

According to paragraph (1) Article 58 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, 152/15, 27/16, 31/16, 64/18 and "Official Gazette of the Republic of North Macedonia", No. 220/19), and in relation to Article 3 of the Multilateral agreement between European union and its Member states, Republic of Albania, Bosnia and Herzegovina, Republic of Bulgaria, Republic of Croatia, Republic of Macedonia, Republic of Island, Republic of Montenegro, Kingdom of Netherland, Romania, Republic of Serbia and the Mission of the United Nation for temporary administration in Kosovo for establishment of a European Common Aviation Area ratified with the Law on Ratification of Multilateral agreement ("Official Gazette of the Republic of Macedonia", No. 27/07, 98/09 and "Official Gazette of the Republic of North Macedonia", No.259/19) the Government of the Republic of North Macedonia, at its Session held on \_\_\_\_\_, enacted the following

## **REGULATION ON AIRSPACE ORGANISATION AND MANAGEMENT**

### **PART I**

#### **GENERAL PROVISIONS**

##### *Objective*

##### **Article 1**

This Regulation governs the organisation and use of airspace, the network functions established in the context of the Single European Sky, the method of airspace management and air traffic flow management of the Republic of North Macedonia in the context of the Single European Sky.

##### *Scope*

##### **Article 2**

(1) Airspace management shall be implemented in a way to ensure to civil and military airspace users acknowledgement of economic, safety and defence requirements, on the basis of established priority rules and in accordance with EU Regulation No 551/2004 of the European Parliament and the Commission from 10 March 2004 for organization and use of airspace of the Single European Sky amended by EU Regulation 1070/2009 (hereinafter: EU Regulation 551/2004) and Regulation (EC) No 2150/2005 of the Commission from 23 December 2005 laying down common rules for the flexible use of airspace (hereafter: EU Regulation 2150/2005), attached in Annex 1 to this Regulation and is an integral part thereof.

(2) Airspace management shall be based on the principle of civil–military co-ordination between the entities of the Republic of North Macedonia being responsible for airspace management, and shall be implemented at strategic, pre–tactical and tactical levels, through agreements and establishment of procedures in order to increase safety and airspace capacity, and to improve the efficiency and flexibility of air traffic.

(3) The air traffic management (ATM) network functions established in the Single European Sky framework shall allow optimum use of airspace and ensure that airspace users can operate preferred trajectories, while allowing maximum access to airspace and air navigation services. The network functions shall be implemented in accordance with EU Regulation 551/2004 and Commission Implementing Regulation (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of air traffic management (ATM) network functions and repealing Commission Regulation (EU) No 677/2011 (hereafter: EU Regulation 2019/123), attached in Annex 2 to this Regulation and constituting an integral part thereof.

(4) Air traffic flow management (ATFM), forming an integral part of the network functions, shall be implemented in accordance with the requirements set out in EU Regulation No 255/2010 of the Commission from 25 March 2010 with whom the common rights are established for air traffic flow management, amended by EU Regulation no. 923/2012, EU Regulation no. 2016/1006 and EU Regulation no. 2017/2159 (hereafter: EU Regulation 255/2010), attached in Annex 3 to this Regulation and constituting an integral part thereof.

### *Terms and abbreviations*

#### **Article 3**

(1) Certain terms used in this Regulation will have the following meaning:

1) *Ad-hoc Structures*: means airspace structures, whether routes or areas, required to meet operational needs at shorter notice than Level 1 process. The establishment of such ad-hoc structure at Level 2 or Level 3 should follow the general design and safety management criteria;

2) *Updated Airspace Use Plan – UUP*: is an ASM message of NOTAM status issued by an AMC to update and supersede AUP/previous UUP information.;

3) *Centralised Airspace Data Function – CADF*: is an ASM function entrusted to the NM by the ECAC States for consolidating national AUPs/UUPs to be published on the NOP Portal as EAUP and EUUP;

4) *ECAA Agreement*: 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;

5) *General Air Traffic (GAT)*: encompasses all flights conducted in accordance with the rules and procedures of ICAO and/or the national civil aviation regulations and legislation. GAT can include military flights for which ICAO rules and procedures satisfy entirely their operational requirements;

6) *Operational Air Traffic (OAT)*: encompasses all flights which do not comply with the provisions stated for GAT and for which rules and procedures have been specified by appropriate national authorities. OAT can include civil flights such as test-flights, which require some deviation from ICAO rules to satisfy their operational requirements;

7) *Airspace Use Plan – AUP*: is an ASM message of NOTAM status notifying the daily decision of an Airspace Management Cell on the temporary allocation of the airspace within its jurisdiction for a specific time period, by means of a standard message format;

8) *Flow Management Position – FMP*: is a working position established within an ACC to ensure the necessary interface with the NM on matters concerning the provision of the ATFCM Service and the interface with national AMCs on matters concerning the ASM Service;

9) *Temporary Segregated Area – TSA*: is a defined volume of airspace normally under the jurisdiction of one aviation authority and temporarily segregated, by common agreement, for the exclusive use by another aviation authority and through which other traffic will not be allowed to transit. In the context of the FUA Concept, all TSAs are airspace reservations subject to management and allocation at ASM Level 2;

10) *Temporary Reserved Area – TRA*: is a defined volume of airspace normally under the jurisdiction of one aviation authority and temporarily reserved, by common agreement, for the specific use by another aviation authority and through which other traffic may be allowed to transit, under ATC clearance. In the context of the FUA Concept, all TRAs are airspace reservations subject to management and allocation at ASM Level 2;

11) *Level 1 – Strategic ASM*: is the act of defining and reviewing, as required, the national airspace policy taking into account national and international airspace requirements;

12) *Level 2 – Pre-Tactical ASM*: is the act of conducting operational management within the framework of pre-determined existing ATM structure and procedures defined in ASM Level 1 and of reaching specific agreement between civil and military authorities involved;

13) *Level 3 – Tactical ASM*: is the act, on the day of operation, of activating, deactivating or real time reallocating of airspace allocated in ASM Level 2, and of solving specific airspace problems and/or of individual OAT/GAT traffic situations in real time between civil and military ATS units and/or controlling

military units and/or controllers, as appropriate. This coordination can take place either in active or passive mode with or without action by the controller;

14) *Manageable Area*: is an area subject to management in terms of negotiation and allocation decision of an AMC at ASM Level 2. Under the TAA Process, these manageable areas are either formal structures entitled "TRAs or TSAs" or R and D Areas that are manageable at ASM Level 2 in the same way as TRAs/TSAs;

15) *FPL Buffer Zone (FBZ)*: is an airspace volume, which may be established in association to a reserved/restricted area. The FBZ defines the lateral, vertical and time limits for the purpose of validating submitted IFR FPLs when the associated area is activated or planned to be activated;

16) *No Planning Zone (NPZ)*: is an airspace of defined dimensions within which the planning of flight trajectory is either not permitted, or allowed under certain specified conditions.

17) *Conditional Route (CDR)*: is an ATS route that is only available for flight planning and use under specified conditions.

18) *Single CDR Category (SCC)*: is an environment where only CDR1 is used and CDR 2 and CDR3 are not used anymore;

(2) The terms "Community", "Community Right", "Treaty Establishing the European Community", "Official Journal of the European Union" and "Member State" specified in EU Regulation 551/2004, EU Regulation EU Regulation 2150/2005, EU Regulation 2019/123, EU Regulation 255/2010 and EU Regulation no. 176/2011 shall be read in accordance with items 2. and 3. of the Annex II to the ECAA Agreement.

(3) Other terms shall have the meaning established in EU Regulation 551/2004, EU Regulation 2150/2005, EU Regulation 2019/123, EU Regulation 255/2010 and EU Regulation no. 176/2011 given in the Annexes 1, 2, 3 and 4 of this Regulation.

(4) Abbreviations used in this Regulation shall have the following meaning:

- 1) *AIP: Aeronautical Information Publication;*
- 2) *AMC: Airspace Management Cell;*
- 3) *ASM: Airspace Management;*
- 4) *ATC: Air Traffic Control;*
- 5) *ATFM: Air Traffic Flow Management;*
- 6) *ATM: Air Traffic Management (ATS+ASM+ATFM);*
- 7) *ATS: Air Traffic Services;*
- 8) *AUP: Airspace Use Plan;*
- 9) *CADF: Centralised Airspace Data Function;*
- 10) *CBA: Cross-Border Area;*
- 11) *CBO: Cross-Border Operations;*
- 12) *CDR: Conditional Route;*
- 13) *CTR: Control Zone;*
- 14) *D: Danger Area;*
- 15) *NMOC: Network Manager Operations Centre of EUROCONTROL;*
- 16) *EAUP: European Airspace Use Plan;*
- 17) *ECAC: European Civil Aviation Conference;*
- 18) *FAB: Functional Airspace Block;*
- 19) *FBZ: FPL Buffer Zone;*
- 20) *FIR: Flight Information Region;*
- 21) *FMP: Flow Management Position;*
- 22) *FUA: Flexible Use of Airspace;*
- 23) *GAT: General Air Traffic;*
- 24) *ICAO: International Civil Aviation Organisation;*
- 25) *NOTAM: Notice to Airman;*
- 26) *NPZ: No Planning Zone*
- 27) *OAT: Operational Air Traffic;*
- 28) *TAA: Temporary Airspace Allocation;*
- 29) *TRA: Temporary Reserved Airspace;*
- 30) *TSA: Temporary Segregated Area;*

31) *UUP: Updated Airspace Use Plan*

32) *R: Restricted area*

33) *P: Prohibited area*

## PART II

### AIRSPACE RECONFIGURATION

#### *Functional airspace blocks*

##### **Article 4**

(1) For the purpose of achieving maximum capacity and efficiency of the air traffic management network and with a view to maintaining a high level of safety, the airspace of the Republic of North Macedonia shall be reconfigured into a functional airspace block (FAB) in accordance with the Regulation (EC) no. 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky, as amended by Regulation (EC) 1070/2009 (hereafter: EU Regulation 550/2004) attached in Annex 1 to Regulation on method of provision of Air Navigation Services and special requirements in respect of required staff, equipment and other special requirements necessary for safe and regular work.

(2) The reconfiguration of the airspace of the Republic of North Macedonia into a functional airspace block shall be established through an international agreement concluded according to Article 57 of the Aviation Act.

(3) The establishment and modification of a functional airspace block is subject to the provision of information to and the consultation of the Commission, the European Aviation Safety Agency, EU Member States and other interested parties, in accordance with the standards and norms specified in Commission Regulation (EC) no. 176/2011 of 24 February 2011 on the information to be provided before the establishment and modification of a functional airspace block, (hereafter: EU Regulation 176/2011), attached in Annex 4 to this Regulation.

PART III  
AIRSPACE MANAGEMENT

**Chapter 1**  
**Strategic Airspace Management**  
**(ASM Level 1)**

*Jurisdiction over Airspace Management*

**Article 5**

(1) Airspace management which includes the design (organization and structure), classification, flexible use of airspace and other functions with the objective of maximizing the utilization of available airspace, shall be under the jurisdiction of the Civil–Military Committee (hereinafter: "the Committee") responsible for strategic airspace management.

(2) Common rules for airspace management are prescribed/stipulated in the EU Regulation 2150/2005 attached in Annex 1 to this Regulation.

(3) The Agency shall notify the European Commission about the entity responsible for the performance of tasks pertaining to strategic airspace management (ASM level 1) according to Article 4 (3) of the EU Regulation 2150/2005 attached in Annex 1 to this Regulation.

*Scope of the work of the Committee*

**Article 6**

(1) The Committee shall, taking into account national and international airspace users and air navigation service providers' needs, adopt the national airspace management policy and strategic plans.

(2) The Committee shall, during implementation of the tasks referred to in paragraph (1) of this Article, perform the following tasks:

- a) adoption of the airspace management implementation plan (Airspace Charter);
- b) planning and making a decision on establishment and modification of flexible airspace structures within the upper and lower airspace;
- c) initiating and approval of changes of Danger, Prohibited and Restricted Areas into TSAs and TRAs;
- d) initiating and making a decision on establishment, changes and modifications of controlled airspace and airspace classifications, taking into account the flexible use of airspace concept and flexible airspace structures;
- e) making a decision on establishment of cross-border airspace on the base of periodically reviewed national airspace needs;
- f) co-ordination and proposals of common priority rules when allocating airspace at all three levels.

(3) In the implementation of the defined airspace management policy, the Committee shall specifically perform the following tasks:

- a) assessment of the airspace structures periodically, with the aim of planning the flexible airspace structures and procedures for the upper and lower airspace (including TMA);
- b) where necessary require and approve the safety assessments in the procedure of planning and proposing regarding the establishment of flexible airspace structures in the upper and lower airspace (including TMA), applying ICAO separation minimum standards;
- c) validation and establishment of activities requiring airspace reservation with regard to the level of risk for other airspace users;
- d) transmission of information about the status of airspace structures under its jurisdiction to air navigation service provider, in order to be published in accordance with air traffic practice;
- e) co-ordination of the preparations of major airspace events (large scale military exercises, major air shows etc.), which require additional reservation of airspace, and provide notification of required information concerning these events, in accordance with air traffic practice;
- f) application of dynamic airspace management elements, where possible;

- g) establishment of route lists for the days with reduced military aircraft operations, allowing the temporary conversion of specific CDR route, and ensure notification of this status change in accordance with air traffic practice;
  - h) establishment and conduct periodically review of the procedures and efficiency of ASM Level 2 operations and of negotiating procedures and priority rules for airspace allocation by the Airspace Management Cell (AMC);
  - i) order and periodically review the procedures and efficiency of ASM Level 3 operations, the prompt exchange and dynamic update of all necessary flight plan and radar data, as well as the use of adequate civil-military co-ordination facilities;
  - j) co-ordination of airspace management with neighboring states interested in joint use of cross-border airspace;
  - k) participation in and co-ordination of establishment of airspace structures and ensure their availability to users in close co-operation with neighboring states where the airspace structures concerned (even though not cross-border) may have a significant impact on air traffic operations, with the objective of ensuring optimum use of airspace for all users;
  - l) set up consultation mechanisms between the persons or organizations conducting specific airspace management tasks, to ensure that all users' requirements are properly addressed;
  - m) submission to NMOC the preliminary data on planned military activities and military exercises within the FIR of the Republic of North Macedonia at annual level, or more often where necessary;
  - n) making decision on establishment of mechanisms to archive and store data on the use of airspace for analysis and planning the use of airspace.
- (4) The airspace management implementation plan (“Airspace Charter”) referred to in item a) paragraph 2 of this Article shall be in accordance with the guidelines of the EUROCONTROL ERNIP Part 3 ASM Handbook, and it shall, in addition, cover the following aspects:
- a) allocation of responsibility, obligations in airspace management and deadlines for performance thereof;
  - b) communication and interaction of all stakeholders of the airspace management system.
- (5) The Committee shall perform its duties and tasks in accordance with the EUROCONTROL Specification for the application of the Flexible Use of Airspace.

*Submission of requests to the Committee for creation of new areas*

**Article 7**

- (1) National and international airspace civil users shall submit to the Committee a request in respect of the establishment and/or method of use of a specific portion of the airspace through the Airspace Management Cell (AMC)
- (2) National and international military, police and customs users of the airspace shall submit a request to the Committee for establishment and/or method of use of a specific portion of the airspace through the Ministry of Defense.
- (3) Requests referred to in paragraphs (1) and (2) of this article shall be accompanied by client preliminary safety assessment.
- (4) Template for request referred to in paragraphs (1) and (2) of this Article shall be produced by the Committee and published in a manner common in aviation.

*Assessment and processing of the requests*

**Article 8**

- (1) When processing the requests submitted in accordance with Article 7 of this Regulation, the Committee may, where necessary, require additional clarification and analysis from the applicants as well as from other organizations and individual experts.
- (2) In the event of significant changes in the airspace structures, a process of formal consultations with the airspace users may be conducted.

*Decision of the Committee and Publication*

**Article 9**

(1) The Committee shall take a decision concerning the requests referred to in Article 7 of this Regulation within a time period not exceeding 60 days from the date of submission of the requests.

(2) The Committee shall submit the decision referred to in paragraph 1 of this Article to the air navigation services provider to be published in accordance with air traffic practice.

#### *Summary procedure*

#### **Article 10**

Notwithstanding the provisions of Articles 7, 8 and 9 of this Regulation, the Committee shall adopt practice guidelines for defining the ad-hoc structures.

### **Chapter 2**

### **Pre-tactical Airspace Management**

#### **(ASM Level 2)**

#### *Airspace Management Cell (AMC) Tasks*

#### **Article 11**

(1) The pre-tactical airspace management with the objective of day-to-day airspace management (ASM Level 2) shall be carried out by the Airspace Management Cell (AMC) established within the air navigation service provider.

(2) The Airspace Management Cell (AMC) shall perform the following tasks:

a) act as the national and, where appropriate, international focal point for ASM Level 2;

b) collect and analyze all Airspace Requests which may require temporary airspace reservation, including airspace allocation decisions taken at ASM Level 1 with regard to major military exercises, air shows etc.;

c) analyzes the received requests regarding the planned air traffic, the expected problems with the capacity of the ATC, as well as the information on the expected delays received from the local FMP;

d) resolve conflicting requests for the allocation of TSAs/TRAs and CDRs, utilizing all relevant information;

e) resolve conflicts between incompatible or conflicting airspace requests by the application of approved priority rules, re-negotiation, rescheduling or segregation of airspace;

f) co-ordinate with neighboring AMCs the availability of cross-border CDRs;

g) respond to the request for assistance by the responsible EUROCONTROL, ACC/FMP units or matters arising from the inconsistencies of ATS routes or unforeseen problems while conducting air traffic operation;

h) make a decision on the allocation of national TSAs/TRAs and CBAs, upon completion of the procedure for requests comparison, co-ordination, analysis, negotiation and resolution process;

i) make decisions in accordance with the criteria established at ASM Level 1, on the provisional closure of CDRs at ASM Level 3 with the notification of activity in associated TSA(s)/TRA(s) and/or AMC-Manageable D or R area(s);

j) promulgate the airspace allocation by transmitting the AUP to all relevant entities, in accordance with the procedure specified in the Eurocontrol Specification for the application of the Flexible Use of Airspace. Each change of the AUP shall be communicated in accordance with the aforementioned procedures;

k) ensure that the information pertaining to the applicable AUP is also transmitted to the International NOTAM Office;

l) collect and analyze additional up-to-date information, on the day of operation, from AAs, concerning the cancellation of TSA/TRA already published in the current AUP;

m) promulgate, if necessary, UUPs containing additional bookings, deletions of reserved/restricted areas, selected associated FBZ and/or associated FUA restrictions, and/or FUA restrictions groups, and/or CDRs availability, as well as modification of NPZs and/or NAMs, during the period of validity of the current AUP;

n) participate in *a posteriori* analysis of the airspace allocation;

o) perform, where authorized, some of ASM Level 3 co-ordination tasks;

(3) The Airspace Management Cell shall perform its duties and tasks in accordance with the EUROCONTROL Specification for the application of the Flexible Use of Airspace and the EUROCONTROL ASM Handbook).

*Structure, staff, method of work and the documents of the Airspace Management Cell  
(AMC)*

**Article 12**

- (1) The Airspace Management Cell (AMC) shall be an organizational part of the designated air navigation services provider.
- (2) The responsibilities of the Airspace Management Cell (AMC) shall be performed by civil and military representatives.
- (3) The required professional qualifications for conducting AMC tasks and special handbooks governing the operation of the AMC shall be approved by the Committee upon proposal of the AMC.
- (4) The agreement on the exchange of data shall be concluded between the designated air navigation services provider in charge of AMC and the NMOC.

*Cross-border airspace management*

**Article 13**

The AMC may, in accordance with an international agreement, manage a cross-border area and/or manage a portion of airspace of another country (or countries).

**Chapter 3**  
**Tactical Airspace Management**  
**(ASM Level 3)**

*Stakeholders, procedures and equipment*

**Article 14**

- (1) In order to ensure the safety of all air traffic situations at ASM Level 3, the Ministry of Defense and the designated air navigation services provider shall set out an agreement for determination of cooperation mechanisms and processes.
- (2) The procedures, criteria, required communications equipment and supporting systems for activation or deactivation and reallocation of the airspace already allocated at ASM Level 2 shall be specified by the agreement referred to in paragraph 1 of this Article, which must provide a high level of civil and military air traffic safety.
- (3) The procedures, supporting systems and communication equipment referred to in paragraph 2 of this Article shall provide timely and efficient exchange of data concerning modification of planned activities in the airspace among all participants in airspace management at ASM Level 3, as well as timely notification of all concerned users on the current status of the airspace.

*ASM procedures for cross-border military flights*

**Article 15**

When establishing a flexible airspace structure in a cross-border area in accordance with an international agreement, the Committee shall ensure that all common procedures for airspace management and use of advanced procedures in real time airspace management have been coordinated through appropriate arrangements between the involved parties.

*OAT Corridors*

**Article 16**

- (1) OAT corridors may be established for the purpose of air traffic safety.



(2) The requirements and the method of utilization of OAT corridors shall be defined in the agreement referred to in paragraph 1 Article 14 of this Regulation.

*Co-ordination Procedures for Crossing through Active TRA/TSA*

**Article 17**

The designated air navigation service provider shall establish coordination procedures for passing of traffic in emergency or traffic avoiding bad weather through active TRA/TSA.

**Chapter 4**  
**Flexible Airspace Structures**

*Types and use of flexible airspace structures*

**Article 18**

(1) Flexible airspace structures shall be intended for a temporary allocation to users, in a way that the reservation of airspace responds to real time of conducting the activities for which the area was established to the maximum extent possible.

(2) Flexible structures referred to in paragraph 1 of this Article shall cover the following: TSAs, TRAs, CBAs, CDRs, FBZs, NPZs, and certain R and D areas which may be manageable at ASM Level 2.

(3) Time, type and requirements of airspace reservation, as well as principles of use of modular and adjustable area borders, for each specific area, shall be defined by the Committee.

*Application of flexible airspace structures*

**Article 19**

In order to ensure air traffic safety, the flexible structures referred to in Article 18 shall not be applied in uncontrolled or CTR airspace, unless otherwise decided by the Committee in accordance with Article 6 of this Regulation.

**Chapter 5**  
**Publication of Information on the Use of Flexible Airspace Structures**

*Specific ASM Messages at ASM Level 2*

**Article 20**

(1) ASM Level 2 decisions on allocation of flexible airspace structures shall be published as: AUP, UUP send to NMOC, and published on the ANSP website.

(2) The messages referred to in paragraph 1 of this Article shall be prepared, issued and transmitted in accordance with deadlines and format prescribed in the EUROCONTROL Airspace Management Handbook.

**Chapter 6**  
**Safety Assessments**

*Competence for safety assessments*

**Article 21**

(1) When establishing airspace structure or at any significant change thereof and any other changes in the airspace management system, the Committee shall ensure that safety assessments of the civil and military parts of the system, including hazard identification, risk assessment and mitigation, are carried out in an appropriate manner.

(2) Safety assessments referred to in paragraph 1 of this Article shall be made in accordance with the EU Regulation 2017/373 of the Commission of 1 March 2017 establishing common requirements for air traffic management service providers / air navigation service providers and other network operators functions for air traffic management and their supervision and for repealing Regulation (EC) no. 482/2008 and EU Regulation no. 1034/2011, EU Regulation no. 1035/2011 and EU Regulation no. 2016/1377 and amending EU Regulation 677/2011, amended by EU Regulation 2020/469 and EU Regulation 2020/1177 (hereinafter: EU Regulation 2017/373) attached in Annex 2 of the Regulation on method of provision of Air Navigation Services and special requirements in respect of required staff, equipment and other special requirements necessary for safe and regular work.

## **Chapter 7 Reporting and Monitoring**

### *Annual Report on the Application of the Flexible Use of Airspace*

#### **Article 22**

(1) The Annual Report on the Application of the Flexible Use of Airspace, as referred to in article 7(2) of the EU Regulation 551/2004 and Article 8 of the EU Regulation 2150/2005 from Annex 1 from this Regulation shall be prepared by the Committee and through the Ministry of Transport and Communications communicated to the European Commission.

(2) The report referred to in paragraph 1 of this Article shall cover the following elements:

- a) general description of the national organisation and responsibilities at ASM Level 1, ASM Level 2 and ASM Level 3 of the flexible use of airspace concept;
- b) evaluation of the functioning of agreements, procedures and supporting systems established at strategic, pre-tactical and tactical level of airspace management. The evaluation shall be made with regard to safety, airspace capacity, efficiency and flexibility of aircraft operations of all users;
- c) difficulties encountered during the implementation of the EU Regulation 2150/2005 from Annex 1 from this Regulation, actions taken and need for changes;
- d) outcome of national inspections, supervisions and safety audits;
- e) cooperation between ECAA Agreement partners on airspace management, especially during creation and management of cross-border airspace and cross-border activities.

### *Data and System Protection*

#### **Article 23**

In the implementation of the provisions of this Regulation, the classified data shall be managed in accordance with the rules in the field of classified information.

## **Chapter 8**

### **Statistics and Key Performance Indicators**

#### *Statistics on the flexible use of airspace*

#### **Article 24**

Statistic data of airspace use shall be submitted to the Committee in a form of a report by the airspace management cell (AMC).

*Key Performance Indicators*

**Article 25**

The Committee shall define areas and performance indicators to be measured with a view to permanently monitoring the airspace system efficiency in accordance with item (m) paragraph 1 Article 4 of the EU Regulation 2150/2005 attached in Annex 1 to this Regulation.

*Airspace Data Repository*

**Article 26**

The Airspace Management Cell (AMC) shall keep the Airspace Data Repository on the statistics of flexible airspace use in accordance with item (n) paragraph 1 Article 4 of the EU Regulation 2150/2005 attached in Annex 1 to this Regulation.

**PART IV**

**TRANSITIONAL AND FINAL PROVISIONS**

**Article 27**

The provisions of Article 21 of this Regulation shall enter into force on 1 March 2024.

*Termination of validity*

**Article 28**

On the date of entry into force of this Regulation, the Regulation on airspace organization and management ("Official Gazette of the Republic of Macedonia" no. 9/18 and "Official Gazette of the Republic of North Macedonia", No.194/19) shall cease to apply.

*Entry into force*

**Article 29**

This Regulation shall enter into force the following day after the date of its publication in the "Official Gazette of the Republic of North Macedonia".

No. 40 – 11400/1  
7 December 2021  
Skopje

President of the Government  
of the Republic of North Macedonia  
Zoran Zaev