

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, 80/12 and 155/12) in Article 3 paragraph (1) the abbreviation “ECAA” shall be deleted.

Article 2

In Article 6 paragraph (1), sub-item a) the words: “as an operational document” shall be added after the word “aviation”.

A new paragraph (2) shall be added after paragraph (1), which shall read:

(2) “The National strategy for development of aviation referred to in paragraph (1), sub-item a) of this Article shall be enacted by the Government of the Republic of Macedonia, with a period of validity of five years.”

Article 3

In Article 9-d, paragraph (2) the full stop at the end of the sentence shall be deleted and the following words shall be added: “which is published in at least three daily newspapers issued throughout the territory of the Republic of Macedonia, among which, one of them is issued in the language spoken by at least 20% of the citizens speaking an official language different from the Macedonian language.”

The paragraph (4) shall be amended and shall read as follows:

“The person meeting the following requirements can be elected as the Director General of the Agency:

- 1) to be a citizen of the Republic of Macedonia;
- 2) not to have imposed by an effective court verdict a penalty or an offence sanction - prohibition for carrying out profession, activity or duty;
- 3) to have acquired at least 240 credits according to the ECTS or completed VII/1 degree in the field of technical, legal or economic sciences.
- 4) to have at least five years of working experience in the field of civil aviation and at least three years of working experience at a managerial position;
- 5) to have one of the following internationally recognized certificates for active knowledge of English issued no more than five years prior to the submission:
 - TOEFEL IBT at least 74 points,
 - IELTS-at least 6 points,
 - ILEC (Cambridge English: Legal)-at least level B2
 - FCE (Cambridge English: First)-passed,
 - BULATS-at least 60 points and
 - APTIS-at least level B2 and
- b) to have passed a psychological test and an integrity test.”

Article 4

In Article 11 paragraph (3) shall be amended and shall read as follows:

“The employees of the Agency performing administrative activities shall have a status of administrative servants.”

Four new paragraphs (4), (5), (6) and (7) shall be added after paragraph (3), which shall read as follows:

“(4) For matters related to the working relations of the employees referred to in paragraph (3) of this Article which are not provided by this act and by a collective agreement, the provisions of the Law on Administrative Servants and the general regulations on working relations shall apply.

(5) The employees of the Agency who conduct ancillary and technical activities have the status of ancillary-technical personnel.

(6) The Law on employees in the public sector and the general regulations on working relations shall apply for the ancillary-technical personnel at the Agency.

(7) The manner of establishing the basic salary and the salary supplements of the employees of the Agency shall be established by a collective agreement.”

Article 5

In Article 38-a paragraph (1) shall be amended and shall read as follows:

“Due to faster development of civil aviation and forming more competitive and more available prices in air transport, the Government of the Republic of Macedonia and the local self-government units can grant financial support to domestic and foreign air carriers for stimulation and development of air transport in the Republic of Macedonia”

A new paragraph (4) shall be added after paragraph (3), which shall read as follows:

“(4) In order to establish the financial support referred to in paragraph (1) of this Article, the local self-government units shall adopt a tri-annual program, after previously obtained opinion from the Commission for Protection of Competition”.

In paragraph (4) which shall become paragraph (5) after the words: “Government of the Republic of Macedonia” a comma and the following words are added: “that is Council local self-government”

In paragraph (5) which shall become paragraph (6) after the words: “Budget of the Republic of Macedonia” a comma and the following words are added: “that is from the Budget of the local self-government units”.

Article 6

In Article 146 paragraphs (1) and (2) and in Article 147 paragraph (1) and the words: “and other qualified” shall be deleted.

Article 7

A new item 18 shall be added after item 17 in Article 190, paragraph (1) which shall read as follows:

“18) the safety information collected when performing technical investigation of accidents, serious incidents and incidents are used inappropriately (Article 167 paragraph (2)).”

Article 8

The Director General of the Agency elected before the day the application of Article 3 of this Law is started, shall continue to exercise its function until the expiry of the term of office for which he/she was elected.

Article 9

The provisions of Article 3 of this Law shall start to apply within one year from the day of entry into force of this Law, excluding the provisions related to the foreign language proficiency requirements, which shall start to apply after two years from the day of entry into force of this Law.

The provisions referred to in Article 4 of this Law shall start to apply from the day on which the Law on employees in the public sector (“Official Gazette of the Republic of Macedonia” No 27/14) and the Law on administrative servants (“Official Gazette of the Republic of Macedonia” No 27/14) start to apply.

Article 10

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

Article 11

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