



On the basis of the Article 6 paragraph 1 item 9 and of Article 20 paragraph 7 on the Law on Air Transport ("Official Gazette of Montenegro", No 30/12), with prior consent of Ministry of Transport and Maritime Affairs, the Civil Aviation Agency has adopted

REGULATION

on conditions and manner for Out-of-Airport Landing and Take-Offs of airport

Subject

Article 1

- (1) This Regulation shall regulate the conditions and manner of out-of-airport landing and take-off of aircraft.
- (2) Provisions of this regulation shall not apply to out-of-airport landing and take offs of aircraft:
 - 1) for which the place of landing cannot be determined in advance due to their features,
 - 2) which land in an emergency,
 - 3) which provide emergency medical aid,
 - 4) which take part in search and rescue operations,
 - 5) in case of special activity flights,
 - 6) for flights of military aircraft intended for training and exercise,
 - 7) operational mass less than 20 kg, and
 - 8) in other cases in accordance with the Law on Air Transport of Montenegro.
- (3) Approval for out-of-airport landing and take-off shall be issued by the Civil Aviation Agency (hereinafter: Agency) to the aircraft operator which complies with the requirements laid down in this regulation.

Definitions

Article 2

Terms used in this regulation shall have the following meanings:

- 1) **Settlement** is a group of facilities which is used for residential, business, public or recreational purposes between which the distance does not exceed 300 m;
- 2) **Congested area** is an area of settlement, as well as an area which is occupied with persons or traffic;

- 3) **Landing and take-off surface** is a surface on land or water out of airport, other than surface in which out-of-airport take-off and landing is prohibited;
- 4) **Pilot in command** is a pilot, designated by an aircraft operator to be a pilot in command, who operates the aircraft in performing out-of-airport landing and take-off.

Limitations for out-of-airport landings and take-offs

Article 3

- (1) Out-of-airport landing and take-offs of aircraft can be performed only in visual meteorological conditions during the day, and according to visual flight rules (VFR).
- (2) Out- of-airport landing and take-offs of aircraft cannot be performed in the congested area and in the distance less than 150m from the congested area.
- (3) Out-of-airport landing and take-off of aircraft cannot be performed on:
 - 1) A surface on land or water (excluding sea water) which is at the distance less than 150 m from persons, facilities and the coast, and
 - 2) A surface on the sea at the distance less than 300 m from the shore, as well as the distance less than 150 m from the persons and facilities on/in water.
- (4) In performing out-of-airport landing and take-offs of aircraft, the distance between the aircraft, persons, and facilities on land or water surfaces shall not exceed 150 m.
- (5) pilot in command is obliged to perform a flight ensuring safe emergency landing on adequate surface without endangering safety of aircraft, persons and facilities.

Conditions for granting an approval for out-of-airport landing and take-offs

Article 4

- (1) The aircraft operator or pilot, if he/she is the aircraft operator, shall submit to the Agency a request for approval of out-of-airport landing and take-offs on the Form in the Attachment 1 to this regulation.
- (2) If an aircraft operator submits the request referred to the paragraph 1 of this article, it shall contain the relevant data of the pilots for whom the approval for out-of-airport landing and take-off is requested.
- (3) Approval for out-of-airport landing and take-offs shall be granted to the applicant for pilots holding a valid pilot license and a valid medical certificate, if applicable.
- (4) The Agency shall keep the register of the aircraft pilots to whom the approval for out-of-airport landing and take-offs is granted, in which the data on granted approvals are entered.

Exemptions and special approval

Article 5

- (1) By way of derogation from limitations referred to the Article 3 of this regulation, the Agency may, based on the special request of the aircraft operator, grant a special approval for out-of-airport landing and take-offs on/from surfaces located at smaller distances than those referred to in the Article 3 of this regulation and in the congested area.
- (2) A request for granting a special approval for out-of-airport landing and take-offs referred to the paragraph 1 of this article, shall be submitted to the Agency no later than 10 working days prior to scheduled date for out-of-airport landing and take-offs, and shall contain the following:
 - 1) data on aircraft operator;
 - 2) data on aircraft with which the performance of out-of-airport landing and take-offs is planned;
 - 3) type of planned flights;
 - 4) planned time of take-offs or landing;
 - 5) data on flight crew;
 - 6) coordinates for a surface for out-of-airport landing and take-off or other visual clue on the basis of which it is possible to determine with certainty where the surface concerned is located;
 - 7) graphical layout of the aircraft approach and take-off and
 - 8) safety risk assessment of an operation.
- (3) Subject to the Agency evaluation, approval referred to the paragraph 1 of this article may contain additional conditions or limitations, in order to ensure safe performance of out-of-airport landing and take-off.

Consent of the owner or user of the surface for out-of-airport landing and take-off

Article 6

An aircraft operator is obliged to obtain the consent of the owner or user of the surface for aircraft landing and take-off, prior to beginning of operations of out-of-airport landing and take-off.

Out-of-airport landing and take-off on surfaces that belong to controlled airspace

Article 7

- (1) If surfaces for out-of-airport landing and take-off are located on the area which belong to controlled airspace, aircraft operator is obliged to indicate in the flight plan geographical

coordinates of surfaces for out-of-airport landing and take-off and to coordinate activities with competent air traffic control.

- (2) The competent air traffic control may limit or forbid a specific operation of out-of-airport landing and take-off, if current conditions for performance of air traffic in controlled air space are not favorable.

Application

Article 8

The provisions of the regulations governing aircraft operations and provisions of the regulations governing manner, rules and procedures of the aircraft operations shall apply to the performance of the out-of-airport landing and take-off operations.

Termination

Article 9

When this Regulation enters into force, the Regulation on conditions and the manner of out-of-airport landing and take-off shall cease to have effect ("Official Gazette" of MNE, No, 62/12).

Entering into force

Article 10

This Regulation shall enter into force on the eighth day following its publication in the „Official Gazette of Montenegro“.

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DIRECTOR

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