AVIATION  
SAFETY INSPECTORS**

**Prepared by  
Department of Safety and Aeronautical Standards  
of the Civil Aviation Agency  
of the Republic of Macedonia  
November 2009**



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**DOCUMENT APPROVAL**

*The following table identifies all management authorities who have approved this document:*

AUTHORITY	NAME AND SIGNATURE	DATE
Head of Safety and Aeronautical Standards Department	Dejan Mojsoski, Ph. D	6 November 2009
Director General	Zoran Krstevski	6 November 2009

## **1. SCOPE**

This GUIDANCE MATERIAL has been prepared in order to inform potential Air Operator Certificate (AOC) applicants and AOC holders of the procedures and requirements of the CAA. For potential applicants considering applying for an AOC the information contained herein, pertains to the AOC certification procedures in place at the CAA that are required to be followed for initial issuance of an AOC. It is essential that potential applicants and AOC holders understand and conform to these procedures during the initial AOC process, after issuance of an AOC, and when considering submitting any request for variation to an AOC. Understanding and adhering to these procedures should minimise any delays and lead to a more efficient process.

## **2. INTRODUCTION**

This procedure describes the sequence of the different steps leading to the initial issue of an AOC. It is based on, and supplementary to the guidance material contained in chapter 4 of the Administrative and Guidance Material (AGM, Section Four (Operations), Part Two Procedures (JAR-OPS), otherwise known as the Joint Implementation Procedures (JIPs).

## **3. CERTIFICATION PROCESS**

### **3.1 INITIAL CONTACT & PRE APPLICATION MEETING**

At the initial contact with the applicant, usually by a letter of intent submitted to the CAA Safety and Aeronautical Standards Division, the Flight Operations Department will schedule a pre application meeting. This meeting will take place at the CAA offices where the applicant will be given all the necessary material (hard or soft copy) containing the «AOC Applicant Application Package Documents» which includes the following:

- Application Form
- Conformance Document
- AOC Process Flow Chart
- Certification Schedule Milestones (Blank)
- Required Approvals List
- Required Acceptance List
- Management Acceptance Form

A briefing is given to the applicant at this meeting on the AOC certification process, including some guidance on the completion of the application forms and documents. The Heads of the Operations and Airworthiness Department, or their delegates, are the personnel responsible to conduct and offer guidance at this pre application meeting. At the minimum, representing the applicant should be the Post Holders of Flight Operations and Maintenance, the Accountable Manager and the Quality Manager. In this certification phase, the Applicant should designate a person as the focal point for the company during the AOC certification process. The designated person will serve as the coordinator for the applicant during the Certification Process. One of the functions of this person will be responsible for assuring that all the findings issued by the CAA are being directed to, and properly addressed by the appropriate personnel within the company. It will be much more efficient for the certification team to track the status of findings and comments through this person rather than several persons responsible for specific areas. Another function of this coordinator will be to arrange the on site visits and ensure that the appropriate company personnel will be present and available.

### **3.2 APPLICATION & APPLICATION MEETING**

Any applicant for a new AOC (Operating license) must apply by completing the official CAA AOC Application Form for a JAR-OPS 1 AOC in accordance with the:

- Regulation (2.24) on method of public air transport and special requirements in respect of required staff, aircraft, equipment and other special requirements necessary for safe and regular operation, ("Official Gazette of RM", No. 21/08);
- Regulation (2.25) on format, contents, record-keeping and procedure for granting, renewal, extension and change of an Operating License and Air Operator Certificate, ("Official Gazette of RM", No. 85/07);

As will have been explained to the applicant in the Pre Application Meeting, all the relevant documents/manuals listed in the application form, including the JAR-OPS 1 Conformance Document, and the Management Acceptance Form must be provided to the CAA in order for the Application to be considered officially submitted. If complete, the application will be attempted to be processed within 90 days.

The 90 day period will not commence until all the documentation has been submitted. The quality of the documentation submitted will also have an effect on the 90 day period. The Application Meeting, which officially starts the AOC certification process, should not be held unless it is assured that all the documents required with the application will be completed and ready to be officially submitted at least three days prior to the Application Meeting.

The Application Meeting should be cancelled and rescheduled if the application documentation is not complete as stated. The Application Meeting is only held if the appropriate personnel are present. The operator's management personnel in attendance should include at least the Accountable Manager, Post Holders and Quality Manager. The CAA's personnel in attendance will be the Heads of Operations, Airworthiness and Licenses Division and the assigned Certification Team. It is also desirable for the Safety and Aeronautical Standards Director to attend if available.

The main objectives of the Application Meeting are to:

- Introduce the Operator's Management personnel to the CAA Certification Team.
- Assure that the applicant understands the AOC certification process.
- Answer any questions the Applicant may have.
- Distribute the documents/manuals to the appropriate operations and maintenance members of the Certification Team.
- Discuss and agree upon the target dates for the various phases outlined in the Certification Schedule.

At any time during the AOC Certification process "non formal" meetings may be held at the discretion of the CAA.

### **3.3 CAA CERTIFICATION TEAM**

Upon receipt and after official registration (protocol number is issued) of the application documentation, and prior to the Application Meeting, a "Certification Team" is assigned to oversee the AOC certification process of the new applicant by the Safety and Aeronautical Standards Director.

### **3.3.1 COMPOSITION**

The composition of the team will be tailored to the size and the complexity of the company, but will include at least:

- 1 Flight Operations Inspector (FOI)
- 1 Safety Procedures Inspector (OSPI)
- 2 Airworthiness Inspectors (AWI) (one Maintenance & one Avionics)
- 1 Training and Licenses specialist
- 1 Legal Advisor

The Head of Flight Operation Department is permanent Certification Process Co-ordinator. In the exceptional circumstances another individual among the team shall be appointed as CPC.

The knowledge, experience and background of the persons assigned will be considered in the appointment of the team and matched to the type of aircraft and complexity of the intended operation.

If required, the Certification Team shall call for the required expertise for specific topics as Dangerous Goods, Quality, Security etc, whenever necessary.

### **Responsibilities**

#### **a) Safety and Aeronautical Standards Director (SASD)**

- The Safety and Aeronautical Standards Director has the overall responsibility for the AOC certification process, and for the co-ordination of all necessary activity. He is responsible to the DG of the CAA.
- He assigns the members of the certification team.
- He sends the findings and comments to the applicants via a signed letter.
- He will ultimately decide on the level of a finding only in case of a disagreement between the inspector(s) assigned.
- He is the arbitrator for any conflict between the CAA and the applicant.
- He chairs the Progress Review Meetings, with the CPCs and the Heads of Sections.
- At the end of the AOC Certification process he is responsible to provide the DG of the CAA with a comprehensive and documented file of the process.

#### **b) Head of Flight Operations Department**

- They are responsible for the oversight of the functions in their Section.
- They review and agree with the level of the findings.

- They prepare the relevant approvals and acceptances (legal findings) based on the technical assessment of the team.
- They are in charge of the review of qualifications and competencies of the relevant Nominated Postholders and lead the CAA held interviews for these positions.

### **c) Head of Flight Operations Department as a Certification Process Coordinator (CPC)**

Head of Flight Ops Department is permanent Certification Process Coordinator. Head of Safety and Aeronautical Standards Department may nominate another individual as a CPC in written depending of the different circumstance.

The CPC reports to the Safety and Aeronautical Standards Director on the status of the AOC certification process. He is responsible for monitoring the progress of the AOC Certification Process and reviewing the current status and comparing it to the targeted Certification Schedule. He holds regular meetings with the members of the Certification Team to determine this. If there are any delays that may result in the delay of the targeted AOC issuance date he will inform the Safety and Aeronautical Standards Director and management of the applicant of this along with the reasons for the possible delay.

- He/She is responsible for distributing the specific tasks within the certification team.
- He/She has the responsibility for co-ordination of all the team members activities regarding the of the AOC certification process.
- He/She reviews the findings relevant to the different inspections and documentation/manuals for accuracy prior to presentation to the Safety and Aeronautical Standards Director.
- 
- He/She assures that the Findings are sent to the Applicant in a coordinated and timely manner.
- He/She prepares the relevant approvals and acceptances (legal findings) based on the technical assessment of the team.

### **3.4 APPLICATION PRELIMINARY REVIEW**

A preliminary review of the application is carried out by the Certification Team to assess the main and key points of the JAR-OPS AOC requirements. This is conducted by a general review of the documents/manuals submitted by the applicant with the application. This review provides the applicant with timely initial feedback and assesses the applicants understanding of the requirements.

The document used to conduct and report on this review is the Preliminary Review Application Report,. The review and report is completed by the Operations Certification Team members, with input from the Airworthiness Certification Team Members.

If as a result of this preliminary review any manual, or other documents, appears to require extensive amendment they should be returned to the applicant formally in writing. The applicant will be required re-review, and amend where necessary, the entire manual to

ensure it now meets the requirements. A revised manual will then need to be formally submitted. Also, pages from the Conformance Report reflecting the revisions, if affected, need to be submitted.

If the manual(s) are required to be returned to the applicant, the time taken for the applicant to revise the manual(s) and resubmit them formally to the CAA will be added to the previously agreed upon AOC certification schedule.

This Preliminary Application Review report is discussed and given to the applicant during the "Application Review Meeting" between the Certification Team Members and the company's management (Accountable Manager, Quality Manager, Post Holders). If desired a copy of the report may be facsimiled to the applicant beforehand

### **3.5 CONFORMANCE DOCUMENT and FINDINGS**

The applicant must provide the applicable "JAR-OPS (1 or 3) Conformance Document" properly completed with the relevant information. The Conformance Document is a working document and its purpose is threefold:

It assures that the applicant has reviewed all the requirements of JAR-OPS and that the company's manuals and other documents have been verified by applicant to be in compliance.

It assists the CAA in efficiently assessing the manuals and the applicant's organization. It serves as part of the record of the assessment process and will document the areas of compliance and non-compliance.

Each item in the Conformance Document must be checked and marked as satisfactory or unsatisfactory by the relevant Certification Team members during the certification process. It must refer, for each unsatisfactory item, to the relevant finding number or comment number.

Each item in the conformance report is checked against the information contained where the applicant has indicated it is located in the applicable procedure or manual. The content of the information is then reviewed for adequacy against the intent of the requirement of JAR OPS. The item is then marked as Satisfactory (S) or Unsatisfactory in the appropriate column of the Conformance Document.

For the items found unsatisfactory, indicate the number of the Finding in the column e.g. F1, F2 etc. The details of the Finding will be written on the like numbered Finding Form (numbered with the corresponding Conformance Document's unsatisfactory item). Some Conformance Document items will not be able to be fully evaluated until the onsite visit and flight inspection phase. A Finding Form may contain several different finding elements (under the same area) therefore several different unsatisfactory items in the Conformance Document may have the same Finding Number.

The applicant is only responsible for filling in the REFERENCES/COMMENTS/REMARKS column in the Conformance Document. The applicant should indicate in this column where in the applicable Manual the required information is located (indicating at least the chapter and the section of the referenced document). The abbreviations in the "Area" column of the Conformance Document are just an aid to help indicate what discipline the particular requirement relates.

The Conformance Document review for Subparts K and L (Instrument and equipment/Communication and Navigation Equipment) is delegated to the Airworthiness section, and conducted by the Maintenance Certification Team members. The information required is evidence (document references) that each piece of equipment is approved and installed per the applicable airworthiness criteria (typically JAR 25). It is not acceptable to just indicate that the required items are "installed" in the aircraft.

Guidance on completing the Conformance Document correctly should be provided to the applicant at the Pre Application meeting.

### **3.6 FINDINGS**

A Finding Form, must be completed for each non-compliance. Typically, an unsatisfactory item is discovered as a result of using the inspection checklists for the particular area of the audit/inspection. But in the case of reviewing manuals it will be discovered during the review of the Conformance Document.

When using the Inspection Checklists is not intended that findings issued are restricted to items indicated on the Inspection Checklists. It is also acceptable to issue a finding against a requirement that may not have been indicated on an inspection checklist.

The level of the finding must be specified on the Finding Form. For the Initial AOC process the levels are defined as follows:

Level 1: To be resolved prior to AOC issue.

Level 2: To be resolved by a certain date indicated.

Level 3: Observation. (A recommendation with a response expected from the applicant).

Normally all the findings during an Initial AOC evaluation are designated as Level 1 and therefore must be resolved before the issue of the AOC. Any findings allowed to be held open, until after the issuance of the AOC (Level 2), should be minor in nature (not be in direct conflict with any requirement) and have agreement of the Certification Team and Section Head.

### **3.6 DETAILED DOCUMENTATION REVIEW**

The relevant documentation prescribe by the Regulation (2.24) on method of public air transport and special requirements in respect of required staff, aircraft, equipment and other special requirements necessary for safe and regular operation, ("Official Gazette of RM", No. 21/08); and Regulation (2.25) on format, contents, record-keeping and procedure for granting, renewal, extension and change of an Operating License and Air Operator Certificate, ("Official Gazette of RM", No. 85/07); to be reviewed typically consists of:

The Operations Manual Part A (General), Part B (Aircraft operating matters) (one Part B section completed for each aircraft type), Part C (Route, Area, Aerodrome instructions and information), Part D (training)

The Quality Manual (if not included in the OM Part A),

The Maintenance Management Exposition (MME) Maintenance & Maintenance Organisation Exposition.

Other manuals such as Security Manual, Accident Prevention and Flight Safety Programme Manual, Ground Handling Manual, if not included in the basic operations manual.

Guidance material for the review of the Operations Manual is provided in AGM Section 4 Part 2 (JIPs) Appendix 1.

The Quality Manual, or Quality System description if contained within the Operations Manual, review consists of determining if the Quality System contains all the elements contained in AMC OPS 1.035.

Errors and omissions from any manual must be notified to the applicant in writing. For major discrepancies an individual Finding Form addressing the particular non-conformity should be completed. For lesser discrepancies a list outlining several non-conformities may be compiled and attached to one Finding Form.

### **3.7 MANUALS ACCEPTANCE**

The manuals submitted by the applicant are checked by reviewing the completed Conformance Report that has been submitted, against the manuals. If found satisfactory, the entire Operations Manual is "Accepted" not "Approved". This is because there is information in the Operations Manual that is company requirements not subject to an Authority's approval. There are certain items within the Manual, as specified in the Approvals List, that must be specifically "Approved".

On the basis of the Findings against the Manuals, the Operator is responsible for the relevant modifications required by the CAA.

Each item must be properly tracked by the certification team members to ensure its rectification.

Both the structure and the content of the Operations Manual must be accepted by a specific letter.

The review of the description of the Quality System and associated forms and checklists leads to the Acceptance of the Quality System as intended to be implemented. The acceptance of a new Quality System is based on an estimation of it being effective. The applicant has the option of having a separate Quality Manual or including the description of the Quality System within the Operations Manual. For other than small operators it is recommended that a separate Quality Manual be submitted.

### **3.8 MANAGEMENT PERSONNEL ACCEPTANCE**

The Accountable Manager, the Quality Manager and the Post-Holders for Flight and ground Operations, Crew Training and Maintenance System must be accepted formally by the CAA.

With the Application the applicant must also complete and submit the CAA form for Management acceptance (Management Acceptance Form), The persons seeking acceptance are also required to undergo an interview at the CAA offices.

The interviews should be scheduled as soon as possible after acceptance of the application. The information submitted on the Management Acceptance Form along with the results of the interview need to be evaluated against ACJ OPS 1/3.175(i). After this evaluation the formal letters of acceptance or non acceptance need to be issued.

In some instances, to verify the competency and capability of the person, it may be preferable to delay the acceptance until later in the certification process. The certification team will then have had the opportunity work with the person to then make an acceptance determination.

The Quality Manager should have attended a formal Quality Course (or at least an Audit Techniques Course), or be able to prove a sufficient background and experience in the Quality field.

### **3.9 OPERATIONS MANUAL and QUALITY SYSTEM IMPLEMENTATION**

Once the manuals and the management personnel are accepted by the CAA, some time must be allotted by the applicant to implement the manuals into the company. In addition, time must be allotted to indoctrinate all the personnel on the company policies and procedures. Also, measures must be taken by the applicant to ensure that the Quality System will work effectively and efficiently. Adequate time for these tasks should have been planned at the formal Application Meeting. If it becomes evident that the applicant needs additional time to accomplish these tasks adequately the necessary time should be added, and the planned certification date adjusted accordingly.

Once the Training Manual (Operations Manual Part D) is accepted, and the applicable training and checking programmes contained inside approved, the training and checking of the flight crew and cabin crew (crew members other than flight crew for JAR-OPS 3) may commence. Any activities that could commence prior to the issuance of the AOC, such as training, aircraft acceptance etc... should be audited by the company's Quality System.

### **3.10 INSPECTIONS**

Checklists have been prepared for conducting the on site and flight inspections for Airplane operations.

### **3.11 TRAINING & CHECKING OBSERVATIONS**

Regarding Training and Checking Observations, it is highly desirable to attend portions of the conversion training conducted by the applicant such as company Operations Manuals indoctrination, CRM, Emergency and safety equipment training and, Differences or Familiarisation training. Attending the Emergency and safety equipment practical training (Flight Crew, Cabin Crew and Crew members other than flight crew) will allow the facilities to be evaluated, if not previously evaluated, as well as observing the company designated check person for subsequent authorisation. Attending theoretical portions of the training will serve to confirm that the instructors are "suitably qualified" as indicated by their training and experience. If applicant flight crews are attaining new type ratings, on an aircraft type already operated on the Macedonian register, there is no need to attend this part of the conversion course training as it is conducted at an approved TRTO. The flight operations inspector assigned to the team will normally have previous experience (most likely a type rating) in the airplane operated.

If the aircraft is new to the CAA registry it is highly desirable for the operations inspector (flight or operators safety procedures/cabin) assigned to attend the type rating course with the applicant's pilots/cabin crew or obtain the type rating through another source. Other parts of the flight crew conversion course such as Line Flying under supervision and Line Checks should be scheduled to be observed during the beginning phase of operations. For

any flight crews joining the company, already holding applicable type ratings, portions of their conversion course (company procedures, CRM ground and simulator training and OPC) should be planned to be observed.

For cabin crews, in addition to the training previously stated, other parts of the Initial and or Conversion/Differences training (including aircraft visit and familiarisation flights) should be scheduled to be observed by the designated operator's safety procedures inspector (cabin).

### **3.13 FLIGHT INSPECTIONS**

The items to be checked during the Flight Inspections are contained in checklists specially prepared for this procedure. For Airplanes Flight Inspection (Flight Deck), Flight Inspection (Cabin) checklists. Guidance in conducting a flight inspection is provided in the AGM Section 4 Part 2 (JIPs) Appendix 1 and 5.

The first flight inspection for an initial AOC issue consists of the demonstration flight(s). A demonstration flight is not mandatory but it is **highly recommended** for the first issue of an AOC, on at least one of the types intended to be operated. When no demonstration flight has been conducted, the Certification Team should conduct a flight inspection at the earliest opportunity. When a Demonstration flight has been conducted a flight inspection should be scheduled during the early stages of the AOC Holders operations. The Flight Inspection checklists (Flight Deck and Cabin) are also designed to cover Flight preparation, Documentation, Equipment, Execution of Flight, and Post-flight

### **3.14 INSPECTION RESULTS AND FOLLOW-UP**

An inspection could discover a number of types of findings such as the non-adequacy of a procedure to the operation, unsatisfactory implementation of a procedure, or lack of training. A specific finding form is to be filled out for each discrepancy, deficiency or non-compliance found during the inspection (Finding Form). The Findings, after entry into the computer system, will be transmitted by formal letter.

The operator must propose to the CAA for agreement an appropriate corrective action with an implementation plan for each finding.

Prior to closure of the finding the assigned inspector(s) must check the implementation of each corrective action.

### **3.15 CAA APPROVALS and ACCEPTANCES**

The Certification Team should meet early in the documentation review phase of the AOC Certification Process to determine which JAR-OPS Approvals and Acceptances are applicable to the Applicant's intended operation. This is accomplished by reviewing the Approvals Lists, and Acceptance Lists . The individual items on each of these Lists that are not applicable to applicant's operation should be marked "NA" as not being applicable. The items that are applicable should be verified by the CPC, and once the items are found acceptable, to prepare letters for the signature of the FSD for the specific approvals and acceptances.

Once the CPC is satisfied that all the relevant findings are closed for the applicable items, the CPC, with the assigned inspectors, must prepare the required approvals and acceptances.

The Approvals and Acceptances may be issued one at a time during the progress of the AOC certification process as long as any applicable findings have been rectified.

It is recommended that the letter transmittal Number, for the approval or acceptance item be indicated in the column opposite each item in the Approval/Acceptance Documents. It is important that all the required approval items are covered either by individual letters or multiple items in one or more letters.

Many of the Acceptances are issued through acceptance of the Operations Manual and do not require individual letters. At least one letter, if not several letters, should be issued accepting the remaining listed items.

The original lists of the required approvals and acceptances may be found in AGM Section 4 Part 2(JIPs) Appendix 6 and 7 for aeroplanes.

#### **4. AOC ISSUANCE**

Once the Certification Team has verified that there are no outstanding findings, or other items, the AOC form may be prepared. The CPC should complete the computerised AOC form (JAA Form 100 - see AGM Section 4 Part 2, JIPs- Appendix 2), which includes the AOC cover page and the Operations Specifications. The completed Form is then coordinated with the entire Certification Team, to assure accuracy. The AOC should then be inserted the AOC certification file prior to presenting to the Head of Safety and Aeronautical Standards Division for acceptance . The coordinate AOC Certification File is then forwarded to the Director General for AOC signature. A letter composed by the CPC and signed by the members of the certification team recommending the issuance of the AOC is also part of the AOC Certification File. If there are any outstanding items for which any team member cannot issue a recommendation these should be stated and the decision left to forward the file to the DG for AOC Signature and issuance.

#### **5. REGISTRATION OF AOCs**

A copy of every AOC issued must be kept in the CAA register of AOCs. This register shows the essential details of the operator's business such as contact numbers, the business address of the AOC holder, the name of the accountable manager and Postholders, and list the types and variants of the aircraft operated. The Head of Operations Section is responsible for keeping the AOC Register up to date.

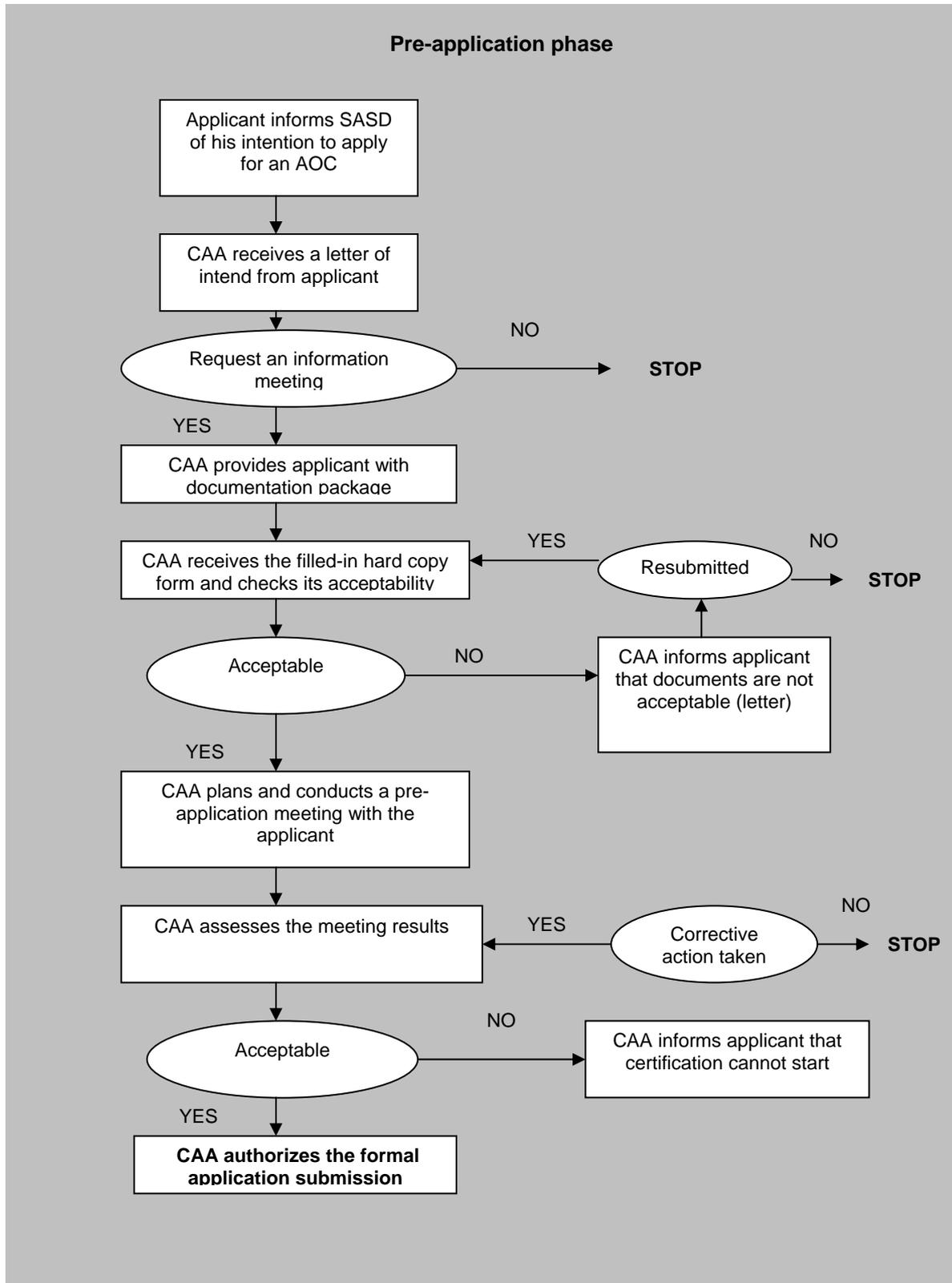
Immediately after the AOC has been issued the basic information regarding the AOC must be provided to the EASA headquarters. This is accomplished by completing the computerized JAA Form 101 and faxing it to EASA Headquarters.

The Address and contacts of the Civil Aviation Agency of the Republic of Macedonia is:

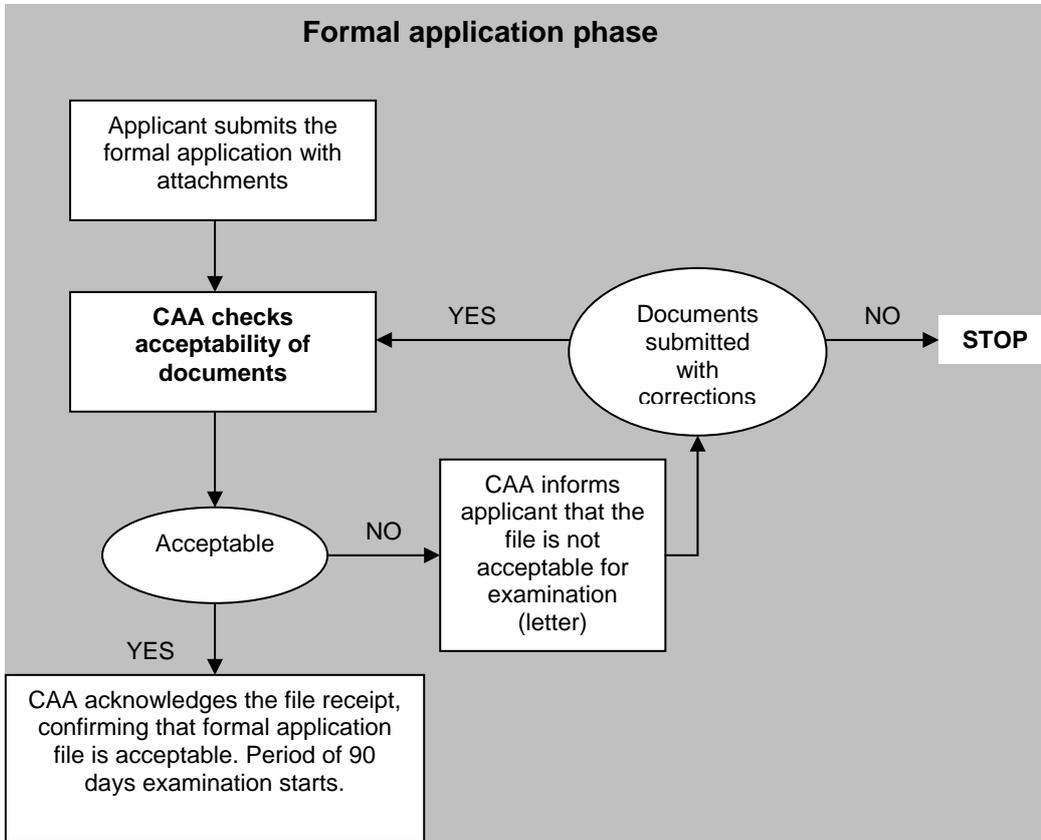
Civil Aviation Agency  
Dame Gruev 1  
1000 Skopje  
Republic of Macedonia  
Tel.+389 2 3114406  
Fax. +389 2 3115708

**APPENDIX 1. FLOW CHARTS OF THE PROCESS OF ISSUING AOC:**

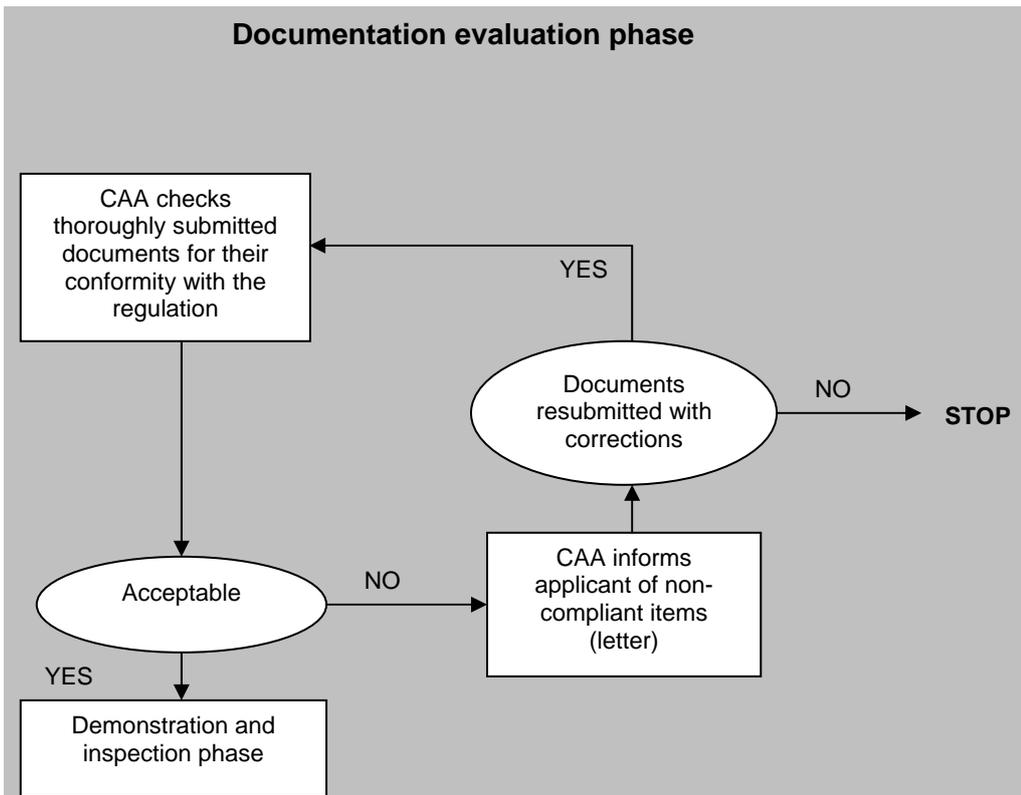
**PHASE 1: PRE-APPLICATION PHASE**



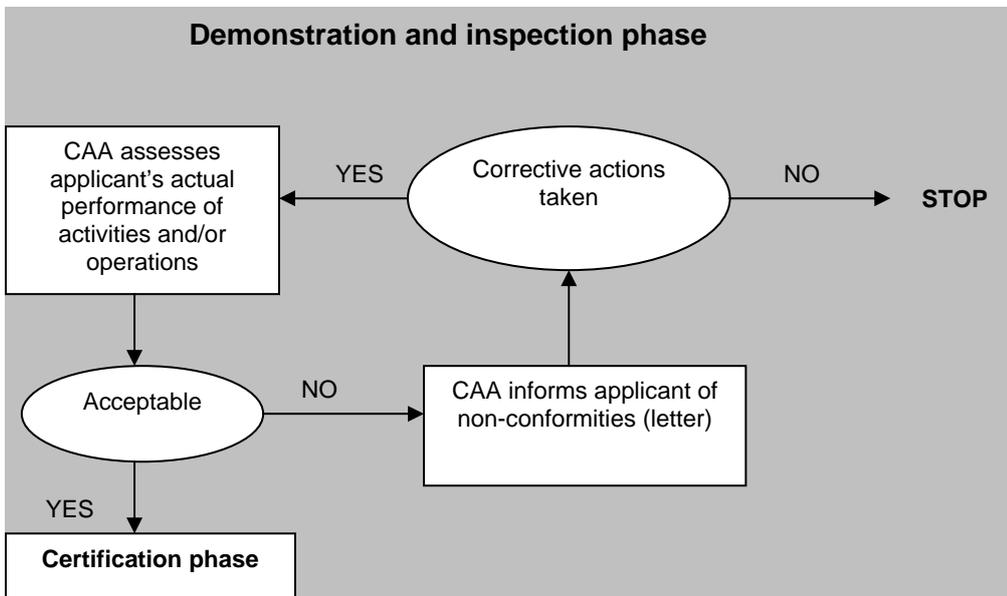
## PHASE 2: FORMAL APPLICATION PHASE



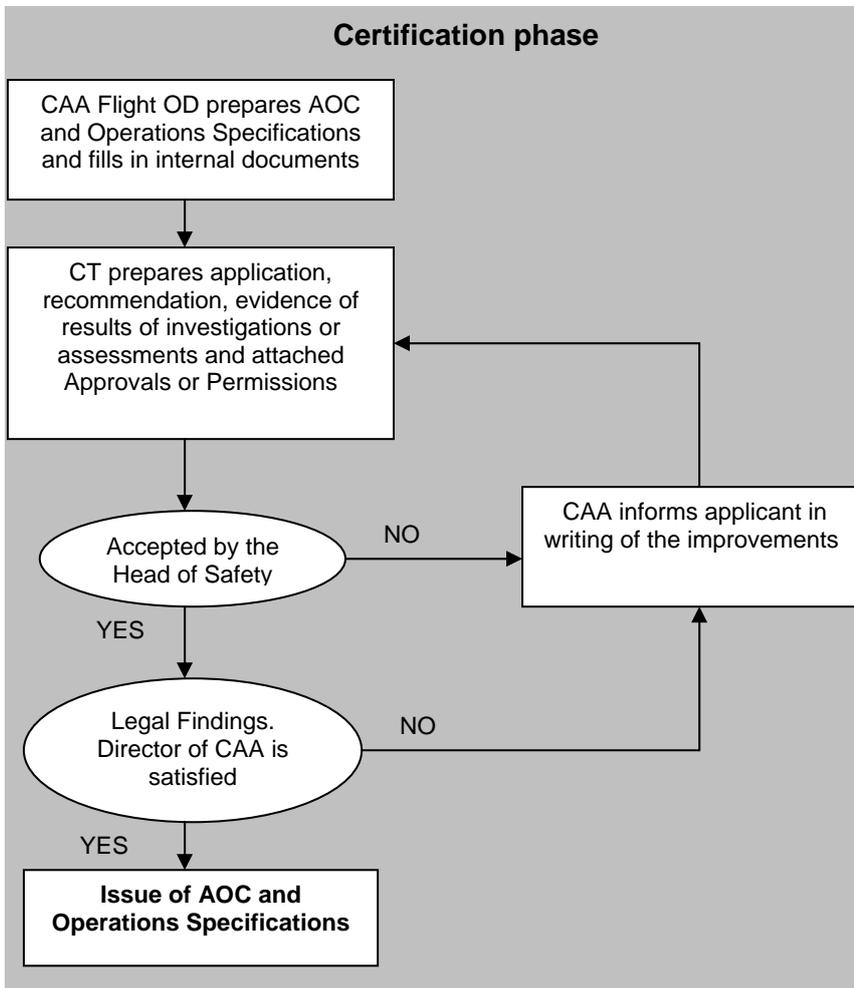
### PHASE 3: DOCUMENTATION EVALUATION PHASE



### PHASE 4: DEMONSTRATION AND INSPECTION PHASE



## PHASE 5: CERTIFICATION PHASE



## **APPENDIX 2 AVIATION SAFETY LEGISLATIVE FRAMEWORK USEFULL INFORMATION**

### **1. Macedonian Aviation Safety regulatory legal framework**

#### **1.1 Introduction**

1.1.1 The Macedonian Aviation Safety regulatory legal framework is a combination of primary and secondary regulation prepared on the basis of international standards and recommended practices by ICAO SARPs, EUROCONTROL ESARRs, JAA-Joint Aviation Requirement, European Directive and Regulation transposed in the domestic law and regulations. The following section describes the current situation:

1.1.2 The Macedonian legislation in the field of aviation is divided into primary and secondary legislation. All primary legislation (laws/acts) are adopted by the National Assembly of Macedonia. The secondary legislation (regulations, decisions, ordinances etc.) can be adopted on 3 levels (governmental, ministerial and CAA). The primary legislation consists of the "Aviation Act" which regulates public law issues, law for obligations and real estate relations in aviation (so called contract Law in aviation) which regulates private law issues and laws for ratification of a number of international conventions or agreements which have status of laws in Macedonia.

1.1.3 The current "Aviation Act" entered into force on 1 February 2006 (Official Gazette of RM, No. 14/2006) and has been amended in 2007 (Official Gazette of RM, No. 24/2007) and 2008 (Official Gazette of RM, No. 108/2008). It was developed on the basis of ICAO doc. 9734 stipulating the adoption of a basic aviation act based on the Chicago Convention and a secondary legislation, coming out from that basic Act, on the basis of Annexes of Chicago Convention. The Macedonian Aviation Act defines which regulations should be enacted by Government, which by Ministry of Transport and which by CAA. The Aviation Act also makes obligatory that all national rules are developed in accordance with JAA/EASA requirements. It also gives the possibility for transposition of JARs into national regulations only by reference without translation into the Macedonian language.

According to the Aviation Act the majority of the Secondary legislation should be enacted by CAA as ICAO doc. 9734 recommends.

The structure of the secondary legislation is divided among:

- regulations which prescribe requirements for certification or licensing and methods for performing some aviation activity (adapted either by the Government or CAA Macedonia).
- regulations which prescribe administrative procedures for certification including initial inspections in the certification process (adapted by CAA only) and
- regulations which prescribe on-going inspection procedures on entities which are already certified or licensed. (adapted by Ministry of Transport only).

The texts of all levels mentioned above have to get an approval from Legalisation Secretariat and after that to be published in "The Official Gazette of Republic of Macedonia".

#### **1.2 Primary Aviation Legislation**

1.2.1 The Aviation Act (Official Gazette of the Republic of Macedonia 14/06; 24/07; 108/08) provides the CAA with its powers, the legal basis to facilitate implementation and requires the establishment of a National Supervisory Authority (NSA) within the CAA. Furthermore, it provides the legal basis for the separation of regulatory and service provision functions and for the certification and on-going supervision by the CAA respectively. The legislative framework of the Aviation Act provides for three

types of transposition/translation of international provisions into the Safety Regulatory Framework through:

- specific Articles in the regulation,
- reference in the regulation,
- reference in the regulation and translation in an annex to that regulation.

1.2.2. Presently the Republic of Macedonia is a candidate EU Member State and is still within the first transitional period of the ECAA Agreement. As such EC legislation is not directly applicable in Republic of Macedonia and needs to be incorporated into the regulatory framework by means of national measures.

### 1.3 Secondary Aviation Regulation

1.3.1 In the CAA, a coding mechanism is used to for the registration of different aviation regulations in different domains (Airworthiness, Operations, Air Navigation Services etc. e.g. Aircraft Safety Occurrences Investigation (Regulation **2.15**).

## 2. AVIATION REGULATIONS CODE

### PART 1 Aviation Laws/Acts

- 1.1 Aviation Act  
("Official Gazette of RM", No. 14/06; 24/07; 103/08);
- 1.1a Decision on assessment of the constitutionality of provisions referred to in Article 3 of the Aviation Act
- 1.1b Decision on assessment of the constitutionality of provisions referred to in line 3 paragraph 3 Article 7 of the Aviation Act
- 1.1c Decision on assessment of the constitutionality of provisions referred to in paragraph 1 Article 117 of the Aviation Act
- 1.1d Decision on assessment of the constitutionality of provisions referred to in paragraph 2 Article 46, paragraph 6 Article 53 and paragraph 6 Article 137 of the Aviation Act
- 1.1e Decision on assessment of the constitutionality of provisions referred to in Article 19 paragraph 3, Article 20, Article 42 paragraph 1 & 6, Article 43 paragraph 1 & 6, Article 44 paragraph 1 & 6 and Article 122 paragraph 7 of the Aviation Act
- 1.2 Law on Contractual and Real Right Relations in respect of Aviation transport  
("Official Gazette of RM", No. 85/08);
- 1.3 CONVENTIONS TAKEN BY SUCCESSION FROM FORMER YUGOSLAVIA  
WITH LEGAL ACTS SPECIFIED IN DER ITEMS 1.6 / 1.6a
- 1.3a International Convention for Civil Aviation (Chicago Convention 1944),
- 1.3b International Air Service Transit Agreement (IASTA 1944)
- 1.3c Convention on the International Recognition of Rights in Aircraft, signed at Geneva on 19 June 1948;
- 1.3d Convention on Offences and Certain Other Acts Committed on Board of Aircraft, signed at Tokyo on 14 September 1963;
- 1.3e Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971;
- 1.3f Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16 December 1970;
- 1.4 Law on Ratification of the Agreement on Certain Air Services Provisions between the European

Community and the Republic of Macedonia,  
("Official Gazette of RM", No. 127/06);

- 1.5 Law on Ratification of the Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the 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 on the Establishment of a European Common Aviation Area,  
("Official Gazette of RM", No. 27/07);
- 1.5a Law on Ratification of the Annex amending the Annex 1 of the Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the 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 on the Establishment of a European Common Aviation Area,  
("Official Gazette of RM", No. 98/09);
- 1.6 Constitutional Law of the Republic of Macedonia  
("Official Gazette of RM", No. 52/91);
- 1.6a Decision for specifying the date for succession of Republic of Macedonia for the Multilateral International Agreements taken over from former Yugoslavia  
("Official Gazette of RM", No. 58/07);
- 1.7 Act on Ratification of the Protocol consolidating the Eurocontrol International Convention relating to Co-operation for the Safety of Air Navigation of 13 December 1960, as variously amended,  
("Official Gazette of RM", No. 102/00);
- 1.7a Decision for membership of Republic of Macedonia at EUROCONTROL, European Organization for Safety of Air Navigation  
("Official Gazette of RM", No. 9/98);
- 1.8 Multilateral Agreement Relating to Route Charges,  
("Official Gazette of RM", No. 37/98);
- 1.9 Law for ratification of the Multilateral Agreement on Commercial Rights of Non-Scheduled Air Services in Europe, Paris, 30.04.1956,  
("Official Gazette of RM", No. 13/02);
- 1.9a Law for termination of the Law for ratification of the Multilateral Agreement on Commercial Rights of Non-Scheduled Air Services in Europe,  
("Official Gazette of RM", No. 108/09);
- 1.10 Convention for the Unification of Certain Rules for International Carriage by Air, Montreal, 28 May 1999,  
("Official Gazette of RM", No. 25/00);
- 1.11 Convention on the Marking of Plastic Explosives for the Purpose of Detection, Montreal, 1 March 1991,  
("Official Gazette of RM", No. 21/98);

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## **PART 2 Aviation By-laws in respect of Operations**

- 2.1 Order on obtaining consent and conditions and method in respect of anti-hail rockets launching,

- ("Official Gazette of SFRY", No. 32/87);
- 2.2 Regulation on Rules of the Air  
("Official Gazette of SFRY", No. 10/79 and 4/83);
- 2.3 Regulation on Civil Aviation Hang-gliding  
("Official Gazette of SFRY", No. 52/55);
- 2.4 Regulation on Parachuting  
("Official Gazette of SFRY", No. 73/89 and 57/90);
- 2.5 Regulation on Aircraft Accident Investigation  
("Official Gazette of SFRY", No. 66/87);
- 2.5a Decision on Nomination of a Permanent Member of Aircraft Accidents and Serious Incidents Investigation Commission,  
("Official Gazette of RM", No. 106/06);
- 2.7 Order on Boundary Points (regarding the aircraft overflying)  
("Official Gazette of RM", No. 2/97);
- 2.8 Order on Airways  
("Official Gazette of RM", No. 2/97);
- 2.9 Regulation on procedures in respect of weapon and ammunition handing over and giving back in public transport by air,  
("Official Gazette of SFRY", No. 40/80 and 14/82);
- 2.10 Regulation on specialized services of aircraft operations and special requirements in respect of aircraft, aircraft equipment and other special requirements necessary for safe and regular operation,  
("Official Gazette of RM", No. 159/07);
- 2.11 Regulation on Granting of Permits to Fly in respect of an Aircraft  
("Official Gazette of SFRY", No. 43/82);
- 2.12 Regulation on Medical Indications and Criteria for Use of Helicopter for Carriage of Injured or Ill Persons.  
("Official Gazette of SFRY", No. 18/87);
- 2.13 Regulation on Operation and Use of Hang gliders, Rigid Wings and Paragliders,  
("Official Gazette of RM", No. 12/96);
- 2.14 Regulation on the manner and rules for flying with balloons  
("Official Gazette of RM", No. 134/08);
- 2.15 Regulation on investigation of endangering the safety of an aircraft,  
("Official Gazette of RM", No. 41/03);
- 2.16 Regulation on the manner and rules of modeling,  
("Official Gazette of RM", No. 134/08);
- 2.17 Decision on Issuance of Permits to Fly in respect of Aircraft Operations for the need of United Nations Protection Force,  
("Official Gazette of SFRY", No. 26/92);
- 2.19 Decision on Establishment of level charge for compliance with air services safety and regularity requirements,  
("Official Gazette of RM", No. 78/99, 31/02 and 36/02);

- 2.20 Order on Level charge for ANS, landing and handling services provided to NATO forces aircraft by the Directorate General of Civil Aviation and PEAS "Makedonija", ("Official Gazette of RM", No. 33/99 and 58/02);
- 2.22 Regulation on Emblem of the Civil Aviation Authority, ("Official Gazette of RM", No. 14/97);
- 2.23 Order on Aircraft Search and Rescue Requirements and Procedures, ("Official Gazette of RM", No. 88/01);
- 2.24 Regulation on method of public air transport and special requirements in respect of required staff, aircraft, equipment and other special requirements necessary for safe and regular operation, ("Official Gazette of RM", No. 21/08);
- 2.25 Regulation on format, contents, record-keeping and procedure for granting, renewal, extension and change of an Operating License and Air Operator Certificate, ("Official Gazette of RM", No. 85/07);
- 2.25a Decision on assessment of the constitutionality and legality of the provisions referred to in Article 2, Article 5, paragraph.2,3,4,5, Article 6, item.7, Article 11, paragraph.3, Article 12, paragraph.2, Article 16, paragraph.2 and Article 18 paragraph.1 & 2 of the Regulation on format, contents, record-keeping and procedure for granting, renewal, extension and change of an Operating License and Air Operator Certificate, ("Official Gazette of RM", No. 85/07);
- 2.26 Regulation on Procedure and Rules for Operation of Ultralight Aircraft and Powered hang gliders and paragliders, ("Official Gazette of RM", No. 106/07);
- 2.27 Regulation on procedure, rules and special requirements for inspection and special requirements to be met by a person to carry out inspection regarding the public air transport ("Official Gazette of RM", No. 47/08);
- 2.28 Regulation on the manner and procedure on returning and forced landing of aircraft approaching or flying through an area of restricted, conditionally restricted or dangerous zone ("Official Gazette of RM", No. 129/08);
- 2.29 Regulation on manner and conditions on launching rockets and other flying objects for scientific, sports and other purposes that could endanger flight safety ("Official Gazette of RM", No. 134/08);
- 2.30 Regulation on method of transport for own use (Corporate Aviation) and special requirements in respect of required aircraft, equipment and other special requirements necessary for safe and regular operation, ("Official Gazette of RM", No. 90/09);

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### **PART 3 By-laws in respect of Aviation and Other Qualified Personnel**

- 3.1 Regulation on qualification, examination and licensing of flight crew members, ("Official Gazette of SFRY", No. 2/80, 31/80, 53/80, 43/81 and 10/85); ("Official Gazette of RM", No. 34/95, 45/99, 27/01, 35/01, 16/05, 06/06, 129/08,

121/09);

- 3.1A Regulation on training, examination, licensing and ratings of airplane pilots, ("Official Gazette of RM", No. 44/08; 39/09);
- 3.1.B Regulation on training, checks and certification of proficiency of cabin crew ("Official Gazette of RM", No.129/08);
- 3.1C Regulation on training, examination, licensing and ratings of helicopter pilots, ("Official Gazette of RM", No. 121/09);
- 3.2 Regulation on qualification, training, examination, licensing and ratings of air traffic controllers, ("Official Gazette of RM", No. 79/03);
- 3.3 Regulation on training, examination, licensing and ratings of aviation technical personnel, ("Official Gazette of RM", No. 80/08);
- 3.4 Regulation on training, examination and licensing and ratings of CNS technical personnel, ("Official Gazette of RM", No. 73/09);
- 3.6 Regulation on flight time, long-range flight time, flight duty periods, number of take-off/landings during flight duty periods and day rest time of flight crew members, ("Official Gazette of SFRY", No. 42/88, 9/89 and 57/90);
- 3.7 Regulation on Requirements, Metod and Procedure for establishment of medical fitness of aviation and other qualified personnel, Period of validity of medical certificates and Special requirements to be met by Aeromedical Centres and Authorised Medical Examiner to carry out medical examinations of the aviation and other qualified personnel, ("Official Gazette of RM", No. 49/08);
- 3.9 Regulation on Form, Content, record-keeping and procedure for issuance and revocation of Aviation Inspector Official Identity Card, ("Official Gazette of RM", No. 23/09);
- 3.12 Regulation on qualification, examination and operation licensing of the qualified personnel in charge services at the airport, ("Official Gazette of SFRY", No. 64/80, 69/80 and 63/81);
- 3.14 Order on level charge for proficiency checks of aviation personnel, ("Official Gazette of RM", No. 4/94, 34/02);
- 3.17 Regulation on qualification, training, examination, licensing and authorizations of the aviation operational personnel, ("Official Gazette of SFRY", No. 37/88);
- 3.18 Regulation on qualification, training, examination, licensing and ratings for the officials charged with duties to provide aviation meteorological information, ("Official Gazette of SFRY", No. 36/89, and 50/90); ("Official Gazette of RM", No. 24/05);
- 3.19 Regulation on requirements to be met by a flight training facility or centre to conduct training of aviation personnel, ("Official Gazette of SFRY", No. 72/91); ("Official Gazette of RM", No. 06/06; 129/08; 121/09);
- 3.20 Regulation on criteria for authorization of examiners of aviation experts list, ("Official Gazette of RM", No. 44/07; 45/09);

- 3.21 Regulation on training, examination, and certification of proficiency of personnel charged with duties to prepare and provide aviation information, charts, publications and flight procedures. ("Official Gazette of RM", No. 85/07);
- 3.22 Regulation on training, examination, and Licensing and Ratings of Pilots of Ultralight Aircraft and Powered Hang gliders and Paragliders ("Official Gazette of RM", No. 106/07);
- 3.23 Regulation on training, examination, and certification of proficiency of personnel charged with duties to protect against acts of unlawful interference, ("Official Gazette of RM", No. 151/07);
- 3.24 Regulation on training, examination and certification of personnel charged with duties of traffic flow, ("Official Gazette of RM", No. 12/08);

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#### **PART 4 Aviation By-laws in respect of Aircraft**

- 4.1 Regulation on specific requirements for construction and modifications of aircraft, engine, propeller and equipment, technical control of construction and development of technical and technological documentation, type certification, procedures and method for determination of aircraft airworthiness, as well as form, content, record and procedure for issuing, renewal, reissuing and modification of the production certificate, type certificate, airworthiness certificate, noise certificate and gas emissions certificate. ("Official Gazette of RM", No. 69/08)
- 4.2 Order on aircraft nationality and registration and marks, ("Official Gazette of SFRY", No. 32/87 and 67/90);
- 4.3 Order on charge level for aircraft checks, ("Official Gazette of RM", No. 52/94);
- 4.5 Regulation on amateur construction of an aircraft, ("Official Gazette of SFRY", No. 19/82);
- 4.6 Regulation on technical requirements for aircraft airworthiness, aircraft engine, propeller and equipment, ("Official Gazette of RM", No. 42/07);
- 4.6a Decision on assessment of constitutionality and lawfulness of the Regulation on technical requirements for aircraft airworthiness, aircraft engine, propeller and equipment,
- 4.7 Regulation on instruments and equipment to be built-in into aircraft depending on the category and purpose of an aircraft, ("Official Gazette of SFRY", No. 59/84);
- 4.9 Regulation on contents of an aircraft registry main book of the Republic of Macedonia, ("Official Gazette of RM", No. 1/94);
- 4.10 Regulation on maintenance methodology and maintenance technical control of aircraft, aircraft engine, propeller and equipment, development of technical and technological documentation regarding the maintenance and special requirements in respect of required staff, equipment and other special requirements necessary for safe and regular operation, as well as form, content, record and procedure for issuing, renewal, reissuing and modification of the maintenance certificate ("Official Gazette of RM", No. 61/09);

- 4.11 Regulation on requirements and control of construction and procedures for determination of ultralight and powered hang gliders and paragliders airworthiness,  
("Official Gazette of RM", No. 159/07);
- 4.12 Regulation on procedure, rules and special requirements for inspection and special requirements to be met by a person to carry out inspection regarding the aircraft, their, production, maintenance and airworthiness  
("Official Gazette of RM", No. 54/08);

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## **PART 5 Aviation By-laws in respect of Airport and Services at the Airport**

- 5.1 Regulation on Airport Security,  
("Official Gazette of SFRY", No. 73/87);
- 5.1a Decision on assessment of constitutionality of the provisions referred to in paragraph 2 Article 16 of the Regulation on airport security,  
("Official Gazette of SFRY", No. 22/90);
- 5.2 Regulation on design and planning, construction and reconstruction of civil airports and classification thereof,  
("Official Gazette of SFRY", No. 2/66 and 4/66);  
("Official Gazette of RM", No. 130/07);
- 5.2a Regulation on special requirements for design and planning, construction and reconstruction of an airport,  
("Official Gazette of RM", No. 130/07);
- 5.3 Regulation on method for use, maintenance and control of an airport maneuvering areas, aprons, objects, installations, devices and equipment  
("Official Gazette of RM", No. 151/07);
- 5.4 Regulation on procedure for marking of maneuvering areas, aprons and other areas of an airport or airfield,  
("Official Gazette of RM", No. 151/07);
- 5.5 Regulation on requirements for installation, construction and marking of objects, installations and facilities within an aerodrome area (zone), including the air traffic control objects and facilities as well as the objects outside an aerodrome zone, which may affect to aviation safety and requirements and procedures for cultivation of the land within an aerodrome zone and lands in the vicinity thereof,  
("Official Gazette of RM", No. 130/07);
- 5.6 Regulation on format, contents and procedures for record keeping of an Aerodrome and Airfield Register and Evidence on Terrain (landing strips),  
("Official Gazette of RM", No. 151/07);
- 5.7 Regulation on ground handling services at an airport,  
("Official Gazette of SFRY", No. 66/87 and 57/90);
- 5.8 Regulation on airport firefighting services,

- ("Official Gazette of RM", No. 29/08);
- 5.9 Regulation on airport first aid services,  
("Official Gazette of RM", No. 29/08);
- 5.10 Regulation on aviation safety requirements in respect of use of terrain and procedure and requirements for airfield maintenance,  
("Official Gazette of RM", No. 151/07);
- 5.11 National Program for Air Transport Facilitation  
("Official Gazette of RM", No. 127/08);
- 5.12 Order on the minimum equipment required for checks of an aircraft, passengers, baggage and cargo,  
("Official Gazette of SFRY", No. 12/75);
- 5.13 Order on airports operation hours,  
("Official Gazette of SFRY", No. 43/92);
- 5.14 Regulation on premises, technical preparation and procedure for check of an aircraft, passengers and things at an airport,  
("Official Gazette of SFRY", No. 8/89, 24/89 and 61/90);
- 5.15 Decision on termination and giving in temporal possession of real estate – airfields from the Civil Aviation Agency to municipalities  
("Official Gazette of RM", No. 139/08);
- 5.16 Decision on transformation of a Public Enterprise for Airport Services "Makedonija", into in Joint-Stock Company owned by the State.  
("Official Gazette of RM", No. 35/08);
- 5.17 Joint-Stock Company "Airports of Macedonia" Statute,  
("Official Gazette of RM", No. 35/08);
- 5.18 Decision on limitation to use runway at the Airport "Skopje" – Skopje,  
("Official Gazette of RM", No. 50/00);
- 5.19 Decision on Establishment of a National Aviation Security Committee,  
("Official Gazette of RM", No. 102/05);
- 5.20 Regulation on format, contents, record-keeping and granting, renewal, revalidation, change and transfer of a certificate of compliance with requirements for safe use of an airport or airfield,  
("Official Gazette of RM", No. 85/07);
- 5.21 National Aviation Security Programme, dated 31 August 2004;
- 5.22 Regulation on procedure, rules and special requirements for inspection and special requirements to be met by a person to carry out inspection regarding the protection against act of unlawful interference,  
("Official Gazette of RM", No. 143/07);
- 5.23 Regulation on procedure, rules and special requirements for inspection of airports, airfield and terrains and provision of airport services and special requirements to be met by a person to carry out inspection,  
("Official Gazette of RM", No. 158/07);
- 5.24 Decision on termination and giving in possession of real estate,

("Official Gazette of RM", No. 23/08);

5.25 National Quality Control Program of Republic of Macedonia  
Gov. Adoption No. 19-8569/1 from 15.09.2008);

5.26 Decision on termination and giving in possession of real estate – concrete helicopter  
surface at the Alexander the Great Airport Skopje from the Civil Aviation Agency to  
the Ministry of Defense  
("Official Gazette of RM", No. 137/08);

5.27 Decision on termination and giving in possession of real estate – hanger in  
municipality Strumica from the Civil Aviation Agency to municipality Strumica  
("Official Gazette of RM", No. 137/08);

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