

GOVERNMENT OF THE REPUBLIC OF MACEDONIA**701.**

Pursuant to paragraph (4) Article 3 and paragraph (5) Article 84 of the Aviation Act (Official Gazette of the Republic of Macedonia No. 14/06, 24/07, 103/08, 67/10, 24/12, 80/12, 155/12, 42/14, 97/15 and 152/15), in relation with Article 3 to 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 Kosovo¹ on the Establishment of a European Common Aviation Area ratified by the Ratification Act of the Multilateral Agreement (Official Gazette of the Republic of Macedonia No. 27/07 and 98/09), the Government of the Republic of Macedonia, at its session held on 10.02.2016, enacted

REGULATION ON AVIATION SECURITY**Article 1**

This Regulation lays down measures, terms and conditions for implementing the EU standards, recommended practices and norms as well as the conditions, rules and manner for the Aviation Security.

Article 2

(1) In the procedure of implementation the common rules for Aviation Security that threaten the security of civil aviation apply the standards laid down in the Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002, the Commission Regulation (EU) No 18/2010 of 8 January 2010 amending Regulation (EC) No 300/2008 of the European Parliament and of the Council as far as specifications for national quality control programmes in the field of civil aviation security are concerned, Commission Regulation (EC) No 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council amended with EU Regulations 297/2010, 720/2011, 1141/2011 and 245/2013, provided to Annex 1 of this Regulation and are its integral part.

(2) In the procedure of implementation the standards for derogation from the common basic standards for security that jeopardize the civil aviation security and the acceptance of alternative security measures apply the standards laid down in the Commission Regulation (EU) No 1254/2009 of 18 December 2009 setting criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures, provided to Annex 2 of this Regulation and is its integral part.

(3) In the procedure of the implementation the norms regarding the manner of conducting inspections in the field of civil aviation security apply the norms laid down in the Commission Regulation (EU) No 72/2010 of 26 January 2010 laying

down procedures for conducting Commission inspections in the field of aviation security, provided to Annex 3 of this Regulation and is its integral part.

(4) In the process of implementation the standards regarding the detailed measures for the implementation of the general security standards apply the standards laid down in Commission Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security amended by EU Regulations 357/2010, 358/2010, 573/2010, 983/2010, 334/2011, 859/2011, 1087/2011, 1147/2011, 173/2012, 711/2012, 1082/2012, 104/2013, 246/2013, 654/2013, 1103/2013, 1116/2013, 189/2013, 278/2014 and 687/2014 provided to Annex 4 of this Regulation and is its integral part.

(5) Civil Aviation Security is conducted in accordance with Annex 17 of the Convention on International Civil Aviation, unless otherwise specified in paragraphs (1), (2), (3) and (4) of this Article.

Article 3

(1) In implementation of the provisions of Article 2 of this Regulation, certain expressions shall have the following meanings:

- 1) “Airport or part of the airport” means airports located in the territory of the Republic of Macedonia not operated exclusively for military purposes.
- 2) “Operators” means operators providing services at airports referred to in point 1) of paragraph (1) of this Article.
- 3) “Air carriers” means air carriers providing services or operating from / to airports listed in point 1) paragraph (1) of this Article.
- 4) “Competent Authority” means the Civil Aviation Agency performing the duties and tasks as an independent regulatory body.

(2) Terms “Community”, “Community Right”, “Treaty Establishing the European Community”, “Official Journal of the European Union”, “Member States”, used in the EU Regulations 300/2008, 272/2009, 297/2010, 720/2011, 1141/2011, 245/2013, 1254/2009, 18/2010, 72/2010, 185/2010, 357/2010, 358/2010, 573/2010, 983/2010, 343/2011, 859/2011, 1087/2011, 1147/2011, 173/2012, 711/2012, 1082/2012, 104/2013, 246/2013, 654/2013, 1103/2013, 1116/2013, 189/2013, 278/2014 and 687/2014, are read in accordance with paragraphs 2 and 3 of Annex II 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 Kosovo¹ on the Establishment of a European Common Aviation Area ratified by the Ratification Act of the Multilateral Agreement (Official Gazette of the Republic of Macedonia No. 27/07 and 98/09).

(3) Other terms for implementation of this Regulation govern the meaning laid down in EU Regulations 300/2008, 272/2009, 297/2010, 720/2011, 1141/2011, 245/2013, 1254/2009, 18/2010, 72/2010, 185/2010, 357/2010, 358/2010, 573/2010, 983/2010, 343/2011, 859/2011, 1087/2011, 1147/2011, 173/2012, 711/2012, 1082/2012, 104/2013, 246/2013, 654/2013, 1103/2013, 1116/2013, 189/2013, 278/2014 and 687/2014 provided to Annex 1, Annex 2, Annex 3 and Annex 4 of this Regulation, unless otherwise specified in paragraphs (1) and (2) of this Article.

Article 4

With the entry into force of this Regulation, the Aviation Security Regulation (Official Gazette of the Republic of Macedonia No. 8/10) will be terminated.

Article 5

This Regulation shall enter into force the day after its publication in the “Official Gazette of the Republic of Macedonia”.

No. 42-1024/1
10 February 2016
Skopje

President of the Government
of the Republic of Macedonia
Emil Dimitriev, undersigned