
Pursuant to Articles 16 and 61 paragraph (2) of the Law on Administration (Official Gazette of BiH No 32/02 ,102/09 and 72/17), and Article 14 (1) of the Bosnia and Herzegovina Aviation Law (Official Gazette of BiH No 39/09) Director General of the Bosnia and Herzegovina Directorate of Civil Aviation has adopted

**RULEBOOK
ON FLIGHT APPROVAL**

I PART - GENERAL PROVISIONS

Article 1
(Subject)

This Rulebook defines conditions and procedure for issuance of flight approvals to domestic and foreign civil aircrafts in airspace of Bosnia and Herzegovina.

Article 2
(Scope)

Provisions of this Rulebook shall apply to domestic and foreign civil aircrafts departing from and landing at international airports in Bosnia and Herzegovina and to aircrafts flying over Bosnia and Herzegovina.

Article 3
(Terms)

Terms used in this Rulebook shall have the following meaning:

- a) airport slot: timeframe reserved for flight arriving/departing from some airport,
- b) state aircrafts: aircrafts entered into register of a country which are, in accordance with international agreements, used in military, customs and police services and aircrafts used exclusively for transport of special status persons,
- c) general aviation - GA: aircraft not used for other than a commercial air transport flight or for aerial works,
- d) events: operator's activities aimed at promotion of aviation activities, aircraft or aviation products,
- e) flight approval: authorisation of the competent aviation authority to the aircraft operator to conduct flights in the airspace of Bosnia and Herzegovina including departures from/landings at the airports in BiH,

- f) aircraft operator: natural or legal person who is aircraft owner or user,
- g) dangerous substances: goods or substances that can be risky for health, for safety of property or the environment and are listed in technical instructions as dangerous substances or are classified in accordance with those instructions,
- h) aerial works: an aircraft operation in which an aircraft is used for specialized services in agriculture, construction, for land survey/photographing, for the purpose of surveillance, search and rescue, marketing, etc.

PART TWO - APPROVAL OF FLIGHTS AND AIRPORT SLOTS

Article 4

(Flights of state and civil aircraft)

Flights of state aircraft in the Bosnia and Herzegovina airspace are approved by the Ministry of Foreign Affairs, while flights of civil aircraft are approved by Bosnia and Herzegovina Directorate of Civil Aviation (hereinafter: BHDCA).

Article 5

(Aircraft take-off and landing in international traffic)

- (1) Aircraft entering or exiting the Bosnia and Herzegovina airspace shall make their first landing or take-off at some of international airports where border crossing services are organised.
- (2) Exempted from provisions under paragraph (1) of this Article may be the first landing or take-off for aircraft, participating in international air traffic, where the operator provides for necessary border crossing services at other airports or airfields.

Article 6

(Mandatory aircraft insurance)

In order to fly in BIH airspace, each aircraft operator shall have liability insurance for damage caused to passengers, baggage, cargo or third persons in accordance with Bosnia and Herzegovina Civil Aviation Contract Law (Official Gazette of BIH No 51/15) by which is transposed Regulation (EU) No. 785/2004.

Article 7

(Flights not requiring BHDCA approval)

- (1) Flights not requiring BHDCA approval:
 - a) flights of foreign state aircraft (diplomatic flights) - requests for issuance of clearance are submitted to Bosnia and Herzegovina Ministry of Foreign Affairs through diplomatic channels,
 - b) flights of Bosnia and Herzegovina state aircraft,
 - c) EUFOR and NATO aircraft and aircraft not belonging to NATO but serving as support to European Union operations shall have the right of free passage without any limitations and of unhindered flying through airspace of Bosnia and Herzegovina pursuant to provisions of 'Annex to Protocol on Transfer of Authority over Airspace of Bosnia and Herzegovina signed in Paris in 2007,
 - d) medical flights where immediate action is required in cases of danger and medical evacuations (MEDEVAC) and transport of patients in serious condition to and from BIH,
 - e) search and rescue flights (SAR),
 - f) ferry flights,
 - g) emergency landing,

- h) flights of domestic and foreign civil aircraft for one's own needs,
- i) general aviation flights,
- j) flights of domestic and foreign civil aircraft when the flight plan declares it as non-commercial transport (transport for one's own needs, private) flight,
- k) flights of domestic and foreign civil aircraft when the flight plan declares it as humanitarian flight,
- l) non-scheduled commercial flights of domestic and foreign civil aircraft whose number of usable seats is not over 10,
- m) training flights in the airspace of Bosnia and Herzegovina with landings or take-offs from international airports in Bosnia and Herzegovina,
- n) over-flights, except for over-flights carrying dangerous goods or weapons and ammunition over Bosnia and Herzegovina territory.

Article 8

(Request for airport slot)

- (1) A request for airport slot, without previously obtained BHDCA approval, shall not be considered.
- (2) A request for approval of airport slot, with attached BHDCA approval, shall be submitted to the airport operational centres.

Article 9

(Allocation of slot and revisions)

- (1) Operational centres of airports in Bosnia and Herzegovina are responsible for slot issuance.
- (2) Allocation of airport slots shall be issued in accordance with transparent, fair and non-discriminatory rules.
- (3) All operators shall comply with the airport slots.
- (4) Revisions related to flight time, destinations, flight category or cancellation of BHDCA approval shall be submitted to the airport operational centre responsible for the slot issuance.
- (5) Cancelled or missed flights are not subject to automatic revision. If the time approved for the slot has expired, the operator shall submit a new request and a new request for approval of airport slot.

Article 10

(BHDCA working hours)

BHDCA working hours are from 09:00 to 17:00 (local time) on each working day except on holidays. Holiday days are the days defined by the Entities' laws.

PART THREE - FLIGHTS REQUIRING BHDCA APPROVAL

Article 11

(Requests for issuance of approval)

- (1) Requests for issuance of approval to the aircraft operator for scheduled or non-scheduled international and domestic flights in the airspace of Bosnia and Herzegovina shall be submitted to BHDCA, Flight Approval Department, to fax No: +387 51 921 520, by e-mail: flightrequest@bhdca.gov.ba or to AFTN address LQBHYEYX.
- (2) BHDCA shall issue written approval, or denial with justification, and shall deliver it to the applicant within the timeframe defined by this Rulebook.

Article 12

(Documentation)

- (1) Operators flying for commercial purposes in the airspace of Bosnia and Herzegovina shall, when submitting the request for the first time for scheduled or non-scheduled flights, together with the request submit also the following documents:
 - a) Air Operator's Certificate - AOC,
 - b) Operation Licence,
 - c) Aircraft Registration Certificate,
 - d) Airworthiness Certificate, including also the Airworthiness Review Certificate,
 - e) Insurance Certificate, including the insurance against the damage caused to third persons,
 - f) Noise Certificate,
 - g) Radio Station Licence,
 - h) Charter flights: contract between the operator and recipient of services,
 - i) Lease agreement (Wet Lease, Dry Lease), if the aircraft is leased,
 - j) additional documentation at the request of BHDCA.

Article 13

(Validity of issued approval)

- (1) Approvals for individual flights issued by BHDCA shall be valid for 72 hours. At the request of the operator, the approval may be issued for a longer period (aerial works).
- (2) Validity of the approval starts at the time of envisaged entry into the airspace of Bosnia and Herzegovina or time of envisaged departing from airport in Bosnia and Herzegovina.
- (3) When the flight has not been conducted within the timeframe specified in paragraph (1), the operator shall submit a new request.

PART FOUR - SCHEDULED FLIGHTS

Article 14

(Request for scheduled flights)

- (1) Request for issuance of approval for scheduled air services for summer and winter scheduling seasons shall be submitted by the operator to BHDCA no later than 30 days before the planned flights.
- (2) The request for issuance of approval shall be submitted on the prescribed form that can be found at the BHDCA web page.
- (3) In addition to documents listed in Article 12 of the Rulebook, the operator must provide in the request for approval the following data:
 - a) name of operator, address, telephone and fax number,
 - b) flight number/call sign,
 - c) aircraft type and registration,
 - d) maximum take-off weight (MTOW)/aircraft capacity,
 - e) weekly flight schedule,
 - f) airports of take-off and landing,
 - g) if code share flights, enter flight numbers and actual and contracting operator.
- (4) The request for issuance of approval shall be submitted separately for summer and winter scheduling season.
- (5) BHDCA shall forward the flight approval, or deny it with justification, to all operators no later than 20 days before beginning of flights.
- (6) The requests for revision of the approval for all operators shall be submitted to BHDCA three working days before the beginning of flights.

- (7) Scheduled flights related to freedoms specified under paragraph (1) of Article 16 of this Rulebook shall be approved in accordance with Article 16 of this Rulebook.

PART FIVE – NON-SCHEDULED(CHARTER) FLIGHTS

Article 15

(Request for charter flights)

- (1) The request for issuance of approval for non-scheduled (charter) flights, including also documentation under Article 12 of this Rulebook shall contain the following data:
 - a) name of operator, address, telephone and fax number,
 - b) flight number/call sign,
 - c) aircraft type and registration,
 - d) maximum take-off weight (MTOW)/aircraft capacity,
 - e) purpose of flight,
 - f) schedule of flights per dates,
 - g) airports of take-off and landing,
 - h) contract between the operator and recipient of services (Charter Agreement).
- (2) The request for issuance of approval shall be submitted on the prescribed form that can be found at the BHDCA web page.
- (3) The operator shall submit to BHDCA the request for approval:
 - a) for one flight - one working day before the planned beginning of flight,
 - b) for series of up to four flights in a month - no later than five working days before the planned beginning of flights,
 - c) for series of five and more flights in a month - no later than ten working days before the planned beginning of flights.
- (4) BHDCA shall issue the flight approval, or its denial together with justification, and deliver it to the aircraft operator no later than:
 - a) for one flight - five hours before beginning of the flight,
 - b) for up to four flights - no later than three working days before the planned beginning of flight,
 - c) five and more flights in a month - no later than four days before the beginning of flight.
- (5) Non-Scheduled flights related to freedoms specified under paragraph (1) of Article 16 of this Rulebook shall be approved in accordance with Article 16 of this Rulebook.

Article 16

(Flights under conditions of the Fifth Freedom)

- (1) Foreign operator conducting scheduled and charter flights (for 4 and more flights in the course of the month, counting individual flights) related to the fifth, seventh, eighth and ninth freedom, BHDCA shall approve flight/s, on the basis of reciprocity if BiH is the state signatory of bilateral agreement signed with the state of the foreign operator, or in accordance with ECAA Agreement when those are operators of ECAA Agreement member states.
- (2) Request for flight approval from international airports in Bosnia and Herzegovina related to freedoms specified in paragraph (1) of this Article shall be submitted to BHDCA no later than seven days before the planned beginning of the flight.
- (3) For non-scheduled flights (less than four flights a month), relating to freedoms specified under paragraph (1) of this Article, foreign operator shall obtain non-objection letter from licensed domestic operators both for transport of passengers and cargo, excluding foreign operators from countries signatories of ECAA Agreement in accordance with ECAA Agreement:
 - a) BHDCA shall, at the request of the operator, forward a list of licensed domestic operators within one working day (24hours)

- b) When domestic operator, upon receipt of the request for non-objection letter, does not provide answer within one working day (24 hours), it shall be deemed that that operator has no objection for foreign operator to conduct the flight.
- c) When applicant for conducting a flight under paragraph (3) of this Article, relating to freedoms specified under paragraph (1) of this Article, signs a commercial agreement with an operator from Bosnia and Herzegovina, to which a request for non-objection letter was sent, the operator shall submit a copy of the agreement and documents, specified in Article 13 of the Rulebook to BHDCA no later than three working days before the beginning of the flight.
- (7) BHDCA shall forward flight approval, or its denial with justification, no later than three days before the beginning of flight.
- (8) When considering the request for flight under paragraph (3) of this Article relating to freedoms specified under paragraph (1) of this Article, BHDCA shall issue the approval in accordance with the following order:
- to domestic operator, which issued the objection letter and expressed the wish to undertake conducting of the requested flight by its own capacities. In such a case BHDCA shall provide to the operator precise data on the lessee and define the deadline by which the operator has to submit a signed agreement with the lessee. Operator shall submit the required agreement no later than three days before the beginning of the flight,
 - domestic operator, who expressed the wish to conduct the specified flight under its own code through Wet Lease, and for justified reasons cannot use aircraft from its own fleet. The operator shall submit the required agreement no later than three days before the beginning of the flight,
 - to foreign operator, that in cooperation with domestic operator signs some of agreements which involves engagement of domestic operator (Code Share, Subcharter),
 - when none of the specified modalities is not possible BHDCA shall, in order to protect the right of passengers or goods to be transported, issue the approval to foreignoperator that submitted the request for flight approval.
- (9) BHDCA is responsible to designate foreign operators for flights related to freedoms specified under paragraph (1) of this Article if BiH is the state of bilateral agreement signed with the state of foreign operator, or in accordance with ECAA Agreement when the operators are from the member states of the ECAA Agreement.
- (3) An importer/exporter of dangerous goods shall obtain any required documents and permits from the competent authorities of Bosnia and Herzegovina.
- (4) At airports, dangerous cargo shall be handled by authorised and certified airport personnel.
- (5) Flight approval requests for flights carrying dangerous goods from/to BIH shall be submitted to the BHDCA using the relevant form available on the BHDCA's website, not later than ten days prior to the planned flight.
- (6) The BHDCA shall issue a flight approval, or deny it with an explanation, not later than 2 days before the flight.
- (7) Overflights over the territory of BIH by aircraft carrying dangerous goods shall be possible only with an approval by the BHDCA.
- (8) Requests for an overflight over the territory of BIH by aircraft carrying dangerous goods shall be submitted using the prescribed form available on the BHDCA's website, not later than ten days prior to the planned flight.

Article 18

(Exemption for the transport of dangerous goods)

- Dangerous goods that are forbidden for transport by air may be transported only if the BHDCA has issued an exemption for such a flight.
- An operator conducting unscheduled flights carrying dangerous goods that are forbidden for transport by air shall, in addition to a request for exemption and the documents referred to in Article 12 of this Rulebook, submit the following documents as well:
 - Shipper Declaration,
 - End User Certificate,
 - Packing instructions,
 - exemption issued by the aviation authority of the final destination and for layovers if any, where the transport of dangerous goods is carried out from an international airport in BIH,
 - exemptions issued by the aviation authorities of the point of departure or final destination and for layovers if any, where an overflight over the territory of BIH is concerned.
- Requests for exemption for the transport of dangerous goods not allowed for carriage by air over the territory of BIH shall be submitted using the prescribed form available on the BHDCA's website, not later than 10 days prior to the planned flight.
- The BHDCA shall issue a flight exemption, or deny it with an explanation, not later than 2 days before the flight.
- Submitters of exemption requests for the transport of dangerous goods by air shall pay the fee for administering the exemption approval procedure in accordance with the Decision on the charges for the financing of the BHDCA (Official Gazette of BIH, No 56/15).

PART SEVEN - VFR FLIGHTS

Article 19

(VFR flights)

- Transport of dangerous goods by air from/to Bosnia and Herzegovina shall be performed in accordance with the standards and recommended practices laid down in ICAO Annex 18 – Safe Transport of Dangerous Goods by Air and ICAO Doc. 9284 – Technical Instructions for the Safe Transport of Dangerous Goods by Air.
- An operator conducting unscheduled flights carrying dangerous goods from the international airports in Bosnia and Herzegovina shall, in addition to a flight approval request and the documents referred to in Article 12 of this Rulebook, submit the following documents as well:
 - Shipper Declaration,
 - End User Certificate,
 - Packing Instructions,
 - an approval for landing issued by the aviation authority of the final destination and approval for layovers if any.
- VFR flights in FIR Sarajevo may be carried out from the airports, heliports and airfields verified by the BHDCA.
- BHDCA approval for VFR flights shall not be required except for the cases under paragraph (4) of this Article.
- VFR flight in the airspace of BIH above Flight Level 100 may be carried out with prior BHDCA approval if the aircraft is equipped with the communication and navigation equipment in accordance with Article 50 of the Order on the Rules of the Air (Official Gazette of BIH 52/13) and with an Oxygen delivery system.
- VFR flights above Flight Level 100 except for flights under paragraph (3) of this Article, shall be addressed on a case-by case basis. Approval requests shall be submitted to the BHDCA not later than 10 days prior to the planned commencement of the flight.

PART SIX – TRANSPORT OF DANGEROUS GOODS

Article 17

(Transport of dangerous goods)

- (5) Off-airport landings and takeoffs shall be carried out in accordance with the Rulebook on conducting operations from off-airport landing and takeoff areas (Official Gazette of BIH, No 16/14).

PART EIGHT – OTHER AERIAL ACTIVITIES

Article 20

(Aerial work)

- (1) An approval issuance request to a foreign or domestic operator for flights presenting the technical characteristics of an aircraft, scientific research flights, flights for navigation equipment testing, provision of agricultural services, land surveying and other types of surveying, aerial spraying and other similar activities shall be submitted not later than fifteen days prior to the commencement of the flight. The BHDCA shall forward the flight approval, or shall deny it with an explanation, not later than three working days before the commencement of the flight.
- (2) Notwithstanding the provisions of paragraph (1) of this Article, the submission requests deadline for aerial work regarding navigation equipment failure and testing (calibration) at the airports in Bosnia and Herzegovina shall not be shorter than 24 hours.
- (3) For the activities specified in paragraph (1) of this Article, the request submitter shall obtain the required approvals and permits by the competent authorities in Bosnia and Herzegovina, depending on the type of the activity.
- (4) An approval issuance request under paragraph (1) of this Article shall be submitted using the prescribed form available on the BHDCA's website.
- (5) The request submitter shall provide the following documentation and information:
- for foreign operators the Certificate of Recognition of Confirmation of air service provisions or Certificate of Recognition of an operator's statement, as a proof of air service provisions,
 - a copy of the contract with the aerial works client,
 - detailed purpose of the flight,
 - takeoff/landing airports and times,
 - routes or areas where the activities will be carried out,
 - for foreign operators, the exact date and time of overflight, the altitude, route and entry/exit points/corridors in the airspace of Bosnia and Herzegovina, and takeoff/landing airport,
 - further information and documents, as needed.
- (6) The event organiser shall fill in a NOTAM issuance application form, available on www.bhansa.gov.ba, and send it to the NOTAM office via electronic mail

or fax, together with an attached BHDCA approval, not later than 7 days prior to the planned flight.

PART NINE – OTHER PROVISIONS

Article 23

(Aircraft Noise Limitation)

- (1) Aircrafts with valid certificate of noise level can takeoff and land at international airports in BIH. Maximum noise level, which can be generated by an aircraft, shall be in accordance with ICAO Annex 16, Aircraft Noise Level, Part I, Chapter 3, as a minimum.
- (2) The BHDCA shall issue an exemption of the regulations for individual aircraft operations that do not meet the criteria set out in paragraph (1) of this Article.
- (3) The request submitter shall submit the requests using the prescribed form available on the BHDCA's website.
- (4) Submitters of exemption requests of the regulations, concerning the noise level, shall pay the fee for administering the exemption approval procedure in accordance with the Decision on the charges for the financing of the BHDCA (Official Gazette of BIH, No 56/15).

Article 24

(Denial of flight approval issuance)

- (1) The BHDCA shall deny any flight approval to an aircraft operator that fails to fulfill its obligations to the State of Bosnia and Herzegovina, pursuant to the Bosnia and Herzegovina Aviation Law, regulations adopted on the basis of this Law and other laws and regulations adopted on the basis of that laws, which it is obliged to comply during take-off or landing at the international airports in BIH.
- (2) After the aircraft operator fulfilled the obligations referred to in paragraph (1) of this Article, it is obliged to submit the proof of compliance with obligation to the BHDCA, as well as a new request for flight approval, on which, the BHDCA shall decide in accordance with provisions of the Law and this Rulebook.
- (3) BHDCA shall exchange all relevant information with the competent BIH institutions for the implementation of laws related to civil aviation on a regular basis and at least twice a year, before approving the flight schedule for the summer or winter season.

Article 25

(Entry into force)

- (1) The entry into force of this Rulebook shall repeal the Rulebook on flight approval published in the Official Gazette of BIH, No 4/16 of 22/1/2016.
- (2) This Rulebook shall enter into force on the eighth day following its publication in the Official Gazette of BIH.

Number 1-3-02-2-662-1/18

23 July 2018
Banja Luka

Acting Director General
Željko Travar, sgd.