

On the basis of Article 9-6 from the Aviation Act (“Official Gazette of RM” No.118/2010-consolidated text), the Management Board of the Civil Aviation Agency has adopted the following:

**STATUTE
OF
THE CIVIL AVIATION AGENCY**

I. GENERAL PROVISIONS

Article 1

This Statute shall regulate the substantial issues for organization of the work of the Civil Aviation Agency (hereinafter: Agency) concerning: the scope of work and competences, management bodies, representation, internal organization, employment and reassignment of the employees, rights and obligations of the employees, manner of operation of the Agency, confidentiality of data, documents, acts and information, as well as other important issues for the functioning of the Agency.

Article 2

The Civil Aviation Agency has been established by the Aviation Act, as an independent regulatory body with a status of a legal entity with public authorisations stipulated by law.

Article 3

The full name of the Agency shall be “CIVIL AVIATION AGENCY”. The abbreviated name of the Agency shall be “CAA”.

Article 4

The Agency shall have its own emblem, i.e. logo, an eight-rayed sun from the flag of the Republic of Macedonia with stylization – sunrise from a mountain located in the geographical map of the Republic of Macedonia, presented in a circle surrounded by a laurel wreath, with spreading wings as an aviation symbol. Above the emblem there shall be a double inscription of the abbreviation for the Agency “AIQB – CAA”.

The emblem i.e. logo shall have the following colours:

- the stylized wings in dark blue;
- the basis of the circle in light blue colour;
- the laurel wreath in light and dark green colour;
- the geographical map of the Republic of Macedonia in red colour;
- the rayed-sun in yellow colour.

The emblem i.e. logo shall have the following dimensions:

- basic width “A” of the emblem shall be a yardstick for all the other dimensions;
- the total width shall be $\frac{5}{9}$ of “A”
- the width of the stylized wings shall be $\frac{1}{6}$ of “A”
- the width of the geographical view of the borders shall be $\frac{1}{4}$ of “A”.

The emblem i.e. logo shall be on the stamp and seal of the Agency and it shall be used in the written documents for external communication of the Agency with other domestic and foreign institutions and for internal communication within the Agency.

The appearance of the trademark of the Agency could be altered by a decision of the Management Board.

Article 5

The headquarters of the Agency shall be on ul. Dame Gruev br.1 in Skopje. The Agency may have organizational units outside of the headquarters.

Article 6

The Agency shall have its own stamp and seal.

The seal of the Agency shall be in the form of a circle, with a diameter of 30 mm, and it shall have a semicircular inscription: THE REPUBLIC OF MACEDONIJA - CIVIL AVIATION AGENCY – SKOPJE, and the emblem, i.e. logo of the Agency shall be placed in the middle.

With the exception of paragraph 2 under this Article, the seal of the Agency that is used in the organizational units of the Agency located outside of its headquarters, shall contain the headquarters of the relevant organizational unit.

The stamp of the Agency shall have a rectangular form, in which the name of the Agency shall be written, with space for adding an archive number and date of dispatching the document.

In its archive operations, the Agency shall also use a stamp of receipt with a rectangular form, in which the name of the Agency shall be written, with space for adding an archive number and date of receipt of the document.

The Management Board shall decide on the preparation of seals with other dimensions and form for the needs of certain organizational units in CAA.

The text of the stamps and seals shall be written in Macedonian with a Cyrillic alphabet.

The Management Board shall decide on preparing and determining the number of stamps and seals. The director shall prescribe the manner of their use, storing and revoking by an internal procedure.

Article 7

The Management Board shall decide on opening own bank accounts in one or several commercial banks in the Republic of Macedonia.

The director of the Agency shall be a signatory of the operations with bank accounts.

Upon proposal of the director, the Management Board shall decide for a second signatory of the bank accounts with joint signatures.

II. SCOPE OF WORK AND COMPETENCE OF THE AGENCY

Article 8

The Agency shall perform the operations from its scope of work in compliance with the Law and regulations in the field of aviation, National Strategy for Aviation Development, international standards, ICAO Document 9734, international arrangements, as well as with other international agreements in the field of aviation, ratified by the Republic of Macedonia.

In its work and in the process of decision-making within its authorizations, the Agency shall be politically, financially and functionally completely independent from any other state body, other public legal entity or trade company performing an activity in the field of aviation and it shall be impartial towards them.

With the purpose of performing certain activities within its competences, the Agency may engage domestic or foreign legal entities or natural persons, having regard to the conflict of interests.

Article 9

The Agency shall have the following competences:

- performing supervision over the application of regulations in the field of aviation,
- participating in the preparation of draft-laws in the field of aviation,
- adopting by-laws in the field of aviation that are stipulated by this law,
- approving a Glossary for Aviation Information,
- carrying out procedures and deciding on issuing, continuing, renewing, changing, suspending and withdrawing permits, authorisations, certificates, approvals and other written documents determined by this law, as well as keeping records thereof,
- registering aircrafts, airports, landing-strips and keeping records of the fields,
- proposing measures for development and application of new technologies in the aviation,
- organizing and coordinating activities related to search and rescue of aircrafts,
- preparing literature in the field of aviation,
- performing other activities determined by the regulations in the field of aviation.

III. BODIES OF THE AGENCY

Article 10

The bodies of the Agency shall consist of a Management Board and a director.

Article 11

The Management Board shall be composed of three members, one of whom shall be president.

The president of the Management Board shall be in charge of the work of the Management Board.

The president and the members of the Management Board shall be appointed by the Assembly of the Republic of Macedonia, for a four-year term of office, with a possibility for another term of office.

Persons that have finished higher education in the field of technical, legal or economic sciences, with more than five years work experience in the field of aviation and sufficient knowledge of the English language may be appointed as president and members of the Management Board.

Employees in other legal entities may be appointed as president and members of the Management Board, unless that represents a conflict of interests pursuant to law.

The president and members of the Management shall be appointed no longer than 60 days from the termination of the term of office of their predecessors.

During the term of office, the president and members of the Management Board cannot be Members of Parliament in the Assembly of the Republic of Macedonia, members of the Government of the Republic of Macedonia, persons performing duties in the authorities and bodies of political parties, members of management and supervisory boards of public enterprises or joint stock companies or members of other type of association of legal entities or natural persons that could lead to conflict of interests.

The president, a member of the Management Board, persons in matrimony with the president or member of the Management Board, relatives up to second-degree in the ascending line, cannot acquire shares i.e. stakes directly or indirectly in an organization performing activities directly related to the competences of the Agency.

Persons convicted by an effective court decision for a criminal offence with imprisonment in duration longer than six months or a measure of prohibition on carrying out a profession, activity or duty cannot be appointed as president and members of the Management Board during the duration of the sentence or measure.

If the procedure for appointment has not been completed prior to the termination of the term of office for the president and members of the Management Board, the president and members of the Management Board may continue holding their position, but for no longer than six months.

The president of the Management Board shall be entitled to a monthly compensation in the amount of 50% from the average monthly net salary in the economy on a level of the Republic of Macedonia, and the members of the Management Board shall be entitled to a monthly compensation in the amount of 40% from the average monthly net salary in the economy on a level of the Republic of Macedonia.

The funds for the monthly compensation and other costs of the president and members of the Management Board shall be provided from the funds of the Agency, determined by the annual financial plan.

Article 12

The Management Board of the Agency shall be competent for:

- adopting a Statute and other acts of the Agency,
- adopting a proposal and adopting an annual programme for work and development;
- adopting a proposal and adopting an annual financial plan,
- adopting an annual financial report with an annual account,

- adopting a report on realization of the annual programme for work and development,
- appointing the director of the Agency pursuant to the Aviation Act,
- adopting the general acts for internal organization and systematization of the job posts, the employees' salaries, as well as the schedules of rates and cost estimates for the work of the Agency,
- cooperating with other state bodies and institutions, bodies of the local self-government units,
- submitting reports, recommendations and proposals to the Assembly of the Republic of Macedonia and other state bodies and institutions in the field of civil aviation, as well as
- adopting Rules of Procedure for its work,
- determining and monitoring the realization of the development and business policy of the Agency,
- cooperating with associations of citizens and nongovernmental organizations,
- performing other activities stipulated by Law and by the Statute of the Agency.

Article 13

The Management Board shall decide on sessions.

The sessions shall be convened by the president of the Management Board at least once a month.

The sessions of the Management Board shall be public. Upon exception, the Management Board may decide whether the session or discussion for some issue will be closed for the public.

The decisions of the Management Board shall be adopted by a majority of votes from the total number of members of the Management Board.

The work of the Management Board shall be regulated by Rules of Procedure.

Article 14

The Assembly of the Republic of Macedonia, upon proposal of the Election and Appointments Commission within the Assembly of the Republic of Macedonia may dismiss the president and members of the Management Board of the Agency prior to the termination of the term of office for which they have been appointed due to the following reasons:

- upon his/her request,
- in case of inability to perform the duties due to illness longer than six months or in case of death,
- acceptance of a position or work that is incompatible with his/her position as a member of the Management Board,
- if he/she has been convicted for a criminal offence with imprisonment in duration longer than 6 months or a measure of prohibition on carrying out a profession, activity or duty, with the day of pronouncing the sentence or measure,
- if he/she has committed an infringement of the regulations in the field of aviation or abuse of power and
- if he/she has been absent for no justifiable reason on three sessions successively or on five sessions in the current year.

The failure to submit the annual programme for work and development of the Agency, as well as the annual financial report to the Assembly of the Republic of Macedonia shall be grounds for collective dismissal of the president and members of the Management Board.

If there is a reason for dismissing a member of the Management Board of the Agency prior to the termination of the term of office for which he/she has been appointed, the

Management Board of the Agency shall have to notify the Election and Appointments Commission within the Assembly of the Republic of Macedonia within seven days from the day of learning the reason.

Article 15

The work of the Agency shall be managed by a director.

The director of the Agency shall be appointed by the Management Board of the Agency through a public announcement.

The term of office of the director shall be in duration of four years with a possibility for one more successive term of office.

The director of the Agency shall have to have a higher education degree obtained in the field of technical, legal or economic sciences work experience of more than five years in the field of civil aviation and at least three years work experience on a management position and sufficient knowledge of English language.

The Management Board shall be obliged to appoint the director not longer than 30 days before the termination of the term of office of his/her predecessor.

The director of the Agency, persons in matrimony or in extra-marital union with the director of the Agency, relatives up to second-degree in the ascending line cannot obtain shares, that is, stakes, directly or indirectly in an organisation performing activities directly related to the competencies of the Agency.

The director of the Agency cannot be a person that has been convicted of a criminal offence with an effective court decision to imprisonment sentence in duration of more than six months or a person who has been pronounced a measure of prohibition on carrying out a profession, activity or duty during the time of duration of the sentence or measure.

The director shall be a professionally engaged full-time employee of the Agency.

Article 16

The director shall manage the work of the Agency and shall be responsible for the legal work of the Agency and shall have the following competencies:

- representing the Agency;
- adopting acts within the first-instance administrative procedure;
- proposing, preparing and adopting by-laws and internal procedures for work;
- issuing authorisations to legal entities for performing activities that are a part of the competencies of the Agency;
- preparing a draft annual work and development programme, an annual financial plan of the Agency, a financial report with annual account and report on the realised annual work and development programme of the Agency;
- carrying out the business and development policy determined by the Management Board;
- proposing general acts on internal organisation and job post systematisation, salaries of the employees, as well as schedules of rates and cost estimates of the work of the Agency;
- proposing acts for adoption by the Management Board;
- executing the decisions adopted by the Management Board;
- adopting decisions on issues the Management Board does not decide upon;
- appointing civil aviation inspectors;
- appointing persons on head positions within the Agency after previously having obtained the consent of the Management Board;
- cooperating with other state authorities and institutions, local self-government units and non-governmental organisations and associations of citizens; and

– performing other work activities determined by this Law and the Statute of the Agency.

The director of the Agency shall be responsible for establishing internal control through implementation of a suitable financial management system and internal audit in accordance with the Law on Public Internal Financial Control.

The director shall have the right to attend and participate on the meetings of the Management Board with no right to vote.

The director can submit his/her resignation in writing to the Management Board.

If the term of office of the director is terminated and the procedure for appointing a director is not finished, then the director shall be allowed to hold the position until a director is appointed, however, not longer than six months.

If the procedure for appointment of a director is not finished within the deadline provided for in paragraph 5 of this Article, the Management Board by adopting a decision shall authorise a person among the employees meeting the prescribed requirements to hold the position until the appointment of a new director.

Article 17

The director may be dismissed by the Management Board before the termination of the term of office in the following cases:

- upon his/her own request;
- in case of inability to perform the duties due to illness for a period longer than six months or in case of death;
- by accepting a position or a job post which is incompatible with his/her position of a director;
- if he/she has been convicted of a criminal offence with an effective court decision to imprisonment sentence in duration of more than six months or if he/she has been pronounced a measure of prohibition on carrying out a profession, activity or duty during the time of duration of the sentence or measure; and
- in case of infringement of the civil aviation regulations or power abuse.

The director who is deemed to have infringed the civil aviation regulations or to have abused power shall be allowed to explain his/her stances before the Management Board upon what is considered to be an infringement.

If the director is dismissed, the position of a director shall be held by a professional employed at the Agency who for this purpose shall be authorized by a decision adopted by the Management Board until the appointment of a new director of the Agency, however, not longer than 45 days.

Article 18

The person whose term of office as a director of the Agency has terminated and who has been employed at the Agency prior to the appointment as a director, shall conclude an employment contract for performing works and work tasks in accordance with his/her vocational qualifications and skills.

IV. REPRESENTATION OF THE AGENCY

Article 19

In case of inability of the director to perform his/her duties, the Management Board shall adopt a decision on authorising a person among the employees meeting the prescribed requirements to perform the duties until the reasons for inability of the director terminate.

In case of absence from work by the director, in accordance with Article 23 of this Statute, the Agency shall be represented by a person authorised by him/her.

V. INTERNAL ORGANISATION OF THE AGENCY

Article 20

The internal organisation, the number and names of the organisational units with description of the works, the number of necessary employees with a description of the working assignments, the necessary vocational qualification for performing these work assignments etc., shall be closely regulated by the Rulebook on Internal Organisation and the Rulebook on Systematisation of Job Posts in the Agency.

VI. EMPLOYMENT AND RIGHTS, EMPLOYMENT OBLIGATIONS AND RESPONSIBILITIES

Article 21

The procedure for employment, exercise of employment rights, obligations and responsibilities at the Agency shall be conducted in accordance with the Law on Labour Relations, the Statute of the Agency, the Collective Agreement, the Rulebook on Internal Organisation and the Rulebook on Systematisation of Posts in the Agency and other general acts of the Agency.

The acts from paragraph 1 of this Article, as well as the Aviation Act, shall be also applied in the procedure for employment of the director of the Agency.

Article 22

The director of the Agency in accordance with the Rulebook on Systematisation and the established Employment Policy adopted by the Management Board, shall adopt a decision on the need for employment, shall adopt a decision on the selection of a candidate through a public announcement and upon receiving a report from the Commission for Evaluation of Candidates he/she shall conclude an employment contract.

The director shall provide fair and equitable representation of all the communities living in the Republic of Macedonia.

The protection of employment rights of the employees at the Agency shall be executed in a manner and within a procedure determined by the Law on Labour Relations.

The employees of the Agency shall exercise their rights and perform their obligations in accordance with the Law on Labour Relations, the aviation regulations, this Statute, the collective agreement, the ICAO Document 9734 and other general acts of the Agency.

Article 23

The director and the employees of the Agency shall be entitled to additional training in the field of aviation in accordance with the established policy for training, provided it shall mean advancement in the work process, that is, if it is required for the performance of tasks within their competency.

The additional training from paragraph 1 of this Article shall include: training sessions, specialisation, master or doctoral studies, learning of a foreign language or applying IT technology.

The director of the Agency shall decide upon the need and justification for additional training being provided to the employees as referred to in paragraph 1 of this Article, while the Management Board shall decide upon the need and justification for additional training being provided to the director.

The director and employees at the Agency who have been given the right to additional training through training sessions for obtaining permits or authorisations for aviation personnel, specialisation, master studies or doctoral studies shall be obliged to sign a contract with the Agency stating that in case they leave the Agency upon their own request, they shall return the funds that the Agency has paid for their additional training.

The duration of the contract referred to in paragraph 4 of this Article shall be regulated by a decision of the Management Board in accordance with the policy on vocational additional training.

VII. MANNER OF OPERATION

Article 24

The Agency shall be accountable for its operations before the Assembly of the Republic of Macedonia.

The work of the Agency shall be public.

The interested parties shall be allowed to express their opinions and give their proposals in regard to certain issues within the competence of the Agency.

The opinions and proposals shall be submitted to the Agency in writing and should contain data on the submitter. They should also be clear and precise.

Article 25

The Management Board shall prescribe more closely the manner of access of the public to data, publicly available documents and information within the competence of the Agency.

The access of the public to documents, information, acts, as well as data which is publicly available in accordance with the law or international arrangements shall be provided upon request by the third parties or by publishing them on its web-site or on the notice board of the Agency, or by publishing them in the public media or in the "Official Gazette of the Republic of Macedonia".

The issuance of a copy of the publicly available documents and data registered in the database of the Agency upon request by the interested parties can be realised by paying the real costs which shall be determined by a decision of the Management Board.

The Agency shall cooperate with the entities of the aviation industry and the interested parties by organising public meetings or seminars of which they shall be duly informed and on which they would be given the opportunity to exchange opinions and stances.

The manner of determining the costs and the manner of covering the costs for the organisation of seminars shall be determined by a decision of the Management Board of the Agency.

Article 26

The Management Board of the Agency shall determine and adopt the policies provided for in this Statute.

The Agency shall perform its tasks in accordance with the actions prescribed by the by-laws and internal procedures adopted on the basis of the Aviation Act.

Upon the procedures provided for by the Aviation Act, the provisions of the Law on General Administrative Procedure shall be applied, unless otherwise provided by this law and the provisions adopted on the basis of this law.

By a decision, the director may establish a committee or a work group for performance of a certain task.

VIII. CONFIDENTIALITY OF DATA

Article 27

The data contained in the acts, documents, information and publications which are not available to the public in accordance with the law, this Statute, the Collective Agreement and the decisions of the Management Board shall be deemed confidential.

The following acts and documents shall be deemed as confidential:

1. acts on the persons employed at the Agency, acts on the internal organization and systematisation of the Agency (except for the organogrammes of these acts);
2. acts related to and regulating the employment rights (salaries, salary compensations, rewards, employments, dismissals, holidays, arrangements etc.)
3. personal and health care documentation of the employees and other documentation whose disclosure would mean privacy infringement and violation of the Law on Protection of Personal Data;
4. documentation related to the defence and security of the Republic of Macedonia and the aviation and documentation protected by international arrangements or agreements;
5. data provided in the course of a procedure and in the course of performing supervision by the Agency;
6. documents of business secrets, commercial, financial or technical information of the Agency or the aviation entities;
7. documents submitted to the competent courts until the termination of a procedure; and
8. documents that are not available to the public implied by the law.

The acts, data, information and documents referred to in paragraph 2 of this Article must be marked as confidential.

The president and the members of the Management Board, the director of the Agency and the employees of the Agency shall not be allowed to use information or documents or contents thereof being considered as part of the official documentation of the Agency or being obtained through or in connection to their engagement, that is, employment, unless it is part of the performance of their duties.

The president and the members of the Management Board, the director of the Agency and the employees of the Agency shall not be allowed to publish and submit acts, data, information and documents which are marked as confidential in accordance with the Law, the

by-laws, this Statute and the other acts of the Agency, regardless if it is spoken or in writing, direct or indirect, to any person outside the Agency.

The information or documents which are available to the public in the regular course of work shall not be subject to this prohibition.

The president and the members of the Management Board, the director of the Agency and the employees at the Agency, as well as other legal entities and natural persons to whom the Agency shall commission the performance of certain tasks shall be obliged to keep the confidentiality of the data which is not publicly available, regardless of the manner in which they have obtained the data.

IX. FINANCING, ACCOUNTANCY AND AUDIT

Article 28

The work of the Agency shall be financed by funds determined in accordance with the aviation regulations.

The funds for financing shall be deposited on the account of the Agency and they shall be used for the work of the Agency, for investments, current maintenance, salaries and other compensations for the employees which must be on the level of the aviation industry entities, as well as training sessions and other necessary activities.

The proposed annual work and development programme and the proposed annual financial plan shall be submitted by the Agency for consent to the Assembly of the Republic of Macedonia until the end of December each year at the latest.

The annual work and development programme and the annual financial plan referred to in paragraph (3) of this Article shall be adopted by the Management Board after a previously obtained consent from the Assembly of the Republic of Macedonia until the end of January each year at the latest.

The annual financial report with the annual balance sheet and the report on the realisation of the annual work and development programme of the Agency for the previous year shall be adopted by the Management Board of the Agency until the end of March each year at the latest and they shall be submitted to the Assembly of the Republic of Macedonia.

The annual financial plan shall contain data on the revenues and expenditures emerging from the operation of the Agency.

The annual financial report shall contain the annual balance sheet, as well as the audit report for the previous year.

The audit shall be performed by an external and independent auditor selected in accordance with the Law on Public Procurement.

Upon request of the Assembly of the Republic of Macedonia, the Agency shall be obliged to submit a report on the work and development of the Agency and a financial report on the work of the Agency even for a period of less than one year.

Article 29

The capital assets and property, as well as the rights and obligations of the existent Agency as a government body shall be transferred to the new Agency as a regulatory body with its entry into the Central Register.

X. MANNER AND PROCEDURE OF ADOPTION OF THE STATUTE, OTHER GENERAL ACTS AND REGULATIONS

Article 30

The Statute of the Agency and the other acts adopted by the Management Board in accordance with the Aviation Act, shall be adopted on proposal of the director of the Agency.

The amendments to the Statute and other acts referred to in paragraph 1 of this Article shall be adopted in a manner and by a procedure prescribed for the adoption thereof.

The Management Board shall adopt a decision on the manner and procedure of amending the Statute and other acts of the Agency.

Article 31

The manner and procedure for adopting regulations within the competence of the Agency emanating from the public authorisations determined by Law shall be prescribed by the internal procedure of the director.

Article 32

The body of the Agency that has adopted the Statute and other acts of the Agency shall be the competent body for their interpretation.

XI. TRANSITIONAL AND FINAL PROVISIONS

Article 33

This Statute shall enter into force on the day of its publishing on the notice board at the headquarters of the Agency.

After entering into force, this Statute shall be also published on the web-site of the Agency.

President of the Management Board

Dragi Stojanoski

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CIVIL AVIATION AGENCY,

SKOPJE,

THE REPUBLIC OF MACEDONIA//

Coat of Arms of
THE REPUBLIC OF MACEDONIA
CIVIL AVIATION AGENCY
No. 03-1786/3
09-11-2010
SKOPJE

On the basis of Article 9-b, paragraph 1 of the Aviation Act (Official Gazette of the Republic of Macedonia No. 118/2010 – consolidated text) and Article 12, paragraph 1 of the Statute of the Civil Aviation Agency (No. 03-1647/1 as of 15.10.2010), the Management Board of the Civil Aviation Agency on the meeting held on 05.11.2010 shall adopt a

DECISION
on amending the Statute of the Civil Aviation Agency

Article 1

In Article 4 the text “emblem i.e. logo shall be on the stamp and seal of the Agency and it shall be used in the written documents for external communication of the Agency with other domestic and foreign institutions and for internal communication within the Agency” shall be deleted.

Article 2

In Article 6, paragraph 2, the terms “the emblem, i.e., the logo of the Agency” shall be replaced with the words "the coat of arms of the Republic of Macedonia".

Explanation

In accordance with Article 9-b, paragraph 1 of the Law on Civil Aviation, the Management Board of the Agency shall be competent to adopt a Statute and based upon this, a decision has been reached as in the wording.

President of the Management Board
Dragi Stojanoski
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CIVIL AVIATION AGENCY,
SKOPJE,
THE REPUBLIC OF MACEDONIA//