

LAW AMENDING THE AVIATION ACT

Article 1

In the Aviation Act (“Official Gazette of the Republic of Macedonia” No 14/2006, 24/2007, 103/2008, 67/10, 24/12 and 80/12), the sub-item j) in Article 4 item 58, paragraph 2, sub item j) shall be deleted.

In paragraph 3 in the second sentence the following words: “ground handling personnel charged with duties in respect to ground handling of aircraft, passengers, baggage, cargo and mail” shall be added after the words “professional fireman”.

Article 2

In Article 5, paragraph 3 the words “in the capacity of a legal entity” shall be added after the words: “investigation body”.

Article 3

A new paragraph (12) shall be added after paragraph (11) in Article 18, which shall read as follows:

“(12) It shall be prohibited to direct lights, lasers and reflections towards aircraft in flight.”

Article 4

In Article 56 paragraph (5) the words: “of the Republic of Macedonia” shall be added after the word: ”aircraft”.

Article 5

A new Article 72-a shall be added after Article 72, which shall read as follows:

“Article 72-a

(1) Military aerodromes, airfields and terrains meeting the requirements for safety landing and stay of aircraft shall be entered into the Register of military aerodromes, airfields and terrains, kept by the Ministry of Defense.

(2) The form, contents and manner of keeping the Register of military aerodromes, airfields and terrains shall be prescribed by the Minister of Defense.”

Article 6

In Article 87, paragraph (1) the words: “the following properties and activities of public interest” shall be deleted.

Article 7

In Article 88 (paragraph 1) the words: "Law on Concessions and other types of public-private partnership" shall be replaced with the words: "regulations in the field of concessions and public-private partnership."

Paragraphs (4), (5) and (6) shall be deleted.

Article 8

Article 90 shall be amended and shall read as follows:

"The agreements on concessions or public-private partnership and the resulting rights and obligations can be transferred with prior written consent by the concession grantor or the public partner, if it does not jeopardize the continuous and quality establishment of the concession or the public-private partnership."

Article 9

In Article 135 two new paragraphs (3) and (4) shall be added after paragraph (2), which shall read as follows:

"(3) The Ministry of Interior, the Ministry of Defense, that is the Ministry of Transport and Communications shall keep Registers for the aviation personnel conducting and providing activities of importance to aviation safety, related to state aircraft.

(4) The form, contents and manner of keeping the Register of aviation personnel for police aircraft shall be prescribed by the Minister of Interior, for aviation personnel for military aircraft shall be prescribed by the Minister of Defense, for aviation personnel for customs aircraft shall be prescribed by the Ministry of Transport and Communications."

Article 10

In Article 137 paragraph (1) shall be amended and shall read as follows:

"After completing the training referred to in Article 136 of this Act in an authorized organization or training center, the Agency shall organize an exam for obtaining a licence and/or rating, or for obtaining a certificate of competence for aviation personnel, when established by the regulations enacted on the basis of this Act."

Paragraph (4) shall be amended and shall read as follows:

"The applicants for examination referred to in paragraph (1) of this Article shall pay a fee."

Article 11

In Article 139 paragraph (1) the words: "has passed the exam referred to in Article 137 of this Act" shall be replaced with the words: "has met the requirements referred to in paragraphs (2) and (3) of this Article".

Article 12

In Article 182 a new paragraph (3) shall be added after paragraph (2), which shall read as follows:

“(3) The unsatisfied party shall be entitled to court protection before the Administrative Court against the decision of the Director General of the Agency referred to in paragraph (1) of this Article within 30 days of the receipt of the decision.”

Article 13

In Article 189 paragraph (1) a new item 1 shall be added, which shall read as follows: “1) does not act in accordance with the issued orders and/or operational Directives for aviation safety and security (Article 9-e, paragraph (1), line 12);”

Items 1, 2, 3, 4, 5 and 6 shall become items 2,3,4,5, 6 and 7.

In item 7 which shall become item 8 the words: “(Article 18, paragraphs (7) and (9))” shall be replaced with the words: “or if it directs lights, lasers or reflections towards aircraft in flight (Article 18, paragraphs (7), (9) and (12))”.

Items 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39 shall become items 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 respectively.

Article 14

The by-laws established by this Law shall be enacted within six months after the entry into force of this Law.

Article 15

The Legislative-Legal Commission of the Assembly of the Republic of Macedonia shall be authorized to establish a consolidated text of the Aviation Act.

Article 16

This Law shall enter into force on the eighth day after it is published in the “Official Gazette of the Republic of Macedonia” and the provisions referred to in Article 1 of this Law shall start to be applied from 1 January 2013.