

## Aviation Act (ZLet)

- Aviation Act (Official Gazette of the Republic of Slovenia, No. [81/10](#) - official consolidated text, [46/16](#) and [47/19](#) )

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Note: The unofficial consolidated text of the regulation is only an informative work tool, for which the body does not guarantee compensation or otherwise.

The unofficial consolidated text of the Aviation Act includes:

- Aviation Act - ZLet (Official Gazette of the Republic of Slovenia, No. 18/01 of 14 March 2001),
- Meteorological Activity Act - ZMetD (Official Gazette of the Republic of Slovenia, No. 49/06 of 12 May 2006),
- Act Amending the Aviation Act - ZLet-A (Official Gazette of the Republic of Slovenia, No. 79/06 of 27 July 2006),
- Aviation Act - official consolidated text - ZLet-UPB1 (Official Gazette of the Republic of Slovenia, No. 113/06 of 6 November 2006),
- Act Amending the Aviation Act - ZLet-B (Official Gazette of the Republic of Slovenia, No. 33/09 of 30 April 2009),
- Act Amending the Air Navigation Services Provision Act - ZZNSZP-B (Official Gazette of the Republic of Slovenia, No. 109/09 of 28 December 2009),
- Act Amending the Aviation Act - ZLet-C (Official Gazette of the Republic of Slovenia, No. 62/10 of 30 July 2010),
- Aviation Act - official consolidated text - ZLet-UPB4 (Official Gazette of the Republic of Slovenia, No. 81/10 of 15 October 2010) ,
- Law on changes and supplementing and the Aviation Act - ZLet- D (Official Gazette of RS, no. 46/16 dated 30. 6. 2016),
- Act Amending the Aviation Act - ZLet- E (Official Gazette of the Republic of Slovenia, No. 47/19 of 26 July 2019).

**LAW**

**on Aviation (ZLet)**

## **(Unofficial consolidated text No 9)**

### **1. GENERAL PROVISIONS**

#### **Article 1 (content of the law)**

(1) In accordance with generally recognized principles of international aviation law, this Act regulates and determines the conditions and requirements concerning aircraft, aviation personnel and other professional personnel, air transport and other aviation activities, airports and airfields, air navigation services infrastructure, provision of air safety and measures to facilitate air transport, search and rescue of aircraft and aviation accidents and incidents, provision of airport and air navigation services and public infrastructure, control and sanction for aviation offenses.

(2) This Act transposes the following directives into the legal order of the Republic of Slovenia:

- Council Directive 89/629 / EEC of 4 December 1989 on the limitation of noise emissions from civil subsonic jet airplanes (OJ L 363, 13.12.1989, p. 27),
- Council Directive 91/670 / EEC of 16 December 1991 on the reciprocal recognition of personnel licenses for the exercise of functions in civil aviation (OJ L 373, 31.12.1991, p. 21),
- Council Directive 92/14 / EEC of 2 March 1992 on the restriction of the use of aircraft governed by Part 16 of Chapter 2 of Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988) (OJ 1992 L 76, 23.3.1992, p.21), as amended by Commission Directive 1999/28 / EC of 21 April 1999 amending the Annex to Council Directive 92/14 / EEC on the restriction of the use of airplanes covered by Part II Chapter 2, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988) (OJ L 118, 6.5.1999, p. 53),
- Council Directive 94/56 / EC of 21 November 1994 laying down the basic principles governing the investigation of civil aviation accidents and incidents (OJ L 319, 12.12.1994, p. 14),
- Council Directive 96/67 / EC of 15 October 1996 on access to the ground handling market at Community airports (OJ L 272, 25.10.1996, p. 36),
- Council Directive 2000/79 / EC of 27 November 2000 on the European Agreement on the Scheduling of Working Time of Mobile Workers in Civil Aviation, concluded by the AEA (European Air Transport Association), the ETF (European Transport Workers' Federation), the ECA European Pilots Association), ERA (European Regional Airlines Association) and IACA (International Air Transport Association) (OJ L 302, 1.12.2000, p. 57),
- Directive 2002/30 / EC of the European Parliament and of the Council of 26 March 2002 laying down the rules and procedures regarding the introduction of noise-related operating restrictions at Community airports (OJ L 85, 28.3.2002, p. 40) ,
- Directive 2003/42 / EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation (OJ L 167, 4.7.2003, p. 23),
- Council Directive 2004/82 / EC of 29 April 2004 on the obligation of carriers to provide passenger data (OJ L 261, 6.8.2004, p. 24),

- Directive 2009/12 / EC of the European Parliament and of the Council of 11 March 2009 on airport charges (OJ L 70, 14.3.2009, p. 11) ,
- Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offenses and other serious criminal offenses (OJ 2016 L 119, p. of 4 May 2016, p. 132), in the part setting out the obligations of air carriers regarding the transfer of Passenger Name Record (PNR) data.

(3) Ensuring the safety, regularity and smoothness of air traffic is in the public interest.

## **Article 2 (sovereignty)**

(1) The Republic of Slovenia has full and exclusive sovereignty in the airspace over its territory.

(2) The airspace of the Republic of Slovenia (hereinafter: Slovenian airspace) comprises the airspace above the land and the coastal sea and inland waters under the sovereignty of the Republic of Slovenia.

## **Article 3 (integration into international organizations)**

For reasons of safe and current air traffic, the Republic of Slovenia joins universal and regional international organizations that provide air navigation services and other activities in the region or beyond and may authorize another state or international organization to perform certain activities, or accepts the authorization to perform a certain activity from another country or international organization.

## **Article 4 (duties of users)**

(1) Users of Slovenian airspace must comply with this Act and regulations issued on the basis thereof.

(2) Outside the territory of the Republic of Slovenia, the provisions of this Act and regulations issued on its basis shall apply to aircraft registered in the Republic of Slovenia to the extent that they do not conflict with the legislation of the country in which the aircraft is located at that time.

## **Article 5 (regulation of civil aviation)**

(1) The ministry responsible for transport shall regulate and supervise civil aviation in accordance with this Act and regulations issued on the basis thereof and other regulations and legal acts in force or applicable in the Republic of Slovenia in the field of civil aviation.

(2) Irrespective of the provisions of the preceding paragraph, the Public Agency for Civil Aviation of the Republic of Slovenia (hereinafter: the Agency) shall issue airworthiness and operational-

technical requirements, certification specifications and acceptable methods of compliance and instructions.

(3) Taking into account international standards and recommended practices of the International Civil Aviation Organization and regulations and legal acts of the European Union, the Government of the Republic of Slovenia shall issue a decree on the safety management system. operators of individual aviation activities with regard to:

- a) identification of security risks,
- b) ensuring the implementation of immediate measures to maintain an acceptable level of security,
- c) carrying out continuous monitoring and regular assessment of the level of security achieved; and
- d) achieving continuous improvements in the general level of security.

#### **Article 5a (regulation of military aviation)**

(1) The ministry responsible for defence shall regulate and supervise military aviation in accordance with this Act and on the basis of other regulations in force or applicable in the Republic of Slovenia for military aviation.

(2) The professional and supervisory tasks referred to in the preceding paragraph related to airworthiness control and certification of military aircraft, licensing of military aviation and other military aviation personnel, military air traffic and airspace control and control shall be performed by the military aviation supervisory body. In doing so, it must be ensured that the military aviation supervisory authority is functionally separate from the supervised persons, commands and units it supervises, and that the air navigation safety requirements of civil aircraft are complied with. The Military Aviation Supervisory Authority, in accordance with the guidelines of the Ministry responsible for defence, may also cooperate in international affairs and with international organizations in the field of military aviation.

(3) Personnel performing administrative-professional and supervisory tasks referred to in the preceding paragraph must have at least a higher professional education in the relevant field, work experience in the field of aviation and an appropriate military license, rating, authorization, certificate or certificate if performing administrative or supervisory tasks. , which also apply to persons who, in accordance with regulations and legal acts in force or applicable in the Republic of Slovenia, need an appropriate military license, rating, authorization, certificate or certificate to perform activities and activities or tasks.

#### **Article 6 (National Civil Aviation Development Program)**

(1) Guidelines for the sustainable development of civil aviation and ensuring air traffic safety shall be determined by the National Civil Aviation Development Program of the Republic of Slovenia adopted by the National Assembly of the Republic of Slovenia at the proposal of the Government of the Republic of Slovenia.

(2) As implementation programs, coordinated airport development programs shall be prepared for individual airports by ensuring the airport system in accordance with the purpose referred to in Article 86 of this Act and taking into account the public interest as well as the development needs of airport operators and air navigation services.

#### **Article 7 (application of the law)**

(1) Air traffic shall be regulated in accordance with the conditions and in the manner determined by international treaties, this Act and regulations issued on the basis thereof.

(2) The provisions of this Act shall apply to domestic and foreign civil aircraft, and to state aircraft, unless otherwise provided in an international treaty or special regulations.

(3) State aircraft referred to in the preceding paragraph are aircraft used for military, police and customs purposes, all others are civil.

(4) The provisions of this Act and regulations issued on the basis thereof shall apply to civil airports and to military and mixed airports only insofar as not otherwise provided in special regulations.

#### **Article 8 (flight rules)**

(1) Aircraft must fly in Slovenian airspace according to the rules of the air.

(2) The rules of the flight shall be prescribed by the minister responsible for transport.

#### **Article 9 (quality assurance)**

(1) Those who perform activities in aviation must organize a quality assurance system, including methods of implementation and responsible persons, which is defined by the holder of the activity in the quality manual approved by the Agency.

(2) The quality assurance system referred to in the preceding paragraph shall include in particular quality requirements in the areas of:

- use and maintenance of aircraft,
- aircraft design and construction,
- making changes to the aircraft, its parts and aircraft equipment and engine,
- the operation of air services and other air transport activities,
- conducting theoretical or practical aviation training and monitoring the validity of documents issued,
- security, rescue and fire protection tasks,
- performing the tasks of air navigation services,
- the part relating to the construction, reconstruction and maintenance of airports,

all in accordance with the provisions of this Act and the regulations issued on the basis thereof, including the manner of implementation and the responsible persons.

**Article 10**  
**(airspace violations)**

(1) An aircraft violates Slovenian airspace if it flies in it without a permit or in contravention of the conditions from the permit of the competent authority, or in contravention of the provisions of this Act and regulations issued on the basis thereof.

(2) Violation of airspace is also the flight of an aircraft without a pilot and other guided or unguided flying objects without the permission of the competent authority.

(3) An aircraft that violates the airspace shall be warned of the violation by the air traffic control service and given instructions. If the aircraft does not follow the instructions, it invites it to land at a specific airport. If the call is not met, the aircraft is forced to land by the ministry responsible for defence.

(4) The Government of the Republic of Slovenia shall prescribe the procedure for carrying out the forced landing of an aircraft referred to in the preceding paragraph.

**Article 11**  
**(airspace restrictions and prohibitions)**

(1) In order to ensure the security and defence interests of the Republic of Slovenia, the Government may restrict or prohibit the flight of aircraft in the entire Slovenian airspace or over certain areas.

(2) In order to ensure public order, protect certain persons, districts and facilities and ensure the safety of people and property, the ministry responsible for transport may independently or at the proposal of the competent authority restrict or prohibit the flight of aircraft in certain areas.

(3) For reasons of environmental protection and nature protection, the Agency may, at the proposal of the competent authority, restrict or prohibit the flight of aircraft in certain areas.

(4) The size and geographical position of zones where air traffic is prohibited or restricted, including the types of restrictions, shall be published in the Aeronautical Information Journal of the Republic of Slovenia (hereinafter: the Anthology). A partial or complete ban on the use of airspace shall be published by means of a notice in the manner customary in air traffic.

**Article 12**  
**(ban on supersonic flying)**

(1) Flights of supersonic aircraft are prohibited. Exceptions are decided by the government.

(2) In deciding on the exceptions referred to in the preceding paragraph, the Government shall take into account the accepted international obligations of the Republic of Slovenia or its defence needs.

**Article 13**  
**(flight announcement and licensing)**

(1) An announcement of a flight is obligatory for each flight of an aircraft, unless otherwise provided by an international agreement binding on the Republic of Slovenia or by this Act or a regulation issued on the basis thereof.

(2) Notwithstanding the provision of the preceding paragraph, the announcement of a flight is not obligatory for:

1. flights operated for humanitarian or medical purposes,
2. aircraft flight for the needs of protection, rescue and assistance in the event of natural and other disasters and for the search and rescue of aircraft (hereinafter: search and rescue),
3. aircraft registered in the Republic of Slovenia,
4. aircraft up to 12 tonnes maximum take-off mass,

unless otherwise provided by this Act or a regulation issued on the basis thereof, with regard to the aircraft, purpose or type of flight or according to other prescribed conditions.

(3) The flight announcement shall be submitted to the competent air navigation service. The Minister responsible for transport shall prescribe the rules, procedures and the manner of issuing permits for aircraft flights.

(4) Irrespective of the provision of the previous paragraph, the flight announcement shall be submitted to the ministry responsible for foreign affairs for foreign state aircraft as defined in the third paragraph of Article 7 of this Act and for aircraft of other state bodies of a foreign state. The Minister responsible for transport, in agreement with the Minister responsible for foreign affairs and the Minister responsible for defence, shall prescribe the rules, procedures and manner of issuing permits for flights of aircraft referred to in this paragraph.

#### **Article 14 (aircraft armaments and reconnaissance equipment)**

(1) A foreign aircraft is not permitted to carry weapons and reconnaissance equipment in Slovenian airspace in a manner that enables their use, except in cases determined by an international agreement.

(2) The Government shall decide on the exceptions referred to in the preceding paragraph. In deciding on exceptions, the Government takes into account the accepted international obligations of the Republic of Slovenia and its defence needs.

#### **Article 15 (publication of aviation information)**

(1) The information necessary for safe, regular and smooth air traffic shall be provided by issuing a code of conduct, aeronautical information circulars and notices to pilots.

(2) The Minister responsible for transport shall prescribe the content, manner and procedure for providing the information referred to in the preceding paragraph.

(3) For aviation publications, the costs prescribed by the minister responsible for transport shall be paid. Aviation publications sent by a country to other countries at their request are free of charge in the context of reciprocity.

### **Article 16 (item)**

(1) Personnel working in air navigation services, air and other professional staff of the air carrier, personnel maintaining manoeuvring areas, facilities, devices and installations at the airport important for air traffic safety, staff of the meteorological service in aviation, staff for reception and dispatch of aircraft, passengers and belongings, staff of the security, rescue and fire service, emergency medical services or first aid and staff of other services referred to in Article 89 of this Act and mandatory inspection services to be organized at a public airport in accordance with this Act, exercises the right to strike under the condition of ensuring air traffic safety in accordance with the provisions of this Act and other regulations governing the strike, as well as the collective agreement. During a strike, personnel must ensure the safety of air traffic in accordance with the provisions of this Act, other aviation regulations, aviation standards and recommendations, and agreed strike rules.

(2) The personnel referred to in the preceding paragraph must also ensure safe and uninterrupted conduct during the strike:

1. flights of aircraft participating in search and rescue operations and emergency aircraft,
2. flights carried out for humanitarian or medical purposes,
3. flights of state aircraft referred to in the third paragraph of Article 7 of this Act and aircraft of other state bodies.

(3) The strike organizer must announce the strike to the employer at least 15 days before the commencement of the strike.

(4) The strike rules referred to in the first paragraph of this Article shall be agreed between the representative trade union and the employer.

### **Article 17 (meaning of terms)**

The terms used in this Act have the following meaning, unless the meaning of the text implies otherwise:

1. type-certification is the determination of whether a new type of aircraft, engine, propeller, aircraft parts and equipment meets the technical requirements prescribed for safe air traffic;
2. airport zone is a defined controlled part of the airspace above and around the airport, intended for the protection of airport traffic;
3. effective control of an undertaking means a relationship established by statutory, contractual or any other rights which, individually or jointly, give the possibility of exercising direct or indirect decisive influence over the undertaking, in particular by:
  - a) the right to use all or part of the assets of the undertaking,



- b) rights or contracts which confer decisive influence on the composition, voting or decisions of the organs of an undertaking or otherwise have a decisive influence on the conduct of business;
4. part of the airport are areas at the airport that functionally serve or are spatially intended for the performance of airport operations or activities of airport users and other activities in air traffic;
  5. domestic air traffic is traffic in which the departure and destination airports or take-offs are in the territory of the Republic of Slovenia and in which no departure into the airspace of another country is planned;
  6. other professional personnel are persons who perform work important for air traffic safety and are not aviation personnel according to point 27 of this Article;
  7. ECAC - European Civil Aviation Conference;
  8. EUROCONTROL - European Organization for the Safety of Air Navigation;
  9. The Europe Agreement is the Europe Agreement establishing an association between the Republic of Slovenia, of the one part, and the European Communities and their Member States, acting within the European Union, of the other part (Official Gazette of the Republic of Slovenia, No. 44/97 - MP, No. 13/97 );
  10. ICAO - International Civil Aviation Organization;
  11. incident means an event related to the operation of an aircraft which is or could endanger air safety and is not an accident;
  12. ground handling service provider is any legal or natural person who offers third parties one or more categories of ground handling services;
  13. JAA - Joint Aviation Authorities;
  14. JAR - Common Aviation Regulations issued by the Joint Aviation Authorities;
  15. **(deletion) ;**
  16. public airport means an airport intended and open for air traffic and public air transport;
  17. public transport in air transport is air transport that is accessible to everyone under the conditions determined by law and general conditions of transport;
  18. controlled airspace is the part of airspace of defined dimensions in which the air traffic management service is provided to the extent defined by the airspace classification;
  19. Flight of an aircraft is the movement of an aircraft from the moment the aircraft moves in order to take off and until the moment it stops after landing;
  20. aerodrome means a designated land or water area (including facilities, equipment and facilities) intended in whole or in part for the landing, take-off and movement of aircraft;
  21. own-account airport means an airport used exclusively for own-account air transport in the context of its own activity, other than air transport or aviation training;
  22. airport apron is a part of an airport intended for the reception and departure of aircraft, passengers, mail or goods, refuelling and lubricants, parking or maintenance of aircraft;
  23. airport traffic is the movement of aircraft at an airport or take-off and the flight of an aircraft near an airport or take-off;
  24. airplane means a motor-powered aircraft heavier than air, which receives lift in flight mainly from aerodynamic reactions to its surfaces;
  25. The Aviation Association of Slovenia is an authorized organization which, in accordance with the law, regulates matters in the field of sport aviation;
  26. air carrier means an air transport undertaking with a valid operating license;
  27. flight crew means personnel who operate or perform aircraft operations and who perform activities that directly affect air safety;

28. license means a document certifying that a person belonging to the flight crew meets the conditions for performing certain tasks;
29. licensing is the performance of all professional activities performed by an authorized body, which include: assessment of the applicant's qualifications in relation to the issuance of licenses, ratings, authorizations or certificates issued to aviation personnel or other professional personnel, issuance of such documents and entry of ratings or authorizations in licenses, determination of authorizations of the said persons, confirmation of training programs, confirmation of the use of devices and means for training of flight crew, and validation of licenses issued by other countries;
30. route on scheduled public air services is a series of flights, between two or more destinations, operated on a scheduled basis;
31. manoeuvring area means the part of an aerodrome intended for the take-off, landing and driving of aircraft other than the aerodrome;
32. international air traffic is traffic which is intended to depart into the airspace of another country;
33. mixed airport means a military airport where civil air traffic is also permitted;
34. flight plan means certain information provided to air traffic services units relating to the intended flight of an aircraft or part thereof;
35. **(deletion)**
36. flight announcement is a request for permission to fly an aircraft or to fly over Slovenian territory;
37. uncontrolled airspace is airspace located outside airport zones and extending from the ground to the altitude where controlled airspace begins;
38. accident is an event related to the operation of an aircraft that occurs from the time one or more persons or items are boarded on the aircraft intended to be flown to the time the landing is made and which results in:
  - a) one or more persons fatally injured or seriously injured or things are severely damaged or destroyed as a result of:

being on board an aircraft, or

    - direct contact with part of the aircraft, including parts that are detached, or
    - reactive blast exposure,unless the injuries are due to natural causes, if they are self-inflicted or if the injuries are caused by other persons, or if blind passengers hiding outside areas normally intended for passengers and crew are injured; or is it
  - b) an aircraft damage or structural failure that:
    - a negative effect on the structural strength, performance or flight characteristics of the aircraft and
    - would require major repair or replacement of the damaged part,
    - except for damage or damage to the engine limited to it, its cover or accessories, or damage to the propeller, wing end, antenna, inner tube, brakes, aerodynamic transitions, minor notches or puncture holes on the surface of the aircraft; or is it
  - c) the aircraft is lost or completely inaccessible;
39. dangerous area is a defined part of the airspace in which activities dangerous to aircraft traffic may take place for a certain period of time;

40. exclusive use area is an area of an airport determined depending on the size of the existing and planned runway with the basic runway of the airport and existing and planned buildings, installations and equipment of the airport, where only those interventions in space and construction of facilities and installations are allowed. devices that directly serve the operation of the airport;
41. area of controlled use is the area below certain restrictive planes of the airport (internal horizontal, conical and other restrictive planes depending on the airport's equipment with navigation equipment), determined according to the existing or planned airport code according to ICAO classification and depending on the airport's navigation equipment and in which the interventions and construction of facilities are controlled in order to ensure flight safety so that facilities are allowed to approach the manoeuvring areas of the airport only at the permitted distance;
42. restricted area of an airport is an adjacent area of an airport defined by the approach-departure and lateral planes and other restrictive planes depending on the airport's equipment with navigation equipment intended for activities related to the operation of the airport and determined separately for each airport , in which interventions in space and construction of facilities and installation of devices are permissible only for the needs of such activities;
43. restricted area is a defined part of the airspace in which aircraft traffic is permitted under special conditions;
44. basic security check is a security check of an aircraft, person or thing, which is performed before each intended flight in accordance with the law and regulations issued on its basis and security programs under this law;
45. obstacle to air traffic is any immovable and movable thing or part of it that stands on a surface intended for the traffic of aircraft or extends above a certain plane intended for the protection of aircraft during flight;
46. airworthiness of an aircraft is the finding of an authorized person that the aircraft meets the conditions for safe use or flight;
47. in the provisions on operating licenses referred to in Chapter 4 of this Act, an undertaking means any natural or legal person, whether profitable or not, or any official body, whether or not it has legal personality;
48. authorization is an entry in a license or an integral part thereof that entitles the beneficiary to exercise certain privileges and is not a rating;
49. aircraft crew means persons who are on board an aircraft during a flight in order to perform work that ensures the smooth and safe execution of the flight;
50. special security inspections and measures are procedures and measures related to aircraft, persons and objects carried out on the basis of prescribed police powers and in accordance with the law and regulations issued on the basis thereof and security programs under this Act;
51. special air service is a service which does not have the characteristics of a scheduled air service and which is operated under specially agreed conditions, such as air charter, taxi or panoramic transport;
52. business plan means a detailed description of the air carrier's planned business activities for the period in question, in particular with regard to market developments and the investments to be made, including the financial and economic impact of those activities;
53. emergency procedures are planned procedures for the coordinated action of authorized persons, services and various bodies and organizations in relation to events and

- conditions that could endanger or threaten security at the airport or the security of the aircraft;
54. passenger is a natural person who has the right to be carried by air under a contract;
  55. summary financial statement means a detailed statement of income and expenses for the period in question, including a breakdown into air transport-related and other activities, as well as monetary and non-monetary items;
  56. restricted area is a defined part of the airspace above land and coastal sea and inland waters in which aircraft traffic is prohibited;
  57. Privileges are entitlements or benefits deriving from the license and may be exercised by the beneficiary;
  58. rating means an entry in a license which lays down special conditions, privileges or restrictions relating to a particular license;
  59. flight schedule is the time set for the take-off and landing of aircraft in scheduled air services;
  60. scheduled air service is a public air service which has all of the following characteristics:
    - a) it is provided for the carriage of passengers, mail or goods for remuneration,
    - b) each flight is accessible to everyone under the conditions laid down by law and the general conditions of carriage,
    - c) it takes place between two or more places, in such a way that:
      - for a series of flights performed in accordance with the published timetable; or
      - for flights so regular or frequent as to constitute a recognizable systematic series;
  61. reference code is the aerodrome designation determined by the length of the runway and the span of the wings of the aircraft and the distance between the wheels of the aircraft landing gear;
  62. the aerodrome or aerodrome reference point is a point determined by geographical location and is generally located in the middle of the runway;
  63. a serious incident is an incident in which circumstances are given which indicate that an accident has almost occurred;
  64. self-handling is an activity in which an airport user provides one or more categories of ground handling services directly to himself and does not enter into any contract for the provision of those services with a third party. Airport users shall not be considered as third parties in relation to self-sufficiency in their relationship when: (1) one has a majority share in the other, or (2) a single entity has a majority share in each;
  65. Communities - European Communities as referred to in the Europe Agreement;
  66. Ultra light and other aircraft are aircraft and aircraft not covered by ICAO standards and recommendations or the JAA Common Aviation Regulations;
  67. airport user means any natural or legal person responsible for the carriage of passengers and other persons, mail and / or cargo by air from or to the airport concerned;
  68. aircraft user is a legal or natural person who is not the owner of the aircraft, but uses it on the basis of a lease agreement or on some other legal basis;
  69. **(deletion)**
  70. protection of civil aviation against acts of unlawful interference (hereinafter referred to as "protection") means a combination of measures, personnel and material resources for the protection of civil air traffic against acts of unlawful interference;
  71. The commander is the pilot who normally operates the aircraft and is responsible for the safe execution of the flight;

72. areas of influence of airports are the area of exclusive use of the airport, the area of limited use and the area of controlled use;
73. take-off area is a defined land or water area which is wholly or partly intended for the landing, take-off and movement of aircraft of certain types and categories only;
74. ground handling means services provided to airport users at airports and covering in particular, in part or in full, the following categories of services: airport management and control; dispatch of cargo and mail; platform care; fuel and lubricant supply; aircraft maintenance; air operations and crew services; land transport; passenger care; luggage dispatch; aircraft supply; food and beverage services for passengers;
75. air route is a controlled airspace or part thereof in the form of a three-dimensional corridor equipped with radio navigation devices;
76. air transport means the transport of passengers, mail and / or goods for remuneration and / or hire;
77. air traffic is the movement of aircraft by air (flight) and at airports and take-offs;
78. aircraft means any device capable of being retained in the atmosphere as a result of an air reaction, other than an air reaction to the ground;
79. another security-relevant area of an airport is an area which is not a public part of an airport, a security restricted area or a critical part of a security restricted area, but which needs to be designated for the sake of completeness of security measures.

(2) Individual terms used in Articles 84a, 84b and 189a of this Act, which transpose Directive 2004/82 / EC into the legal order of the Republic of Slovenia, have the following meaning:

1. "carrier" means any natural or legal person whose employment involves the carriage of passengers by air;
2. "external borders" means the external borders of the Member States with third countries;
3. "border control" means a control carried out at a border and connected exclusively with the purpose of crossing that border, regardless of other aspects;
4. "border crossing point" means any crossing point designated by the competent authorities for the crossing of external borders;
5. "personal data", "processing of personal data" and "personal data files" have the same meaning as determined by the law governing the protection of personal data.

(3) Individual terms used in connection with the Agency, supervision and misdemeanour proceedings shall have the following meanings:

1. "work experience in the field of aviation" means work experience acquired by working in the workplace or performing an aviation activity or activity for which an appropriate license, rating, authorization, certificate or attestation is required. The work experience referred to in this paragraph shall be defined in the years and months or hours of performance of certain tasks for which aeronautical knowledge is required;
2. "air traffic controller" means an official of the competent authority who fulfils the conditions regarding competence for decision-making in administrative matters, permanent supervision, control over the implementation of aviation regulations or deciding on offenses determined by aviation regulations and legal acts in force or applicable in The Republic of Slovenia, if these regulations and legal acts also require, as a condition, the possession of an appropriate license or work experience acquired with an appropriate license;

3. "supervisor" is an official of the competent authority who meets the conditions regarding competence for decision-making in administrative matters, permanent supervision, supervision over the implementation of aviation regulations or decision-making on offenses determined by aviation regulations and legal acts in force or applicable in the Republic of Slovenia, if these regulations and legal acts do not require the possession of an appropriate license or work experience acquired with an appropriate license;
4. "aviation regulations and legal acts in force or applicable in the Republic of Slovenia" are regulations and other general acts governing aviation issues issued by the competent Slovenian authorities, regulations and other legal acts of the Community or the European Union, which regulate issues related to aviation and bilateral international agreements and multilateral international treaties, which regulate issues related to aviation and are binding on the Republic of Slovenia;
5. "control of the implementation of aviation regulations" means the control carried out to verify that persons performing an aviation activity or performing an aviation activity have the required license or other document from the competent authority to demonstrate that they are they are duly qualified or may carry out such an activity or activity. Oversight of the implementation of aviation regulations does not include ongoing oversight tasks;
6. "continuous monitoring" means the tasks performed to verify that the conditions under which the certificate was issued are met at any time during the period of validity of the certificate, as well as the adoption of safeguards;
7. "qualified entity" means a qualified entity as defined in European Union legislation relating to common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and a qualified entity as defined in the regulations on the provision of navigation services air transport in the single European sky.

## 2.0. AIRCRAFT

### 2.1. Aircraft registration

#### **Article 18 (aircraft registration)**

An unregistered aircraft may not fly in Slovenian airspace.

#### **Article 19 (nationality of aircraft)**

The aircraft registered in the Republic of Slovenia has Slovenian nationality.

#### **Article 20 (scope of registration, exemptions and regulations)**

(1) An aircraft shall be deemed to be registered in the Republic of Slovenia under this Act if it is entered in the register of aircraft of the Republic of Slovenia (hereinafter: the register of aircraft) or in other relevant records.

(2) Ultra light and other aircraft not manufactured in accordance with certification requirements and acceptable harmonization procedures shall be entered in the records referred to in the preceding paragraph, and other aircraft shall be entered in the aircraft register.

(3) Registration is not required for attached kites and tied balloons.

(4) Records of ultra light and other aircraft shall be kept by legal or natural persons who meet the prescribed conditions, in particular regarding professional qualifications, premises, technical equipment and organization, all according to the type, category, purpose and weight of ultra light and other aircraft, and to other conditions prescribed in accordance with Articles 30 and 40 of this Act and authorized by the Minister responsible for transport after prior verification of the fulfilment of these conditions. If the authorization referred to in this paragraph is not given, the records shall be kept by the Agency.

## 2.2. Aircraft markings

### **Article 21 (nationality code and registration number)**

(1) An aircraft registered in the Republic of Slovenia pursuant to this Act (hereinafter: Slovenian aircraft) must have the national affiliation code: "S5" and the prescribed registration code.

(2) The Minister responsible for transport shall prescribe registration marks, the manner of their determination and installation, according to the type and category of aircraft.

(3) There may also be other markings and inscriptions on the aircraft, which may not affect the visibility of national affiliation marks and registration marks.

## 2.3. Registration procedure

### **Article 22 (maintenance of the aircraft register)**

(1) The Agency shall keep an aircraft register and an addendum to the aircraft register.

(2) Permanent entries shall be kept in the aircraft register, and temporary entries shall be kept in the appendix to the aircraft register, in accordance with the provisions of this Act and regulations issued on the basis thereof.

(3) Matters relating to the registration of aircraft relating to mortgages and the international recognition of certain rights in aircraft shall be conducted in accordance with the law governing obligations and property relations in aviation and in accordance with an international treaty.

### **Article 23 (conditions for registration)**

(1) An aircraft may be registered in the Republic of Slovenia if the following conditions are met:

1. the owner of the aircraft is a citizen of the Republic of Slovenia,

2. the aircraft holds a certificate of airworthiness issued by the ministry responsible for transport or a certificate of airworthiness issued by another country and recognized as valid by the ministry responsible for transport,
3. the aircraft is not registered in any other country and
4. the aircraft meets the prescribed conditions regarding noise and other emission limits, as determined by the Agency.

(2) The following are equal to the citizens of the Republic of Slovenia:

1. companies that are majority owned and under the effective control of Slovenian citizens,
2. associations, associations and flight schools that are domestic legal entities and are majority owned and under the actual control of Slovenian citizens,
3. the local community of the Republic of Slovenia and the Republic of Slovenia,
4. citizens and legal entities of the European Union and the European Economic Area.

#### **Article 24**

##### **(request for registration and obligation to submit documentation)**

(1) An aircraft shall be entered in the register of aircraft at the request of the owner or all owners of the aircraft. Written applications on the prescribed form must be accompanied by documents with which the applicant proves that he is the owner of the aircraft and that he meets the conditions from the previous article.

(2) A foreign aircraft may be entered in the aircraft register at the request of an aircraft user who is a citizen of the Republic of Slovenia if the conditions referred to in points 2, 3 and 4 of the first paragraph of the previous article are met and the applicant submits the following documents to the Agency:

1. a lease agreement of not less than six months,
2. the owner's permission to enter the aircraft in the aircraft register.

(3) An air carrier that uses the aircraft of another company or that provides the aircraft to another company must obtain the prior approval of the Agency for such an operation. The conditions for approval are part of the lease.

(4) The Agency shall not approve a contract on the lease of an aircraft with a crew to an air carrier that has issued an operating license if safety standards equivalent to those relating to the air carrier's certificate referred to in Article 76 of this Act are not met.

(5) An aircraft used by an air carrier licensed by the Agency must be entered in the register of aircraft or in the register of aircraft of another Member State of the Community, at the option of the Agency.

(6) If a lease agreement for an aircraft registered in the Community is considered acceptable under paragraph 4 of this Article, the Agency shall not require the entry of such aircraft in the aircraft register if this would require design changes.

(7) In the case of short-term leases to meet the temporary needs of the air carrier or in other exceptional circumstances, the Agency may grant exemption from the requirements referred to in the fifth paragraph of this Article.



(8) In applying paragraph 5 of this Article, the Agency shall, subject to applicable regulations, including regulations concerning the issuance of certificates of airworthiness, admit to the aircraft register those aircraft owned by nationals of other Member States and transferred from the aircraft register of those countries. without discriminatory tax and without delay. Apart from the usual registration fee, no transfer fee will be charged.

## **Article 25 (aircraft register)**

(1) The aircraft register consists of the general ledger and the collection of documents.

(2) The general ledger is public.

(3) The general ledger of the aircraft register shall consist of entries containing the registration, title deed and debit note. Each aircraft is entered in its own input. The Agency shall enter in the general ledger of the aircraft register all necessary information on the aircraft, on the owner and method of acquiring the aircraft, on the user of the aircraft if not the owner and on mortgages related to this aircraft and other rights on the aircraft, as well as any changes to the contents of the aircraft register.

(4) The collection of documents shall be kept for each aircraft separately and shall be kept as a business secret.

(5) Entry in the entry form of the aircraft register shall be made on the basis of a decision of the Agency.

(6) Entry in the title deed and debit note shall be carried out by the Agency on the basis of a final decision of the competent court.

(7) The records referred to in Article 20 of this Act shall contain all the necessary information on the ultra light or other aircraft and basic information on the owner. The entry in the records is made on the basis of the finding of the person keeping the records that the prescribed conditions for entry are met. Ownership and debit certificates are not kept for ultra light and other aircraft. The entry in the records shall be made by the person referred to in the fourth paragraph of Article 20 of this Act on the basis of a complete application of the owner, taking into account the conditions referred to in Article 23 in connection with the eleventh paragraph of Article 32 of this Act.

## **Article 26 (temporary enrolment)**

(1) Upon the written application of the owner, the aircraft may be temporarily entered in the supplement to the aircraft register if the aircraft is located in another country and its ownership has been transferred to a Slovenian citizen, but not all prescribed conditions for registration are met. In order to be entered in the supplement to the aircraft register, the conditions referred to in points 1, 3 and 4 of the first paragraph of Article 23 of this Act must be met.

(2) An aircraft under construction shall be entered in the addendum to the register of aircraft under the conditions prescribed by the minister responsible for transport. In doing so, the provisions on entry in the aircraft register shall be taken into account.

**Article 27**  
**(notification of changes)**

(1) The owner or user of the aircraft must immediately notify the Agency of any change in the data entered in the aircraft register.

(2) Any change of ownership, lease and burden of the aircraft must be immediately notified by the previous and new owner to the Agency and all documents proving new ownership and fulfilment of conditions from point 1 of the first paragraph of Article 23 of this Act must be submitted.

**Article 28**  
**(deletion from the aircraft register)**

(1) An aircraft shall be deleted from the aircraft register or from the addendum to the aircraft register if:

1. this is required by the owner of the aircraft or the user of the aircraft with the permission of the owner,
2. the requirements referred to in points 1, 3 and 4 of the first paragraph of Article 23 of this Act are no longer met,
3. the aircraft is entered in the military register of aircraft,
4. the aircraft is destroyed or lost and the search is completed or has been taken out of service for other reasons,
5. the aircraft has not held a valid aircraft certificate of airworthiness in the last three years.

(2) If a mortgage on an aircraft is kept in the aircraft register, this aircraft may not be deleted from the register without the permission of the pledge.

**Article 29**  
**(issuance of a certificate of registration or a decision to refuse registration)**

(1) Within 15 days of receiving a complete application for entry of an aircraft in the aircraft register, the Agency shall issue a decision on entry and a certificate of entry in the aircraft register or refuse entry. If the aircraft is entered in an addendum to the aircraft register, the Agency shall issue a certificate of entry for a specified period not exceeding 12 months.

(2) When a change of ownership is entered, a new certificate of entry in the aircraft register shall be issued, and the previous certificate must be returned by the owner to the Agency.

(3) If an aircraft is deleted from the aircraft register, the registration certificate must be returned to the Agency.

**Article 30  
(by-laws)**

(1) The Minister responsible for transport shall prescribe:

1. the contents of the general register of the aircraft register and the collection of documents,
2. professional and technical conditions to be met by the authorized persons referred to in the fourth paragraph of Article 20 of this Act,
3. more precise content of records, procedures for their keeping, markings and use of aircraft devices referred to in the second paragraph of Article 20 of this Act.

(2) The register of military aircraft shall be kept by the ministry responsible for defence. The Minister responsible for defence shall prescribe the contents and conditions for the military register of aircraft, the codes of nationality and the registration codes of military aircraft.

2.4. Airworthiness and environmental impacts of aircraft

**Article 31  
(airworthiness and environmental requirements for aircraft)**

(1) An aircraft used in the Republic of Slovenia must be navigable and must meet environmental protection requirements.

(2) An aircraft shall be considered navigable if it has been designed, constructed, equipped and maintained in accordance with this Act and regulations issued on the basis thereof, and has such flight characteristics that it meets the prescribed airworthiness requirements.

(3) The verification of airworthiness requirements shall be performed by the Agency through regular and extraordinary inspections. Regular inspection shall be performed prior to the issuance of the certificate of airworthiness or before the extension of its validity at the request of the owner or user of the aircraft. An extraordinary inspection shall be performed when a deviation from the prescribed airworthiness requirements is established or at the request of the owner or user of the aircraft. An extraordinary inspection may be ordered by the agency or the air traffic controller if there is a reasonable suspicion that the aircraft is not navigable.

(4) The airworthiness certificate referred to in the previous paragraph shall be issued by the Agency on the basis of an airworthiness review, which includes verification of airworthiness requirements, such as determining the conformity of aircraft design with the appropriate aircraft type certificate, determining compliance with approved , verifying the functional capability of the aircraft and its systems in accordance with the approved instructions for use of the aircraft, verifying that any events suffered by the aircraft did not change the performance of the aircraft and its systems, and verifying other requirements of the Agency and characteristics for the aircraft type in question demonstrating that the aircraft meets the relevant airworthiness requirements.

(5) The Minister responsible for transport shall prescribe the requirements for airworthiness and more detailed procedures for the issuance and renewal of certificates of airworthiness and the recognition of the validity of foreign certificates of airworthiness.

(6) An aircraft shall be deemed to meet environmental protection requirements if it does not exceed the permissible noise and other prescribed emissions into the environment.

(7) The Government may, on a coordinated proposal of the Minister responsible for transport and the Minister responsible for the environment, prescribe emission limit values to be met by aircraft used in the Republic of Slovenia.

(8) In areas protected under nature conservation regulations, the government may, upon a coordinated proposal of the minister responsible for transport and the minister responsible for the environment, determine the method of reducing emissions below the prescribed limit value in such an area.

(9) Every aircraft must have a valid noise certificate. For an aircraft entered in the aircraft register, such a certificate shall be issued by the Agency or the validity of the foreign certificate shall be recognized.

(10) Other environmental protection requirements to be met by aircraft used in the Republic of Slovenia, procedures for determining emission limit values and other environmental protection requirements and documents proving them shall be prescribed by the Minister responsible for transport in agreement with the Minister responsible for transport. for the environment.

(11) While flying in the Republic of Slovenia, a foreign aircraft must hold a certificate of airworthiness and a certificate of noise or other relevant document issued by the competent authority of another country and recognized in accordance with an international agreement.

### **Article 32 (certificate of airworthiness)**

(1) For aircraft that are found to be airworthy, the Agency shall issue a certificate of airworthiness with a valid validity of 12 months upon the written application of the owner of the aircraft. The certificate of airworthiness must include the prohibitions and restrictions imposed by the Agency on the use of the aircraft.

(2) Upon a written application from the owner or user of an aircraft, the Agency shall extend the validity of the certificate of airworthiness, as a rule for 12 months, if it has previously established that the aircraft is still airworthy.

(3) The airworthiness review shall be performed by a commission or an individual appointed by the minister responsible for transport from among the agency's civil servants or authorized persons referred to in the eighth paragraph of this Article.

(4) The airworthiness review in relation to the contents of the review, as specified in the fourth paragraph of the previous article, shall be performed by:

1. checking the documentation of the owner or user on aircraft maintenance;

2. physical inspection of the aircraft, and
3. tests in flight.

When checking airworthiness, the documentation on concluded compulsory insurance in traffic is also checked.

(5) The Agency may at any time during the period of validity of the certificate of airworthiness carry out an inspection to verify the airworthiness of the aircraft. The same inspection is performed on the role of the owner or user.

(6) The owner or user must make available to the Agency all data related to the airworthiness, maintenance, changes or repairs of the aircraft and all data and statistics on its operation and use.

(7) The owner or user of the aircraft must provide free access to all premises and equipment to civil servants of the Agency and persons referred to in the eighth paragraph of this Article, as well as to aircraft on the ground and during flight and all assistance they need to perform their duties. If an in-flight test is required, it must be performed by the owner or user under the supervision of a civil servant of the agency or a person referred to in the eighth paragraph of this Article.

(8) The Minister responsible for transport may, after prior verification of the fulfilment of the prescribed conditions, authorize a legal or natural person to carry out inspections and other actions referred to in this Chapter. The authorized person must meet the conditions regarding professional qualifications, technical equipment and organization that apply to persons referred to in Article 38 of this Act.

(9) The Agency may use certificates, authorizations, consents and technical findings of foreign civil aviation authorities and persons appointed or authorized by those authorities to facilitate the performance of tasks under this Act, and may provide similar services to foreign authorities and institutions.

(10) In order to ensure safe flying, the Agency issues airworthiness technical requirements (ATS) as general aviation safety requirements, which are binding on all aviation operators. Airworthiness requirements are related to the safe use of a particular type of aircraft.

(11) The provisions of this Article shall also apply mutatis mutandis to a permit to fly issued as an airworthiness certificate for ultra light and other aircraft and at the same time a certificate of entry in the records referred to in the second paragraph of Article 20 of this Act.

### **Article 33**

#### **(liability for airworthiness, invalidity of certificate of airworthiness and communication)**

(1) The owner is responsible for the airworthiness of the aircraft, and if the owner does not use the aircraft, its user in accordance with the contract.

(2) A certificate of airworthiness shall be deemed invalid if a Slovenian aircraft or its equipment is not maintained in accordance with the prescribed requirements, if changes are made to the aircraft or its equipment that are important for airworthiness and have not been previously

approved by the Agency, or if there are no mandatory changes to the aircraft or its equipment or if no checks are performed at the request of the Agency or if a regular or extraordinary inspection is not performed. The certificate of airworthiness shall be invalid in the above cases until the Agency re-establishes the airworthiness of the aircraft at the request of the owner or user.

(3) The owner or user must inform the Agency of circumstances, events, errors and irregularities that could affect the airworthiness of the aircraft.

#### **Article 34 (revocation of certificate of airworthiness)**

If, after an airworthiness review or otherwise, the Agency determines that the domestic aircraft is not airworthy, it shall revoke the certificate of airworthiness issued to such aircraft or postpone its issuance or extend its validity until it re-establishes that the aircraft is navigable. An invalid airworthiness certificate must be returned to the Agency by the owner or user.

#### **Article 35 (determining the airworthiness of foreign aircraft and the authority of the agency)**

(1) On behalf of the Republic of Slovenia, an inspection or investigation may be carried out on a foreign aircraft to verify its airworthiness to the extent necessary for:

1. recognition of the validity of its certificate of airworthiness or renewal of such recognition,
2. issuance of the Slovenian certificate of airworthiness,
3. a permit to fly in Slovenian airspace, if such a permit is required.

(2) Notwithstanding the provision of the preceding paragraph, the Agency may conduct an inspection or investigation to verify the airworthiness of a foreign aircraft if:

1. Doubts that the aircraft meets the requirements of international aviation safety standards;
2. required by the owner or user; or
3. this is required by the competent authority in charge of airworthiness control.

(3) If the Agency establishes that a foreign aircraft is not navigable, or that it has been damaged and that damage could affect its airworthiness, it may prohibit its take-off.

(4) If the aircraft is registered in a state party to the Convention on International Civil Aviation (Official Gazette of the FRY - MP, No. 3/54 and Act of Ratification of Succession Official Gazette of the RS, No. 24/92 - hereinafter: Chicago Convention), the Agency must inform the competent authority of that State of the condition of the aircraft and of its decision. If the authority of another country decides that the aircraft is airworthy, the agency shall allow it to take off. If the Agency considers that this aircraft is not airworthy, but may, under certain conditions, be permitted to fly to the place where the repair is to be made, the Agency may allow it to take off if it meets the conditions prescribed by the competent authority of another country. During such a flight, only persons necessary for the performance of such a flight may be on board.

**Article 36**  
**(reasonable application of provisions)**

The provisions of Articles 32 to 35, which apply to airworthiness and airworthiness assessment, shall also apply mutatis mutandis to the verification of environmental protection requirements for aircraft.

**Article 37**  
**(special permit to fly)**

(1) If an aircraft cannot be issued an airworthiness certificate, the Agency shall assess that the aircraft is safe to fly subject to certain restrictions, the Agency shall issue a special permit for flight in Slovenian airspace with certain restrictions.

(2) The special permit referred to in the preceding paragraph may be issued for a test flight, for an aircraft over flight and in other similar cases when the Agency establishes that the aircraft is safe to fly, subject to certain restrictions.

2.5. Manufacture, maintenance, modification and repair

**Article 38**  
**(aeronautical technical personnel and manufacturing, maintenance and repair organizations)**

(1) No one may design or manufacture aircraft, engines, propellers, aircraft parts and equipment, perform maintenance, alterations or repairs on such products or prepare technical documentation for such work if he does not meet the general conditions for performing activities and does not have a valid license with the appropriate authorizations, or if he does not have the appropriate certificate or certificate issued by the Agency for the performance of such work, and only to the extent specified in this license, certificate or certificate. The provision of this paragraph shall not apply to amateur aircraft.

(2) The Minister responsible for transport shall prescribe the conditions and procedures for:

1. the acquisition of a flight technician license, in particular as regards education, professional qualifications and experience, medical requirements and restrictions, and any age and other requirements and restrictions;
2. obtaining a certificate or approval from an organization for the design, construction, maintenance, modification and repair of aircraft, engines, propellers, aircraft parts and equipment, and amateur aircraft construction, in particular as regards the professional competence of personnel, facilities, technical equipment and organization; it also takes into account the relevant Annex to the Chicago Convention and the relevant Common Aviation Regulations.

(3) The Agency shall verify compliance with the conditions throughout the validity of issued licenses, certificates, attestations and other documents. For this purpose, civil servants of the Agency and authorized persons referred to in the eighth paragraph of Article 32 must have free access to all premises, equipment, data and documentation related to the work for which a license, certificate or certificate is required.

(4) The provisions on licenses referred to in Articles 43 to 49 of this Act shall also apply mutatis mutandis to licenses of aeronautical technical personnel and personnel performing work on aircraft, its parts and workshop equipment. A certificate or attestation issued in accordance with the provisions of this Chapter may be revoked or suspended by the Agency if the conditions for its issue are not met or if the holder proves unable to meet the requirements for obtaining it.

(5) The Agency may recognize relevant licenses, certificates and attestations issued by other ICAO member states and allow the holders of such documents to perform technical work on an aircraft registered in the Republic of Slovenia.

### **Article 39 (type certification)**

(1) For the type of aircraft first registered in the Republic of Slovenia and for the engine, propeller, parts and equipment used for the first time on a Slovenian aircraft, a certification procedure must be carried out to establish that the technical standards for airworthiness are met, prescribed by this Act and regulations issued on the basis thereof. After the certification procedure, the agency issues a type certificate or a corresponding certificate.

(2) In the Republic of Slovenia, the Common Aviation Regulations (JAR) shall apply to the harmonization of technical requirements and procedures in the field of civil aviation security, especially in relation to the construction, manufacture and maintenance of aircraft, with natural and legal persons involved in these tasks.

(3) The harmonized technical requirements and procedures referred to in the preceding paragraph shall apply to all aircraft operated by air carriers referred to in Article 69 of this Act, regardless of whether they are registered in the Republic of Slovenia, a Member State or a third country. .

(4) The Agency shall confirm, without further technical requirements or assessment, that the products referred to in this Article are designed, manufactured and managed and maintained in accordance with common technical requirements and administrative procedures where another Community Member State has already certified these products. If a basic certificate for a specific purpose or purposes is issued, then each subsequent certificate shall be considered for the same purpose or purposes.

(5) The Agency recognizes the certification issued by another Member State of the Community in accordance with regulations to legal or natural persons involved in the design, construction and maintenance of aircraft, engines, propellers, aircraft parts and equipment and the use of aircraft judicial and administrative jurisdiction of that other State.

(6) The Agency shall inform the European Commission (hereinafter: the Commission) of:

- measures taken to remedy irregularities in cases concerning aviation safety relating to the aircraft, engine, propeller, aircraft part or equipment or to the legal or natural person referred to in paragraphs 4 and 5 of this Article,
- measures to coordinate research programs to improve the safety and use of civil aircraft,



- measures to introduce new amendments or additions to the requirements of the Agreements on the Development, Adoption and Implementation of the Common Aviation Regulations (JAR), concluded in Cyprus on 11 September 1990, on any amendment to these Agreements and on the results of consultations with the interested authorities.

(7) The Minister responsible for transport shall prescribe the requirements for aircraft type certification, the procedures for issuing a type certificate or the relevant certificate and determine the procedure for the recognition of a foreign type certificate.

## 2.6. Aircraft classification and equipment

### **Article 40 (aircraft division and equipment)**

- (1) Aircraft shall be classified according to type, category, and purpose of use, weight and other.
- (2) Depending on the category and purpose of use, the aircraft must be equipped with devices and equipment for safe flight.
- (3) The Minister responsible for transport shall issue a regulation on the classification of aircraft and equipment that must be installed in the aircraft according to the classification referred to in the first paragraph of this Article.

### **Article 41 (communication equipment requirements)**

Radio devices and other equipment for communication with the aircraft must comply with the applicable technical regulations of the Republic of Slovenia. The authority responsible for telecommunications shall issue a permit for the operation of such devices on board the aircraft. The permit for the installation of such devices in the aircraft shall be issued by the Agency if the prescribed conditions regarding the equipment referred to in the previous article are met.

## 2.7. Documents on the plane

### **Article 42 (duties of owner and user, regulations)**

- (1) The Agency shall prescribe which records and documents must be kept by the aviation operator and which, in addition to those listed in the Chicago Convention, must be kept on board aircraft, taking into account the relevant Annex to this Convention and the Common Aviation Regulations.
- (2) The owner or user of an aircraft must allow the Agency and anyone who has to inspect aviation records and documents in order to protect their rights.

## 3.0. AVIATION AND OTHER PROFESSIONAL STAFF

### 3.1. Licenses, ratings, authorizations, certificates and attestations

**Article 43**  
**(conditions for the performance of flight crew duties)**

(1) Person performing the following tasks:

- pilot or flight crew member,
- aircraft maintenance and airworthiness,
- air traffic management and control,
- the planning of flight operations or
- conducting aviation meteorological observations and forecasting,

must have a valid license, rating, authorization, certificate or certificate.

(2) No one may exercise the privileges deriving from a license, rating, authorization, certificate or attestation issued by another ICAO Member State or JAA unless he maintains a level of knowledge and competence in accordance with the requirements laid down in the regulations on licensing of flight crew.

(3) The license shall be issued for a certain period, which shall be determined according to the type of license and possible age and other restrictions, in accordance with the regulations referred to in the sixth paragraph of this Article. Its validity and entered ratings or authorizations may be extended or renewed within a certain period after its expiry, if the holder meets the requirements set out in the regulations governing the licensing of flight crew, depending on the type of license and ratings or authorizations.

(4) The documents referred to in the preceding paragraph may be issued with a restriction. The license and authorization may also specify the special rights of the holder as well as the restrictions and special conditions. In doing so, it shall also take into account the relevant Annex to the Chicago Convention and the relevant Common Aviation Regulations.

(5) The Minister responsible for transport shall prescribe which staff perform the tasks referred to in the first paragraph of this Article, more detailed conditions and procedures for obtaining a license, rating, authorization, certificate or certificate, especially regarding education, professional qualifications and experience, medical requirements and restrictions and any age and other requirements and restrictions. It shall prescribe the conditions and procedures regarding health requirements in agreement with the minister responsible for health.

(6) The Minister responsible for transport shall prescribe the conditions and procedures for the recognition of foreign licenses. The Agency may use a foreign license as a basis for issuing a license of the Republic of Slovenia.

**Article 44**  
**(aircraft crew)**

(1) The owner of the aircraft or the user, if the aircraft is not operated by the owner, must ensure that the aircraft is trained crew that has valid licenses, ratings, authorizations, certificates or certificates relevant to the aircraft and the tasks it performs and that it meets other prescribed conditions.

(2) A foreign aircraft may be operated in the Republic of Slovenia by a person holding a foreign license or other relevant document, if such license or document is recognized in the Republic of Slovenia in accordance with an international agreement binding on the Republic of Slovenia.

(3) The Minister responsible for transport shall prescribe requirements regarding the composition of the crew that must be on board the aircraft, according to the qualifications and experience of the staff, class, type and type of aircraft, experience of the carrier and type and manner of flight.

#### **Article 45**

##### **(revocation and revocation of license, rating, authorization, certificate or attestation and application of the provision for foreign licenses)**

(1) The Agency may revoke the license, rating, authorization, certificate or certificate for a definite period of time, for a maximum of one year, or revoke the validity of the said documents if the holder is:

1. endanger flight safety,
2. exercise the privileges of those documents under the influence of alcohol, narcotics or other psychoactive substances,
3. proven to have violated civil aviation regulations,
4. recognized on the basis of a medical certificate as unfit to perform duties on board the aircraft,
5. demonstrated insufficient knowledge or skills to continue to exercise the individual privileges set out in the charter referred to in this paragraph,
6. has committed an offense referred to in Article 187 or Article 188 of this Act.

(2) At the proposal of the investigative body referred to in Chapter 8 of this Act, the Agency shall temporarily revoke the document referred to in the first paragraph of this Article before issuing a report on the investigation of an air accident or incident, until the final report on the accident or incident is adopted.

(3) The Agency may revoke the validity of the documents referred to in the first paragraph of this Article if it finds that the beneficiary obtained the document on the basis of false information on the conditions for its acquisition or otherwise obtained the document illegally or by abuse.

(4) The provisions of this Article shall also apply to foreign licenses recognized in the Republic of Slovenia.

(5) The Agency shall issue a decision on the suspension or revocation of the validity of the documents referred to in the first paragraph of this Article. An appeal against the decision is allowed within 8 days of service. An appeal shall not stay the execution of the decision. The holder must return the invalid document to the agency.

#### **Article 46**

##### **(authorization for proficiency testing)**

In the cases referred to in the previous article and in case of doubt that the beneficiary of the license no longer meets the conditions for exercising the privileges of the license, the Agency may require the licensee to pass the prescribed theoretical and practical tests to verify his professional ability to determine the psychophysical condition due to the determination of the ability to perform tasks.

**Article 47**  
**(Prohibition of on-board duties and flight crew duties)**

(1) No one may perform duties on board an aircraft if he is under the influence of alcohol, narcotics or other psychoactive substances or if he has ingested a medicinal product that may affect his psychophysical abilities. The same prohibition also applies to the performance of the duties of aviation personnel referred to in the second, third and fourth indents of the first paragraph of Article 43 of this Act.

(2) No one performing the duties of aviation personnel referred to in the first paragraph of Article 43 of this Act may exercise the privileges of a license, rating, authorization, certificate or certificate issued to him for the performance of duties if he suffers from illness or fatigue, or is incapable of performing his duties in a safe manner for another similar reason.

**Article 48**  
**(Conditions and procedures for issuing licenses, ratings, endorsements, certificates and attestations and examinations of flight and other professional personnel)**

(1) A license, rating, rating, certificate or attestation of flight crew shall be issued to a person who:

1. meets the age requirements,
2. has demonstrated the necessary medical fitness,
3. has the prescribed professional education, has successfully passed the prescribed examinations and there are no circumstances indicating unreliability in the operation of the aircraft or in the performance of other work related to its operation.

(2) The Agency shall conduct the prescribed procedures and issue licenses, ratings, authorizations, certificates or certificates in accordance with this Act and regulations issued on the basis thereof, which regulate the licensing of aviation personnel.

(3) Examinations for an individual type of license, rating or authorization may be: written, oral and / or practical. They shall be performed before authorized examiners, before a commission or other authorized person, all in accordance with the regulations referred to in the fifth paragraph of Article 43 and the eighth paragraph of this Article.

(4) Authorized examiners, commissions or other authorized persons referred to in the preceding paragraph shall be appointed by the Agency as a rule from the list of experts referred to in Article 49 of this Act, and other authorized persons also from among civil servants of the Agency.

(5) As a rule, authorized examiners must have at least an equivalent license, rating or authorization as a candidate who takes the oral or practical examination.

(6) Authorized examiners must be qualified and meet all the prescribed conditions in order to be able to take over the further performance of the flight at any time during the practical examination as a pilot-in-command or as a flight controller.

(7) The conditions referred to in the first paragraph of this Article shall also apply mutatis mutandis to other professional personnel performing work important for air traffic safety and for whom a regulation issued on the basis of this Act stipulates that he must have a certificate of compliance air transport.

(8) The Minister responsible for transport shall prescribe the conditions and procedures for obtaining a certificate from other professional staff referred to in the previous paragraph of this Article, in particular regarding education, professional qualifications and experience, health requirements and restrictions and possible age and other requirements and restrictions.

#### **Article 49 (list of aviation experts)**

(1) The list of aviation experts is a document in which aviation experts for individual areas of aviation are appointed for a certain period of time.

(2) The list of aviation experts referred to in the preceding paragraph shall be determined by a decision of the minister responsible for transport.

(3) Aviation experts from the list may be appointed in particular for: authorized examiners, chairmen and members of commissions for verification of professional competence of candidates for obtaining licenses, ratings and authorizations, investigation of aviation accidents, conducting individual training of aviation and other professional staff.

#### **Article 50 (performing medical examinations)**

(1) Medical examinations of candidates for the acquisition or renewal of licenses, ratings, endorsements, certificates or certificates of flight crew and medical examinations of candidates for the issuance or renewal of a certificate issued to other professional staff shall be performed by an authorized legal or natural person activity, in accordance with the regulations on medical activity (hereinafter: the provider of medical examinations), if it also meets the special conditions regarding the organization, equipment and personnel for performing those examinations prescribed by the Minister responsible for transport in agreement with the Minister responsible for health. The authorization to carry out the said medical examinations shall be issued to the provider of medical examinations by the minister responsible for health, on the proposal of the minister responsible for transport,

(2) The provider of medical examinations shall issue a medical certificate on the medical fitness of the candidate referred to in the preceding paragraph.

#### **Article 51 (medical fitness test)**

(1) Medical examinations of aviation and other professional personnel under this Act shall be preliminary, periodic and special.

(2) Preliminary inspection shall be performed before the issuance of a license, rating, authorization, certificate or certificate, and periodic inspection before the extension of their validity.

(3) The special inspection shall be carried out in particular:

1. after an illness, injury or surgery that may significantly affect the ability to perform work;
2. if the aviation supervisor, investigative body referred to in Chapter 8 of this Act or a superior assesses that the affected person is mentally or physically incapable of performing the work properly or that he is under the influence of alcohol, narcotics or other psychoactive substances.

(4) A person who does not agree with the result of the medical examination referred to in the second and third paragraphs of this Article may appeal and request that the medical examination be performed by a commission. The complaint is filed with the agency, within 15 days of receiving a medical certificate. The Commission shall be appointed by the Minister responsible for health in agreement with the Minister responsible for transport.

(5) There shall be no appeal against the finding of the commission.

(6) The Minister responsible for transport, in agreement with the Minister responsible for health, shall issue more detailed regulations determining the specifics regarding medical examinations and the keeping of records on the medical fitness of aviation personnel and other professional staff.

## **Article 52** **(restrictions and prohibitions and revocation of documents)**

(1) The Agency shall revoke the validity of the document referred to in Articles 38, 43 and 48 of this Act if it finds that the holder of the document no longer meets any of the prescribed conditions for issuing the document in accordance with the provisions of this Act. The revoked document must be returned to the Agency by the holder.

(2) The Agency shall restrict or prohibit the performance of works permitted by the charter as long as there is a reasonable suspicion that the affected person may violate regulations or endanger flight safety.

## **Article 53** **(register and records of aviation and other professional staff)**

(1) Licenses, ratings, authorizations, certificates or attestations shall be issued by the Agency upon request.

(2) The Agency shall keep a register of aviation personnel. The Airborne Personnel Register is not a public book.

- (3) The register referred to in the preceding paragraph shall contain the following personal data:
- name and surname of the person,
  - date and place of birth,
  - nationality,
  - permanent or temporary residence,
  - education obtained (with information on submitted certificates of competence and other documents on fulfilment of conditions for obtaining a license, together with information on the issuer, date of issue and other identification data),
  - profession,
  - aviation organization or employment data,
  - information on the type and validity of the medical certificate required for each license,
  - restrictions - medical or other, arising from the license itself,
  - data on entered ratings or authorizations,
  - date of issue of the license, rating, authorization, certificate and their validity, as well as information on revocations and duplicates issued,
  - recognition of a foreign license, validation or replacement of a foreign license,
  - information on offenses, measures imposed and prohibitions,
  - on the issuance of extracts from the register.
- (4) Notwithstanding the provision of the second paragraph, records shall be kept for pilots of ultra light and other aircraft devices that are not classified as pilots for which a license is required according to ICAO standards. Records are not a public book.
- (5) The records referred to in the preceding paragraph shall be kept by legal or natural persons who meet the prescribed conditions, in particular regarding professional qualifications, premises, technical equipment and organization, and other conditions prescribed in accordance with Article 43 of this Act. the Minister responsible for transport is authorized to verify the fulfilment of the prescribed conditions. If the authorization referred to in this paragraph is not given, the records shall be kept by the Agency.
- (6) Certificates to other professional staff on the fulfilment of conditions for the performance of work in air transport shall be issued by the Agency after successfully passing the aptitude test before a commission appointed by the minister responsible for transport.
- (7) The provisions on the content of the register of aviation personnel shall also apply mutatis mutandis to the content of the register of other professional personnel and to the content of the records referred to in the fifth paragraph of this Article.
- (8) Personal data entered in the register or in the records referred to in this Article shall be collected and used for the performance of tasks of the Agency or other competent bodies under this Act. They shall be inspected by the persons authorized to work with the register or records and the person to whom the data relate, as well as by the competent authorities under other regulations, the competent aviation authorities of other countries regarding the recognition of licenses and other documents referred to in this Chapter authority referred to in Chapter 8 of this Act. The data referred to in the previous paragraph shall be kept permanently and in accordance with the regulations on the protection of personal data and archiving.
- (9) The Minister responsible for transport shall prescribe:

1. more detailed content of the registers referred to in this Article, according to the type of license, rating, certificate, certificate of aviation and other professional personnel and more detailed procedures regarding the keeping of registers referred to in this Article,
2. more precise content and conditions and procedures regarding the keeping of records referred to in this Article, in particular regarding the professional qualifications of staff, premises, technical equipment and organization.

#### **Article 54 (training programs)**

(1) Training programs for individual types of flight crew and other professional staff shall be determined by the minister responsible for transport.

(2) On the basis of the training program referred to in the previous paragraph, training providers shall prepare appropriate training manuals, depending on the type of training and submit them to the Agency for approval at least 90 days before the scheduled start of training.

(3) The relevant annexes to the Chicago Convention and other acts of international aviation organizations governing the training of aviation personnel, Community regulations and the Common Aviation Regulations shall be taken into account with regard to the establishment of training programs and the production of manuals referred to in the previous two paragraphs.

#### **Article 55 (recognition of the validity of a foreign license)**

(1) The Agency shall, without undue delay or additional testing, recognize any license issued by another Member State, a United Aviation Authority (JAA) or the Community, together with privileges and certificates relating to it, provided that the preconditions for licensing comply with licensing rules. aviation personnel referred to in the fifth and sixth paragraphs of Article 43 of this Act.

(2) Recognition of a license by the Agency shall mean any act of recognition or validation of a license issued by another State, together with the privileges and certificates relating to it. Such recognition of the license may not exceed the period of validity of the original license.

(3) Recognition of a license issued in another country means the Agency's permission to use such a license on aircraft registered in the Republic of Slovenia, together with the privileges that apply to it.

(4) Validation means the issuance of a certificate from the Agency that a license issued by the competent authority of another country is considered to be a license issued by the Agency itself.

(5) The Agency may recognize licenses or permits, ratings, authorizations, certificates and attestations issued in non-United States Aviation Authorities (ICAO) member countries of the International Aviation Authority (JAA) for use on aircraft registered in the Republic of Slovenia, in accordance with an international agreement binding on the Republic of Slovenia or in accordance with the applicable agreement governing this area and if it is established in accordance with the prescribed procedure that there is an equal level of security between the two countries for recognition. If such a license and the associated ratings, endorsements,



certificates or attestations are recognized, it shall be stated on the basis of which the validation was granted.

(6) The provisions on recognition and validation referred to in this Chapter shall apply mutatis mutandis to licenses referred to in this Chapter issued in another country.

**Article 56**  
**(aviation and other professional training providers)**

(1) Professional training of aviation and other professional staff shall be performed by contractors (hereinafter: aviation schools) who meet the prescribed personnel, material and other conditions.

(2) The Agency shall issue a work permit to an aviation school that meets the required personnel, material and other conditions prescribed for a certain type or purpose of training.

(3) The permit referred to in the preceding paragraph shall specify in particular:

- types or training programs for which the school meets the conditions,
- the period of validity of the license, which shall normally be twelve months, and
- other conditions or restrictions regarding the implementation of certain training programs.

(4) The validity of the permit shall be extended after the re-verification of the fulfilment of the prescribed conditions.

(5) The expert commission or the person who determines the fulfilment of the conditions in the flight school shall keep a record of the actual situation and give an opinion on this, which is the basis for the decision on issuing or renewing the flight school license.

(6) The Minister responsible for transport shall prescribe more detailed conditions and procedures for obtaining a permit to operate an aviation school and other school referred to in the third paragraph of Article 57, in particular regarding professional qualifications, staff, premises, technical equipment, financial resources, approved manuals, programs training and organization, taking into account the provision of Article 57 of this Act and the relevant Annex to the Chicago Convention and the relevant Common Aviation Regulations.

**Article 57**  
**(types of flight schools and conditions for obtaining a work permit)**

(1) Aviation schools are classified into aviation schools that train pilots and other schools.

(2) Flight pilot training schools are organizations that implement training programs for:

1. obtaining a private / sport pilot's license, with associated ratings and authorizations,
2. obtaining a professional and traffic pilot license, with the corresponding ratings and authorizations,
3. obtaining an aircraft type rating,
4. theoretical training for obtaining the licenses referred to in point 2 of this paragraph, with the corresponding ratings and authorizations, and

5. glider pilot, ultra light pilot or other flying device.

(3) Other schools referred to in the first paragraph of this Article are schools that train other flight crew and other professional staff, taking into account the relevant Annex to the Chicago Convention and other documents of international aviation organizations and relevant Common Aviation Regulations.

(4) In order to obtain a work permit, an aviation school must meet the following conditions:

- the seat of the school is in the country,
- is owned by a domestic legal or natural person,
- has a guaranteed capability and ability to establish and maintain aviation standards,
- has approved valid training programs,
- has guaranteed financial ability to conduct training, suitably qualified staff, keeping documentation on the course of training, use of appropriate aircraft, ultra light or other aircraft to be used in the training process, use of the airport where the training will be conducted, use of other necessary infrastructure capacity, use of theoretical training facilities,
- has training manuals and training instructions,
- ensure that other prescribed conditions before the start of training and
- ensure the safe conduct of training.

#### **Article 58 (revocation of the work permit of the flight school)**

(1) The Agency shall, by a decision, revoke, suspend or limit the work permit of an aviation school if it finds that it does not meet the prescribed conditions, or if it determines on the basis of recorded events in civil aviation that it endangers air traffic safety.

(2) If the flight school has not carried out training in the last twelve months, the Agency shall revoke its work permit.

(3) An appeal against the decision referred to in the first and previous paragraphs is allowed within 8 days of service. An appeal shall not stay the execution of the decision. The holder must return the invalid document to the agency.

### 3.2. Chief of aircraft and duties on board

#### **Article 59 (aircraft commander, tasks and restrictions)**

(1) One of the members of the flight crew must be the pilot-in-command on board the aircraft.

(2) The pilot-in-command is responsible for the aircraft, passengers and other crew throughout the flight.

(3) The pilot-in-command has the highest authority on board. Its powers in relation to passengers concern in particular law and order.

(4) The pilot-in-command shall be determined for each flight or part of the flight by the owner or user, if the aircraft is not used by the owner.

(5) The pilot-in-command shall guide the crew in all tasks on the aircraft.

(6) The pilot-in-command must perform the flight in accordance with the regulations, from which he may deviate only when he deems that this is unavoidable due to the safe conduct of the flight.

(7) The pilot-in-command must be acquainted with the contents of the cargo he is carrying.

(8) Holder of a pilot license who has completed:

1. 60 years, may not perform the duties of a pilot in commercial air transport, except as a member of a flight crew consisting of several pilots and if he is the only pilot in the flight crew who has reached 60 years of age,
2. 65 years of age, may not perform the duties of a pilot in commercial air transport,

whereby the Minister responsible for transport may prescribe different age and other restrictions if the relevant Annex to the Chicago Convention or the relevant Common Aviation Regulations are amended.

#### **Article 60 (duties of pilot-in-command)**

(1) The pilot-in-command represents the interests of the owner or user of the aircraft and is authorized to act in accordance with this Act and regulations issued on its basis.

(2) The pilot-in-command is responsible for the safety of aircraft, crew, passengers and cargo.

(3) The pilot-in-command must check before take-off that the crew and the aircraft are ready and fit for safe flight and that all the prescribed documents are in the aircraft.

(4) In order to ensure flight safety, crew members are obliged to comply with the commands of the pilot-in-command even if this is outside their prescribed duties.

(5) Passengers are obliged to follow the orders of the pilot-in-command.

(6) The pilot-in-command has the right to refuse the admission of crew members, passengers or cargo on board and the right to request that they be disembarked or removed from the aircraft if circumstances so require.

(7) The pilot-in-command may use coercive measures that he deems justifiable when it is necessary to ensure obedience and maintain order on board.

(8) Immediately after landing, the pilot-in-command is obliged to provide emergency professional assistance to the police and to give them information when they so request in accordance with their legal powers.

**Article 61**  
**(powers in case of infringements and criminal offenses)**

(1) If there are grounds for suspecting that a crime or other act has been committed or is directly expected to be committed on board the aircraft, which may endanger the safety of flight or persons or objects in it or disrupt order and discipline in the aircraft, the commander shall act in accordance with the authority.

(2) The pilot-in-command may deprive a suspect of a criminal offense for which the perpetrator is being prosecuted ex officio, release him and hand him over to a police officer or relevant foreign authorities outside the Republic of Slovenia, unless otherwise provided by law.

(3) Passengers may not:

1. endanger the safety of the aircraft or persons on board the aircraft in any way by their conduct,
2. intentionally or through gross negligence cause or permit the aircraft to endanger persons or property,
3. come on board or be on board an aircraft under the influence of alcohol,
4. smoke during the smoking ban as determined by the carrier. The carrier warns passengers of the ban on smoking with markings on board. Just posting a smoking ban is not enough.

(4) The pilot-in-command must ensure that all evidence relevant to the misdemeanour proceedings or to the investigation of a criminal offense is submitted to the competent authority.

**Article 62**  
**(powers of the commander of a foreign aircraft)**

The commander of a foreign aircraft who, in accordance with the law of the state supervising the airworthiness of the aircraft, has the same powers as defined in Articles 59 and 60 of this Act, has the same powers in the Republic of Slovenia.

**Article 63**  
**(duty to inform the agency in the event of an accident or incident)**

In the event of a fatal accident or serious injury, or which causes significant damage to an aircraft or property not carried on board, the pilot-in-command must immediately inform the Agency and submit a written report. The same is true in the event of a serious incident.

**Article 64**  
**(reporting duty)**

The pilot-in-command has the same duty to report on circumstances, events and malfunctions that may affect the airworthiness of the aircraft as the owner and user have in accordance with Article 33 of this Act.

### 3.3. Other provisions

#### **Article 65 (time limits, rest periods and number of take-offs and landings)**

(1) The carrier must ensure that the crew does not exceed the permitted time limits in relation to flight, rest and the number of take-offs and landings. It must also ensure a minimum prescribed rest period.

(2) Aviation and other professional personnel must be removed from work by the immediate supervisor until the condition resulting in incapacity for work has ceased. In such a case, the immediate supervisor must, at the request of the employee, allow a medical examination of the employee.

(3) The carrier shall keep records of flight time, work obligations and rest of air and other professional staff.

(4) The working time and rest of flight crew must not exceed the limits and requirements applicable under general regulations. The Minister responsible for transport shall prescribe additional conditions and restrictions for flight crew to determine the permitted flight time or working hours, minimum rest periods, number of take-offs and landings during working hours, especially with regard to the type of flight crew tasks referred to in Article 43 and experience and any age and other requirements and restrictions.

#### **Article 66 (flight booklet)**

Each pilot must keep flight time records in accordance with regulations issued by the Minister responsible for transport.

#### **Article 67 (military aviation and other military professional personnel and regulations)**

(1) Military aviation personnel are personnel who operate a military aircraft or perform other work related to its use or perform work directly related to the flight safety of military aircraft.

(2) All other persons who participate in military air traffic and are not military aviation personnel are other military professional personnel.

(3) Military aviation personnel and other military professional personnel must have a valid military license and authorizations for the performance of special professional work, determined by special regulations.

(4) A license or authorization issued under this Article may be used by the Agency as a basis for issuing and renewing a license or authorization issued under the provisions of Articles 43 to 66 of this Act.

(5) Licenses and authorizations issued to personnel referred to in the third paragraph of this Article, pursuant to the provisions of Articles 43 to 66 of this Act, shall be used as military licenses until special regulations are issued.

(6) The regulations referred to in the third paragraph issued by the minister responsible for defence, in agreement with the minister responsible for transport, must take into account the requirements regarding civil air traffic safety and the defence interests of the state.

(7) The regulations referred to in the preceding paragraph shall regulate in particular the issues referred to in Articles 48, 50 and 51 of this Act, taking into account the types of aircraft, the purpose of their use and the mental and physical stress to which military aircraft and other military professional personnel are exposed.

#### 4.0. AIR TRANSPORT AND OTHER AIRCRAFT ACTIVITIES

##### **Article 68 (licenses, certificates and licenses)**

(1) The activity of air transport may be performed by a legal or natural person who has obtained an operating license issued by the Agency in accordance with European Union regulations and this Act, if an operating license is required depending on the type of transport.

(2) Other activities in air transport may be performed by a legal or natural person who has obtained an appropriate certificate or permit, in accordance with the provisions of this Act and regulations issued on the basis thereof.

(3) Non-commercial activities in aviation may be performed by a legal or natural person who meets the prescribed conditions regarding the airworthiness of aircraft and has the appropriate aviation license or has properly licensed aviation personnel to perform such activities, all in accordance with the provisions of this Act regulations issued by the Minister responsible for transport.

(4) In accordance with the requirements of the European Union regulations on operating licenses, the ministry responsible for transport shall publish the procedures for issuing operating licenses on the website of the ministry responsible for transport and the agency.

(5) As regards services in the internal market provided in the field of aviation, providers of such services from the countries of the European Economic Area shall be subject to European Union rules or regulations issued in accordance with them as regards the condition of nationality.

##### **Article 69 (deleted)**

##### **Article 70 (deleted)**

**Article 71  
(deleted)**

**Article 72  
(deleted)**

**Article 73  
(deleted)**

**Article 74  
(deleted)**

**Article 75  
(deleted)**

**Article 76  
(air operator's certificate)**

(1) An Air Operators Certificate (AOC) is a document issued by an Agency certifying that a legal or natural person meets the requirements for professional staff and the necessary organization to ensure the safe operation of aircraft in the aviation activities specified in issued certificate.

(2) The air operator's certificate shall be issued by the Agency if it has previously established that:

1. the applicant does not yet have an air operator's certificate;
2. the applicant is a citizen of the Republic of Slovenia or a legal person registered in Slovenia, which is majority owned and under the effective control of Slovenian citizens or a local community or the Republic of Slovenia;
3. the applicant resides or has its registered office in the Republic of Slovenia;
4. the applicant has provided the Agency with evidence that it is capable of operating the proposed activity operationally and safely.

(3) The condition referred to in point 4 of the previous paragraph is met if the Agency finds that the applicant has sufficient financial resources, knowledge, expertise, experience, staff, resources, equipment, organization and documentation to ensure safe operation of aircraft, in accordance with the prescribed conditions and restrictions applicable to the aviation activities which the applicant wishes to perform.

(4) As a rule, an air operator's certificate shall be issued for one year. Its validity shall, as a general rule, be extended by 12 months, but not by more than 24 months, provided that the holder complies with the requirements in force at the time of the decision and in the light of new findings by the Agency in accordance with this Article.

(5) Together with the air operator's certificate, the Agency shall determine the operational provisions with details of the approved aviation activity and the conditions and restrictions applicable to the certificate. The Agency may limit the period of validity of operational provisions, or may supplement or amend them as necessary.

(6) The holder of an air operator's certificate must immediately notify the Agency in writing of any changes affecting the facts and circumstances which gave rise to the certificate or operational provisions. The holder may not exercise the entitlements provided for in the certificate unless the changes have been approved in writing by the Agency.

(7) The air operator's certificate issued by the competent authority of a foreign country shall be recognized in accordance with an international agreement binding on the Republic of Slovenia.

(8) The condition regarding the required financial resources, as referred to in the second paragraph of this Article, shall be deemed to be met if the applicant sufficiently demonstrates that he will be able to meet the obligations to cover items such as fuel, tariffs, salaries, maintenance, depreciation, airport and over flight taxes and the cost of compulsory insurance, all in accordance with the planned aviation activity for at least 3 months.

(9) The Minister responsible for transport shall prescribe more detailed requirements, manner and procedure for obtaining and extending the validity of an air operator's certificate, taking into account the relevant annexes to the Chicago Convention or the relevant Common Aviation Regulations.

#### **Article 77** **(certificates and licenses for special purposes)**

(1) The provisions of Articles 56 and 57 of this Act shall apply mutatis mutandis to the implementation of professional training of aviation and other professional personnel that an air carrier wishes to perform for its own needs.

(2) The provisions of Article 76 of this Act shall apply mutatis mutandis to aviation activities of a special type, such as aerial work, towing advertising messages, aerial filming, panoramic flights, even if such activity is not performed for remuneration. To perform these activities, the contractor must obtain a special permit issued by the agency. Compliance with the conditions for the performance of those activities shall also be assessed in accordance with the conditions of the Common Aviation Regulations.

(3) For the lease of an aircraft, the aircraft user must obtain the prior approval of the Agency.

(4) Prior to issuing the prior approval referred to in the previous paragraph, the Agency shall verify the lease agreement in particular regarding the compliance of the aircraft type certificate from the lease agreement, aircraft equipment, airworthiness and insurance, all depending on the intended use of the aircraft. The conditions for approval are part of the lease.

(5) Aviation events and aviation competitions require a special permit issued by the Agency in accordance with the conditions prescribed by the Minister responsible for transport.

(6) The Minister responsible for transport shall prescribe more detailed requirements, manner and procedure for obtaining a certificate or permit for the performance of activities referred to in this Article, taking into account the conditions of the Common Aviation Regulations.



**Article 78**  
**(own air transport)**

(1) In order to perform air transport for its own needs with aircraft with more than six passenger seats, the applicant must obtain a special permit issued by the Agency. A license shall be issued if the applicant demonstrates that it meets the conditions of professional competence and organization necessary to ensure the safe operation of the aircraft. The provisions of Article 76 of this Act on the Air Operator Certificate shall apply mutatis mutandis to the fulfilment of the conditions.

(2) Own-account air transport is air transport which is not provided for remuneration.

**Article 79**  
**(tasks and powers of the agency)**

(1) The Agency shall exercise professional supervision over the holders of air operator certificates and licenses issued in accordance with this Chapter, and for this purpose shall monitor the work of air carrier certificate holders and the said licenses. If professional supervision, including free and unrestricted access to the premises, assets and equipment of the holders of such documents and to all documents and data, including computer data, is not enabled, the conditions for issuing documents referred to in this paragraph shall be deemed not met. In such a case, the Agency shall suspend the document immediately ex officio. The document shall be withdrawn until professional supervision is re-enabled.

(2) In order to ensure safe flying, the Agency shall issue airworthiness technical requirements (PZT) as general aviation safety requirements, which are obligatory for all aviation operators. Airworthiness requirements are related to the safe use of a particular type of aircraft.

**Article 80**  
**(revocation of certificates and licenses)**

(1) If the Agency finds that rights under an air operator's certificate or license are exercised in violation of applicable regulations, conditions or restrictions, or outside the scope of operational provisions, the Agency may immediately revoke or suspend such a document until eliminated, or until further action has been taken.

(2) Notwithstanding the provision of the preceding paragraph, the Agency may exceptionally set additional restrictions on operational provisions if it finds that such measures will ensure air traffic safety.

(3) The air operator's certificate shall be considered invalid if any of the conditions referred to in the second paragraph of Article 76 of this Act is no longer met.

**Article 81**  
**(representations and special permit for scheduled and special air transport for a foreign carrier)**

(1) A foreign air carrier may operate scheduled air services to or from the Republic of Slovenia in accordance with the terms of a bilateral or multilateral agreement to which the Republic of Slovenia is a party. In the absence of such an agreement, the ministry responsible for transport may issue a special permit to a foreign air carrier to operate scheduled air services to or from the Republic of Slovenia.

(2) The ministry responsible for transport shall issue a permit for the provision of special air transport under the conditions prescribed by the minister. In doing so, it shall also take into account airworthiness requirements issued in accordance with the provisions of this Act.

(3) The body responsible for issuing licenses under this Article may refuse to issue a license to a foreign air carrier if Slovenian carriers do not have the same rights in the country from which the foreign carrier is from.

(4) In the Republic of Slovenia, a foreign air carrier operating air transport in the Republic of Slovenia may, on the basis of the provisions of an international agreement binding on the Republic of Slovenia and the country of registration of that carrier, or on the basis of a special permit hereinafter: the founder of the representative office) opens a representative office if it meets the general conditions prescribed for the performance of air transport activities in the Republic of Slovenia and the prescribed special conditions regarding registration with the ministry responsible for transport and if there is reciprocity.

(5) A representative office is not a legal entity and may perform activities only in the name and on behalf of the founder of the representative office. A foreign person may open a representative office in the Republic of Slovenia alone or together with another foreign person. The founder is responsible for the obligations of the representative office.

(6) The representative office may perform only those tasks that ensure safe and regular air traffic or air transport, and other activities that are normally performed by air carriers. A representative office that also meets the prescribed conditions for performing economic activity in the Republic of Slovenia may also sell the transport documents of the founder if an international agreement on this sale has been concluded with the state of registration of the founder of the representative office.

(7) The provisions of paragraphs 1, 2, 3 and 4 of this Article shall not apply to an air carrier which has been granted an operating license by a Member State of the Community.

## **Article 82 (other requirements)**

(1) Slovenian law shall apply to the representative office and to Slovenian citizens employed in the representative office.

(2) The Government shall issue a regulation determining the conditions regarding the registration and manner of operation of representative offices referred to in Article 81 of this Act in the Republic of Slovenia, and in particular:

1. the necessary evidence for entry in the register of representative offices, keeping the register of representative offices and deletion from the register of representative offices;

2. requirements regarding the staff working or employed in the representative office;
3. manner of performing activities;
4. what can be considered as fulfilment of the prescribed conditions regarding the performance of air transport activities in the Republic of Slovenia and
5. the manner of performing supervision regarding the fulfilment of the prescribed conditions and activities of the representative office.

### **Article 83**

#### **(Revocation of the validity of the special authorization for scheduled and special air services)**

(1) A permit issued pursuant to Article 81 of this Act may be revoked by the authority that issued it if the holder has significantly deviated from the conditions on the basis of which the permit was issued or if the holder is unable to exercise his rights way and if the situation does not improve within a certain time.

(2) Such an authorization shall be deemed invalid if the holder's air operator's certificate has been revoked.

### **Article 84**

#### **(air carrier duties)**

(1) The air carrier must perform regular air transport regularly in accordance with the flight schedule, which is determined separately for the summer and especially for the winter traffic period.

(2) The carrier must publish the flight schedule before its entry into force for a certain traffic period.

(3) During the validity of the flight schedule, the carrier may stop air traffic on the route, or change the flight schedule on it.

(4) Carriers and airport operators must send records of traffic and its regularity to the ministry responsible for transport in accordance with the instructions.

(5) An air carrier carrying an alien who does not meet the legal conditions for entry into the country must take such a person out of the country within the time determined by the competent organizational unit of the police. All costs incurred in this connection (accommodation, care, transport) shall be borne by the air carrier.

### **Article 84a**

#### **(data communication)**

(1) At the request of the authorities responsible for border control of persons at the external borders, air carriers must, by the end of the check-in of passengers, provide information on passengers to be transported to a designated border crossing point. members of the European Union.

(2) The following data on passengers referred to in the previous paragraph shall be communicated:

- number and type of travel document used,
- nationality,
- personal name or full names,
- date of birth,
- border crossing point of entry into the territory of the Member States,
- transport code,
- time of departure and arrival of transport,
- total number of passengers carried,
- initial place of embarkation.

(3) The communication of the data referred to in the preceding paragraph does not exclude the obligations of carriers under Article 26 of the Schengen Convention (OJ L 239, 22.9.2000, p. 1, as amended).

#### **Article 84.b** **(data processing)**

(1) The processing of data referred to in the first paragraph of the previous article shall be carried out as follows:

- the information shall be communicated to the authorities responsible for carrying out checks on persons at the external borders through which the passenger will enter the territory of the Member States;
- data may only be collected by air carriers and communicated electronically or otherwise in the event of a breakdown to the authorities responsible for carrying out border controls at a particular border crossing point through which the passenger will enter the territory of a Member State. The authorities responsible for border control of persons at the external borders shall store the data in a temporary file;
- after the entry of passengers, the authorities referred to in the first indent of this paragraph shall delete the data within 24 hours of their receipt, except when the data are subsequently necessary for exercising the legal powers of the authorities responsible for protection of personal data;
- Air carriers must, within 24 hours of the arrival of the means of transport in accordance with the first paragraph of the previous article, delete personal data collected and communicated to border authorities in connection with the implementation of the provisions of Article 84a and this Article.

(2) Personal data referred to in Article 84a of this Act may be used by the competent authorities of the Republic of Slovenia for border control of persons at external borders, for implementing the provisions of this Article and for implementing the provisions of Article 189.a of this Act, in accordance with personal data protection regulations.

(3) Aviation carriers must inform passengers about the processing of data referred to in Article 84a of this Act in accordance with the provisions of the Personal Data Protection Act (Official Gazette of the Republic of Slovenia, Nos. 86/04 and 113/05 - ZInfP), including information from the second and fourth paragraphs of Article 19 of the said Act.

## **Article 84c**

### **(sending passenger data from the air ticket reservation system (PNR) to the police)**

(1) In order to exercise the powers related to the collection and processing of data on air passengers, which are determined by the law governing the tasks and powers of the police, air carriers shall send data on passengers from the air ticket reservation system (PNR). Passenger data shall be communicated free of charge by pushing for all scheduled and special air services operated by air carriers from third countries or Member States of the European Union to the territory of the Republic of Slovenia and vice versa or with a stopover in the territory of the Republic of Slovenia. Push transfer is a method by which airlines communicate the information needed by the police in electronic form, and airlines can maintain control over what information they provide.

(2) The following data on passengers referred to in the previous paragraph shall be sent:

1. personal name of the passenger,
2. date of reservation of the air ticket,
3. date and place of issue and other information from the air ticket,
4. the passenger's identification number from the airline information system,
5. addresses and other contact details from the airline ticket reservation,
6. the passenger's travel status, including confirmations, check-in, information on unused and unconcealed air ticket reservations and information on airline tickets without reservation,
7. information on the method of payment for the air ticket, including the address for issuing the invoice,
8. information on the passenger's seat and luggage,
9. information on frequent flyer programs,
10. information on other possible special features related to the passenger,
11. estimated date of travel,
12. complete travel plan,
13. flight data, including information on flights under a common code,
14. the number and personal names of other passengers associated with the same air ticket reservation,
15. information on the separation of the total air ticket reservation due to the change or cancellation of the route of one or more passengers,
16. information on the travel agency or travel agent,
17. any subsequent changes to the data referred to in points 1 to 16 of this paragraph,
18. all collected data of the registered passenger (API): passenger's personal name, birth data (day, month, year, place), gender, citizenship, flight data, planned and actual date, time and place of take-off and landing of the aircraft, number of all passengers on board, travel status of person on board, type, number, country of issue and expiry date of travel document, starting point of embarkation and disembarkation of passenger, border crossing point of entry into the territory of EU Member States, seat and luggage data and the passenger identification number from the airline information system.

(3) The data referred to in the preceding paragraph for each individual flight shall be sent by the airlines to the police twice, namely from 24 to 48 hours before the scheduled time of departure of the flight and immediately after the closure of the flight. The flight is closed when passengers

are already on board in preparation for departure and can no longer board or disembark. Airlines shall delete passenger data within 24 hours of the closure of the flight.

(4) The data referred to in the second paragraph of this Article shall also be sent to air carriers within the time limit specified in the previous paragraph by legal persons, sole proprietors or individuals who independently perform an activity when making a reservation for regular passengers and special air transport. Air carriers shall transmit all data for each individual flight in accordance with the previous paragraph.

#### **Article 84**

##### **(additional obligations when sending passenger data from the air ticket reservation system (PNR) to the police)**

(1) If air carriers collect data referred to in point 18 of the second paragraph of the previous article and do not store it as part of passenger data from the air ticket reservation system (PNR), they shall report it to the police by pushing in accordance with the first paragraph.

(2) Notwithstanding the third paragraph of the previous article, at the request of the police unit responsible for collecting passenger data, storing, processing and transmitting such data or the results of their processing, air carriers shall immediately send the data referred to in the second paragraph of the previous article, if access to this information is strictly necessary in order to prevent a specific security threat in connection with terrorist offenses or other serious criminal offenses.

(3) For flights under the common code of an air carrier or several air carriers, the air carrier operating the flight shall be responsible for sending the data referred to in the second paragraph of the previous article.

(4) If, due to technical problems, data cannot be sent in the manner specified in the first paragraph of Article 84c of this Act, air carriers shall transmit data in other ways that meet legal requirements regarding the protection of personal data.

(5) In order to send the data referred to in the second paragraph of the previous article, the individual air carrier and the police shall agree in advance on the use of common protocols and system-supported data formats.

(6) When air carriers and other legal entities, sole proprietors or individuals who independently perform an activity, in the framework of their gainful or registered activity make a reservation for passengers in scheduled and special air transport, inform passengers about sending passenger data to the police due to their processing, as determined by the law governing the tasks and powers of the police, and on the possibility of their legal protection.

#### **Article 84d**

##### **(misdemeanour authority)**

Supervision over the implementation of the provisions of Articles 84a, 84b, 84c and 84c of this Act shall be exercised by the police.

## 5.0. AIRPORTS AND AIRPORTS

### 5.1. General provisions

#### **Article 85 (general provisions)**

- (1) Airports may be civil, military or mixed.
- (2) Civil airports are:
  1. public and
  2. for own needs.
- (3) In addition to airports, certain types and categories of aircraft may also use take-offs and other regulated areas under prescribed conditions.
- (4) Airports shall be classified according to the reference code, category and purpose of the airport and according to the volume of air traffic.
- (5) The Minister responsible for transport shall issue regulations on the classification of airports referred to in the preceding paragraph and the conditions they must meet depending on the classification.

#### **Article 86 (airport system)**

- (1) In accordance with the design of the airport network from the spatial plan of the Republic of Slovenia, the Government shall, at the proposal of the Minister responsible for transport, define a system of public airports intended for public air transport while ensuring balanced regional development and connection with other transport systems. Airports included in the system of public airports are infrastructure facilities of national or local importance.
- (2) The provisions on prior consents referred to in Article 97 or Article 119 of this Act shall not apply to the determination of the location and construction of airports included in the system of public airports and related infrastructure facilities, devices and systems of air navigation services. in the event that the Republic of Slovenia acts as an investor.
- (3) Prior to determining the location and / or issuing a single construction permit, an appropriate revision of the project documentation performed by the Agency must be performed.

#### **Article 87 (obligation to meet the prescribed conditions)**

The aerodrome and aerodrome must meet all prescribed safety and other conditions according to the specified reference code, category and purpose of the aerodrome and according to the volume of air traffic, prescribed services and other conditions specified in the operating license.

### 5.2. Airport infrastructure and services at the airport

**Article 88**  
**(airport infrastructure)**

(1) Infrastructure facilities, devices and means (hereinafter: airport infrastructure) at airports are:

1. runways and runways;
2. platforms;
3. light navigation facilities, devices and means and facilities, devices and means for traffic control;
4. passenger terminals;
5. air cargo accessories;
6. facilities and devices for providing ground transport, internal traffic flows and parking;
7. ancillary facilities, devices and means necessary for the operation of the airport;
8. facilities and devices for aviation fuels and lubricants;
9. security facilities and devices;
10. other facilities and devices intended for the safe air traffic and operation of the airport.

(2) Airport infrastructure also includes all land that functionally serves the intended use of facilities, devices and assets referred to in the preceding paragraph and ensures safe air traffic and safe operation of the airport.

(3) The infrastructure, facilities, devices and assets referred to in the first paragraph of this Article must be regularly maintained in the prescribed manner, and their condition must be constantly monitored.

**Article 89**  
**(airport services)**

(1) According to the reference code, category and purpose of the airport and according to the volume of air traffic, airport services must be organized at the public airport, which are divided into obligatory airport services and other airport services (hereinafter: airport services).

(2) Mandatory airport services are:

1. rescue and fire service;
2. Defective aircraft removal service;
3. services for the maintenance and control of airport areas, facilities, devices, means, obstacles, visual aids and markings, power supply and lighting systems and similar services;
4. a service to reduce the dangers posed by birds;
5. platform management service;
6. security service;
7. emergency medical service or first aid service;
8. services for the provision of aviation fuels and lubricants;
9. ground handling services for aircraft, passengers and goods or ground handling services;
10. ancillary services providing regular and safe air traffic and transport and the operation of the airport or part thereof (utilities and similar services);
11. other airport services ensuring the safe take-off, landing, movement and stopping of aircraft.



(3) Other airport services are in particular:

1. air navigation services;
2. police;
3. customs service;
4. inspection services (health, veterinary, phytopathological and others).

(4) The Minister responsible for transport shall issue regulations determining in particular:

1. which services must be organized at the airport or part of it according to the reference code, category and purpose of the airport and according to the volume of air traffic;
2. which are the services referred to in points 10 and 11 of the second paragraph of this Article;
3. services at the airport, which must be organized at the airport for their own needs.

(5) If international aviation standards and recommended practices of the International Civil Aviation Organization (ICAO) relating to airports and occasionally published by ICAO in the Annexes to the Chicago Convention change, the Government may prescribe other services and impose obligations on airport service providers, if necessary to ensure the regularity and safety of air traffic, taking into account the reference code, category and purpose of the airport.

### 5.3. Use of airports and take-offs

#### **Article 90**

#### **(general on the use of airports and take-offs)**

(1) An aircraft in domestic air transport and air transport may use a take-off point for take-off and landing in addition to a public airport, provided that it meets the prescribed conditions for safe flight and safe air transport.

(2) An aircraft engaged in domestic air transport may also land and take off outside a public airport if it must land due to force majeure or danger, and other domestic aircraft may land and take off outside an airport or airfield even if performing special tasks (flights for humanitarian and medical purposes, flights for search and rescue purposes, scientific research flights, air work and the like).

#### **Article 91**

#### **(additional conditions for certain airports)**

(1) Spatial and other conditions for the work of internal affairs bodies, customs authorities and inspection services and air navigation services must be provided at a public airport, if this is necessary for the operation of the airport. At a public airport intended for international air traffic (hereinafter: international airport), all the prescribed conditions must be provided for those authorities.

(2) The decision to open an existing public airport as an international airport shall be adopted by the Government on the proposal of the Minister responsible for transport, with the prior consent of the Ministers responsible for finance, interior, protection and rescue, meteorological phenomena, health, agriculture, forestry and food and defence. .

(3) On the basis of a reasoned written application of the owner or operator of a public airport, the Minister responsible for transport may, depending on the intended type of air traffic, after prior verification of the prescribed conditions and with the consent of the Ministers forestry and food, temporarily allow international air traffic also at an airport other than an international airport. The Minister responsible for transport must determine the duration of the permit and the manner of meeting the prescribed conditions for the international airport, depending on the type and volume of traffic.

**Article 92**  
**(right to use public airport)**

An aircraft licensed to fly in Slovenian airspace has the right to use the airport infrastructure and prescribed services, according to the reference code, category, purpose and capacity of the airport and the volume of air traffic, in accordance with applicable regulations and operating license.

**Article 93**  
**(time blocks - slots)**

(1) At the airport where not all aircraft can be accepted or departed within the required time, in accordance with the request of one or more carriers, a system of coordination and determination of time blocks (hereinafter: slot) shall be established.

(2) The Minister responsible for transport shall prescribe the manner and procedures for allocating slots and airports where slotting is mandatory.

**Article 94**  
**(restrictions and bans on airport operations)**

(1) The competent authority may temporarily restrict or prohibit the operation of an airport or airfield if air traffic safety reasons so require.

(2) The Government may, at the proposal of the Minister responsible for transport, temporarily restrict or prohibit the operation of an airport if the interests of security, health, environmental protection, international relations or similar state interests so require.

(3) The restriction or prohibition referred to in the first paragraph of this Article may, as a rule, last until the reasons for the restriction or prohibition of the operation of the airport cease to exist; the restriction or prohibition referred to in the second paragraph of this Article may last for a maximum of three months for a public airport, and for an airport for its own needs and a take-off point, not more than six months.

(4) Damage in connection with the restriction or prohibition of the operation of the airport referred to in the first paragraph of this Article shall be reimbursed by the person who caused the restriction or prohibition, unless force majeure.

**Article 95**  
**(publication of general conditions for the use of the airport)**

(1) The general conditions for the use of a public airport, tariffs and prices of services shall be published by the Agency in the manner customary in air transport. The airport operator shall provide the necessary information to the Agency for this purpose.

(2) Prior to the publication referred to in the preceding paragraph, the Agency shall also obtain the opinion of the ministries responsible for finance, interior, defence, environment and space, health and agriculture, forestry and food, if it concerns their responsibilities and competencies.

**Article 96**  
**(Use of civilian airports for military purposes and mixed airports and military airports for civil aircraft)**

(1) Civilian airports and airfields may also be used by the ministry responsible for defence for the needs of military air traffic. In doing so, it must act in accordance with the regulations on the use of airports and airfields and in accordance with the general and special conditions for their use or operation, all in accordance with the spatial plan of the Republic of Slovenia.

(2) Stable facilities and devices for the needs of defence may also be built and used in the area of a civil airport and airfield, provided that this does not endanger the regularity and safety of civil air traffic. This is decided by the Minister responsible for transport in agreement with the Minister responsible for defence.

(3) The Minister responsible for transport shall decide on the use of space for the needs of construction and use of facilities and devices referred to in the preceding paragraph in agreement with the Minister responsible for defence, in accordance with the prescribed permits and consents.

(4) Stable facilities and devices for the needs of civil air traffic may be built and used in the area of a military airport or airfield. This is decided by the Minister responsible for defence in agreement with the Minister responsible for transport.

(5) A military airport or a part of a military airport that meets the prescribed air traffic conditions from this Act and regulations issued on its basis may be used as a public airport, under the conditions and in the manner determined by a contract between the competent ministry for defence and airport operators or airlines. An operating license for such an airport or part thereof shall be issued by the Agency.

5.4. Conditions for construction and reconstruction

**Article 97**  
**(prior consent in the exclusive use area of the airport)**

(1) Prior to determining the location and for the construction of the airport, construction or installation of facilities referred to in Article 88 of this Act and other facilities in the area of exclusive use of the airport, the investor or owner must obtain prior consent issued from the

point of view of air traffic safety and technologies of work of services referred to in Article 89 of this Act.

(2) The prior consent referred to in the preceding paragraph shall be issued by the Agency. Prior to its issuance, the competent authority may not issue a location or construction permit, or a single construction permit, nor issue a decision on the permit of the notified works. Prior consent shall not be issued if the facility or device would impede airport traffic, the operation of navigation devices, and the work of prescribed services at the airport or if other prescribed conditions for its use or operation are not met. Prior to issuing the prior consent, the Agency shall obtain the opinion of the airport operator.

(3) If the Agency does not issue a prior consent within two months, the consent shall not be deemed to have been issued. If the expert assessment is not possible within two months due to the extent of the verifications required for the issuance of this consent, the Agency may extend this period, but for a maximum of one year.

(4) In the procedure of deciding on the application referred to in this Article, the Agency shall first determine whether the situation in the area from the point of view of air traffic allows the construction of an airport or facility or the installation of a device, according to the envisaged reference code, category and purpose of the airport. If these preconditions are not met, the Agency rejects the application, otherwise it continues the procedure.

#### **Article 98 (prior consent in the area of restricted and controlled use)**

(1) If the construction or installation of facilities in the restricted or controlled use area of an airport is intended, the investor or owner must obtain the prior consent of the agency issued from the point of view of air traffic safety and service technology referred to in Article 89 of this Act.

(2) The provisions of the second to fifth paragraphs of Article 97 of this Act shall apply mutatis mutandis to the issuance of the prior consent referred to in the preceding paragraph.

#### **Article 99 (content of prior consent)**

The prior consent referred to in Articles 97 and 98 of this Act shall determine in particular:

1. estimated construction time;
2. other conditions to be observed in construction in such a way as to comply with the provisions of regulations relating to the design, construction and management of airports, the operation of prescribed services, professional staff, work technology and air traffic disruption;
3. the estimated reference code, category and purpose of the airport and the estimated volume of air traffic after completion.

**Article 100**  
**(Technical review)**

(1) After the completion of the construction or reconstruction of the airport, facilities, devices or assets referred to in Article 88 of this Act, a technical inspection shall be performed and a use permit issued in accordance with the regulations on the construction of facilities.

(2) Representatives of the Agency shall participate in the technical inspection referred to in the preceding paragraph.

**Article 101**  
**(location, construction, expansion and abandonment of the military airport)**

Prior location must be obtained for the location, construction and expansion of a military airport in accordance with the provisions of Article 97 of this Act. The Agency shall be notified of the abandonment of the military airport.

5.5. Operating license of airports and airfields

**Article 102**  
**(operating conditions)**

An airport may be used in air traffic if, in addition to the conditions laid down in the regulations on the construction of facilities, it also meets the conditions laid down according to the reference code, category and purpose of the airport and the volume of air traffic entered in the register of airports.

**Article 103**  
**(airport operating permit)**

(1) After performing the technical inspection referred to in Article 100 of this Act, the investor, owner or operator of the airport shall apply in writing to the Agency for the issuance of an operating permit and entry in the register of civil airports. In the application for the issuance of an operating license and entry in the register of airports, it shall state and prove with documents the competence to perform the intended activity and propose the time of the inspection before the issuance of the operating license. Before issuing an operating permit, the Agency shall, in particular, check the reliability of operations, technological processes and prescribed plans.

(2) If the provider of a certain service at the airport is replaced, if major organizational or technical changes occur or if a larger number of service providers at the airport are replaced, it is necessary to re-establish and determine the fulfilment of prescribed conditions and supplement or change the already issued the same procedure as set out in the first paragraph of this Article.

(3) The inspection referred to in the preceding paragraph shall establish the fulfilment of the prescribed conditions, namely in particular whether:

1. the situation meets the conditions set out in the prior consent;

2. the prescribed conditions regarding physical characteristics, visual means of navigation, visual means of marking obstacles and visual means of marking areas of limited use are met;
3. navigation and other aids and telecommunication devices and power supply systems comply with the prescribed conditions;
4. the prescribed airport and other services are organized at the airport and whether these services meet the prescribed conditions;
5. the airport security program and emergency plan are approved;
6. the internal organization of the airport operator ensures safe and scheduled air traffic and air transport;
7. other conditions are met according to the reference code, category and purpose of the airport and according to the volume of air traffic.

(4) Before issuing or amending or supplementing an operating permit, the Agency may allow trial operation if a longer verification of the reliability of operation, technological processes or prescribed plans is required. A trial operating permit shall be issued in accordance with the same procedure as an operating permit and may be valid for a maximum of one year. During the trial operation, the operator must constantly monitor the compliance with the prescribed conditions.

(5) The operating license is valid according to the established conditions and circumstances at the time of their issuance. The validity of an operating license shall be limited in time to the time appropriate to the reference code, category and purpose of the airport and the volume of air traffic and the frequency of technical and technological changes, but may not exceed five years. The same procedure applies to the renewal of an operating license as to its issuance.

(6) Operators of other infrastructures at individual parts of the airport may use these infrastructures to carry out their activities at the airport if it is reasonably found in the same manner as specified in the first, second, third and fourth paragraphs of this Article that they do not affect the safe operation of the airport. and safe air traffic and have been licensed by the Agency.

#### **Article 104** **(revocation of an airport operating license)**

(1) If the Agency or the Aviation Supervisor finds that the airport no longer meets the prescribed conditions referred to in Article 103 of this Act, the Agency may immediately suspend its operating license or revoke its validity in whole or in part.

(2) Notwithstanding the provision of the preceding paragraph, the ministry responsible for transport may exceptionally prescribe additional restrictions and conditions if it finds that such measures will ensure air traffic safety.

(3) The investor, owner or operator of the airport must eliminate the identified deficiencies or irregularities immediately, and within 48 hours at the latest. Exceptionally, the Minister responsible for transport may extend this period to seven days. Any appeal shall not suspend the execution of the decision referred to in the first paragraph of this Article.

**Article 105**  
**(airfield operating permit)**

(1) The provisions of Articles 97 and 102 to 104 of this Act shall apply mutatis mutandis to take-off points. The operating permit for take-offs shall be issued for a maximum of one year and may be renewed.

(2) The Minister responsible for transport shall prescribe the technical conditions, restrictions and the manner of use of take-off points.

5.6. Register of airports and register of airfields

**Article 106**  
**(register and entries)**

(1) An airport shall be entered in the register of civil airports, and an airfield in the register of airfields after the issuance of an operating permit. There is no appeal against the registration decision.

(2) The Minister responsible for transport shall prescribe the content and manner of keeping the register of civil airports and the register of airfields.

**Article 107**  
**(deletion from the register)**

(1) The airport shall be deleted from the register of civil airports:

1. if it does not meet the technical and other conditions for at least two years or does not have an operating permit;
2. if required by the owner or operator of the airport - for the airport for its own needs.

(2) There shall be no appeal against the decision on erasure.

5.7. Other provisions

**Article 108**  
**(collective and thematic airline tickets)**

(1) The Agency shall keep a summary map and thematic maps of: all airports and take-offs with airport zones, approach and departure planes, obstacles and areas of influence; airways, border points and radio navigation devices; airspace organization and classification; restricted and dangerous areas, restricted areas and all other facilities potentially dangerous to air traffic and others.

(2) The documentation referred to in the preceding paragraph is not public.

(3) The documentation referred to in the first paragraph of this Article shall be accessible to representatives of local communities.

**Article 109**  
**(by-laws)**

The Minister responsible for transport, according to the reference code and category of the airport or airfield and depending on the purpose of the airport or airfield and the volume of air traffic, determines:

1. what airport infrastructure and services and to what extent are needed at a particular airport;
2. technical, technological and organizational conditions and standards for airports;
3. the operating time of airports and the method of its coordination;
4. conditions and mode of operation of airports with reduced visibility;
5. the manner and content of the inspection prior to the issuance of the operating license for the airport;
6. conditions that may affect air safety and the manner in which they are provided;
7. method and conditions for performing quality control system control;
8. the manner and conditions of maintenance of facilities, devices and means referred to in Article 88 of this Act, in particular with regard to regular and extraordinary inspections;
9. other conditions to ensure the smooth and safe operation of air traffic and the operation of the airport;
10. technical and organizational conditions and types of air traffic that may be performed at the airfield.

5.8. Barriers to air traffic

**Article 110**  
**(location of obstacles)**

(1) Obstacles to air traffic are in the airport zone or in the take-off zone or outside it. The airport zone shall be published by the Agency in the manner customary in air traffic.

(2) Obstacles in the airport zone include facilities, installations, devices, trees and elevation of the surrounding terrain, as well as deepening of the terrain for roads, canals and the like.

(3) Outside the airport zone, the following shall be considered as obstacles:

1. within a radius of 10 kilometres from the aerodrome reference point - facilities, installations and devices higher than 100 meters or higher than 30 meters are located on terrain more than 100 meters higher than the aerodrome reference point;
2. facilities, installations and devices which are outside the circle referred to in the previous point and which are higher than 30 meters and which stand on natural or artificial elevations if the elevations rise from the surrounding landscape by more than 100 meters;
3. all structures, installations and devices extending more than 100 meters from the ground, as well as power lines, cableways and similar structures stretched over valleys and gorges longer than 75 meters.

(4) Devices intended for air navigation services are not obstacles within the meaning of the second and third paragraphs of this Article.



(5) Obstacles under airways are also considered to be facilities and devices outside settlements that are at least 25 meters higher than the surrounding terrain if they are located within the buffer zones of individual roads, railways, high-voltage lines and the like. The routes shall be determined by the Minister responsible for transport in agreement with the Minister responsible for rescue.

**Article 111  
(airport zone)**

(1) The erection of barriers in the airport zone is exceptionally permitted.

(2) The zone of a civil airport shall be determined by the Agency, and the zone of a military airport shall be determined by the minister responsible for defence, in agreement with the minister responsible for transport.

**Article 112  
(erection and removal of obstacles)**

(1) Whoever intends to erect a new or increase or increase an existing obstacle must obtain prior consent.

(2) The consent referred to in the preceding paragraph shall be issued by the Agency regarding obstacles in the zone of the civil airport or take-off area and outside it; the ministry responsible for defence regarding obstacles in the military airport zone.

(3) The body referred to in the preceding paragraph may issue consent if it finds that the intended intervention will not affect air traffic safety.

(4) If an obstacle is built or increased without consent or contrary to consent, the investor must remove it at his own expense. The decision on this shall be issued by the body referred to in the second paragraph of this Article or the aviation supervisor or the supervisor.

**Article 113  
(marking obstacles)**

(1) Obstacles shall be marked with landmarks that must be maintained in perfect condition.

(2) Orientation signs shall be set and maintained by:

1. the owner or user of the facility, if such facilities are constructed after the construction of the airport or the determination of the airport zone or traffic corridor;
2. the owner or user of the airport, if it is being built or reconstructed or the airport zone is changed after such facilities have already been built.

(3) In the case referred to in the fifth paragraph of Article 110 of this Act, the owner or operator of the road or water shall ensure the installation and maintenance of landmarks.

(4) The Minister responsible for transport shall prescribe landmarks and the manner of marking obstacles.

**Article 114**  
**(air traffic disruption)**

(1) The installation and operation of devices or systems in the airport zone that could cause electromagnetic, light or other disturbances on aircraft control devices, or may obstruct or mislead the crew of the aircraft or air traffic services, requires the permission of the Agency. The Agency shall issue a permit at the written request of the owner or operator of such a device, if based on the presentation of the device and the description of its operation, it can be reasonably concluded that the device or system would not interfere with air traffic. In the permit, the Agency shall specify the operating conditions and restrictions that are appropriate to prevent disruption and ensure air safety.

(2) The air traffic controller may temporarily or permanently prohibit the operation of any device or system referred to in the preceding paragraph if it is determined that it may affect air traffic safety.

(3) The costs of prohibiting the operation of devices and systems referred to in the first paragraph of this Article shall be borne by the owner or operator of such device or system.

(4) The air traffic controller may temporarily or permanently prohibit the operation of any device or system in the territory of the Republic of Slovenia if it is established that it affects air traffic safety.

5.9. Environment protection

**Article 115**  
**(environmental requirements for aircraft emissions in the airport area)**

(1) The Minister responsible for transport, in agreement with the Minister responsible for the environment and space, shall issue regulations on permissible total noise and emissions of aircraft engines at the airport and in the airport zone and determine the amount of the fee for eliminating harmful effects on the environment. emissions exceed the allowable limits.

(2) The fees referred to in the preceding paragraph shall be collected by the airport operator and shall be revenue of the state budget. The fees are used to reduce the impact and eliminate the consequences of engine noise in the affected area in accordance with the measures identified in the airport development programs. At least one quarter of the fee collected in each year shall be used to compensate for the deterioration of the living conditions of residents of the affected areas. The affected areas are determined by the government on the basis of measurements.

6.0. AIR NAVIGATION SERVICES

6.1. General provisions

**Article 116**  
**(air navigation procedures and the right to prohibit air traffic)**

(1) Everyone who performs tasks in air navigation services must act in such a way that safety and order are ensured and that the safety of people and property is not endangered.

(2) The manner, procedures and other conditions for the safe take-off and landing of aircraft shall be determined for each airport and take-off area. The manner and procedures for the safe take-off and landing of aircraft for the airport where the air navigation services are organized shall be determined by the provider of these services, and for other airports and airfields by the airport and airfield operator.

(3) The competent air traffic service may temporarily prohibit or restrict air traffic in a certain part of the airspace or at a certain airport or airfield, at its own discretion or at the request of the pilot-in-command, other air navigation service or operator, if required by flight safety interests of a particular aircraft.

(4) The manner and procedures for the safe take-off and landing of aircraft referred to in the second paragraph of this Article may be used in air transport when they have been approved by the Agency.

## 6.2. Air navigation services

### **Article 117 (air navigation services)**

(1) ( [expired](#) )

(2) ( [expired](#) )

(3) ( [expired](#) )

(4) In the event of changes in International Aviation Standards and International Civil Aviation Organization (ICAO) recommended practices relating to air navigation services occasionally published by ICAO in the Annexes to the Chicago Convention, the Government may issue a regulation specifying other services or remove existing ones and set out the obligations of airport service providers, if necessary to ensure the regularity and safety of air traffic.

## 6.3. Infrastructure facilities, devices and systems of air navigation services

### **Article 118 (infrastructure facilities, devices and systems of air navigation services)**

(1) ( [expired](#) )

(2) The Minister responsible for transport shall determine which specific facilities, devices and systems are considered to be infrastructure facilities, devices and systems of air navigation services and the conditions to be met in particular by: air traffic control centres, telecommunications, radar and other similar facilities, installations and systems, aeronautical meteorological stations, installations and systems, aircraft search and rescue centres and aeronautical information centres. ( [partially discontinued](#) )

6.4. Conditions for the construction or reconstruction or installation of infrastructure facilities, devices and systems of air navigation services

**Article 119  
(prior consent)**

(1) Before determining the location and for the construction or installation of infrastructure facilities, devices and systems of air navigation services referred to in the previous article and other facilities and devices in the areas of influence of these assets, the investor or owner must obtain prior consent issued from the point of view of air safety transport and work technology of the services referred to in Article 117 of this Act.

(2) The prior consent referred to in the preceding paragraph shall be issued by the Agency. If the expert assessment is not possible within two months due to the extent of the verifications required for the issuance of this consent, the Agency may extend this period, but for a maximum of one year.

(3) In the procedure of deciding on the request referred to in the previous article, the Agency shall first determine whether the situation in the area from the point of view of air traffic allows the construction of a facility or the installation of a device. If these preconditions are not met, the agency rejects the application, otherwise the procedure continues.

**Article 120  
(technical inspection of infrastructure facilities, devices and systems of air navigation services)**

(1) After the completion of the construction of infrastructure facilities, devices and systems referred to in Article 118 of this Act, a technical inspection shall be carried out and a use permit issued in accordance with the regulations on the construction of facilities.

(2) Representatives of the Agency shall participate in the technical inspection referred to in the preceding paragraph.

6.5. Operating license for air navigation infrastructure facilities, devices and systems

**Article 121  
(operating permit)**

(1) An infrastructure facility, device and air navigation services system may be used in air traffic if, in addition to the conditions determined by regulations on the construction of facilities, it also meets the conditions in accordance with the provisions of this Act calibrations if the staff maintaining and using them are professionally qualified to do so and if they have an operating license from the Agency.

(2) The investor, owner or operator of infrastructure facilities, devices or systems referred to in the preceding paragraph, after performing a technical inspection in accordance with the regulations on construction of facilities, shall request the Agency in writing to issue an operating permit. In the application for the issue of an operating license, he / she shall state and prove with documents the competence to perform the intended activity and propose the time of the inspection before the issuance of the operating license. Before issuing an operating permit, the

Agency shall, in particular, check the reliability of operations, technological processes and prescribed plans.

(3) If the provider of a particular air navigation service is replaced, if major organizational or technical changes occur or if a large number of persons performing the tasks of air navigation services are replaced, it is necessary to re-establish and determine compliance with the prescribed conditions to amend an already issued operating permit in accordance with the same procedure as specified in the first paragraph of this Article.

(4) Before issuing or amending or supplementing an operating permit, the Agency may allow trial operation if a longer verification of the reliability of operation, technological processes or prescribed plans is required. A trial operating permit shall be issued in accordance with the same procedure as an operating permit and may be valid for a maximum of one year. During the trial operation, the operator must constantly monitor compliance with the prescribed conditions.

(5) The validity of an operating license may be limited in time depending on the frequency of technical and technological changes, but its validity may not exceed five years. The same procedure applies to the renewal of an operating license as to its issuance.

#### **Article 122** **(specific cases concerning an operating license)**

If for the needs of air navigation services in Slovenian airspace infrastructure facilities, devices and systems of air navigation services are used, which are under the jurisdiction of air navigation services of another country or international organization of which the Republic of Slovenia is a member, they are considered to have infrastructure facilities, devices and systems of air navigation services operating license, if under the laws of that other country they may be used by its competent air navigation services and if that country is a party to the Chicago Convention, or if they can be used under the rules of an international organization is the Republic of Slovenia.

#### **Article 123** **(suspension or revocation of an operating license)**

(1) If the Agency or the Air Traffic Controller establishes that the infrastructure facility, device or air navigation service system no longer meets the prescribed conditions referred to in Article 121 of this Act, the Agency may issue it an operating permit, depending on the degree of level of risk, as determined in the regulation referred to in the third paragraph of Article 5 of this Act, suspend or revoke its validity in whole or in part.

(2) Notwithstanding the provision of the preceding paragraph, the Agency may exceptionally prescribe additional restrictions and conditions if it finds that such measures will ensure air traffic safety.

(3) The operator of infrastructure facilities, devices or systems of air navigation services must eliminate the identified deficiencies or irregularities immediately, and within 48 hours at the latest. Exceptionally, the Minister responsible for transport may extend this period to seven

days. Any appeal shall not suspend the execution of the decision referred to in the first paragraph of this Article.

## 6.6. Bylaws

### **Article 124 (by-laws)**

(1) The Government, on the coordinated proposal of the Minister responsible for transport, the Minister responsible for the interior and the Minister responsible for defence, shall determine the conditions to be met by the aircraft search and rescue service.

(2) The Minister responsible for transport, in agreement with the Minister responsible for the environment and space, shall determine the conditions to be met by the Aviation Meteorological Service.

(3) The Minister responsible for transport shall prescribe:

1. the conditions to be met by air traffic services, aeronautical information services and aeronautical telecommunications services;
2. the manner and content of reporting incidents in air navigation services that are or could endanger air safety and the requirements related to the analysis of such events;
3. the working time and rest time of flight and other professional staff performing tasks in air navigation services; and
4. conditions to ensure the smooth and safe operation of air traffic and the operation of air navigation services.

(4) The Minister responsible for transport, in agreement with the Minister responsible for protection against natural and other disasters and the Minister responsible for the Interior, shall determine the detailed contents of the plans for emergency procedures.

## 7.0. PROTECTION AND RELIEF

### 7.1. Security

#### **Article 125 (general)**

(1) The safety of air traffic is also ensured by protecting civil aviation against acts of unlawful interference.

(2) State authorities, owners and operators of public airports, providers of airport services at public airports, air carriers and providers of air navigation services must cooperate in the preparation and implementation of security measures and procedures in accordance with regulations, programs and other acts in the field aviation in force in the Republic of Slovenia.

(3) At a public airport and in an aircraft and in an air navigation services facility, everyone must act in accordance with regulations, programs and other acts in the field of security in force in the Republic of Slovenia.

(4) The Government, on a coordinated proposal of the Minister responsible for transport and the Minister responsible for the Interior, shall issue regulations on security, which shall determine in particular: basic and special security inspections and measures; mandatory contents of aviation security programs and contingency plans, the method of monitoring their implementation and related tasks of individual bodies and organizations, insofar as these issues are not regulated by European Union regulations.

(5) The Minister responsible for transport, in agreement with the Minister responsible for the interior and the Minister responsible for finance, shall issue regulations on order and ground traffic in the area of a public airport.

**Article 126**  
**(weapons and dangerous objects and special features)**

(1) Only police officers and authorized customs officials may carry and carry weapons and dangerous objects at a public airport. Authorized persons of the Slovenian Security and Intelligence Agency and the intelligence and security services of the ministry responsible for defence may, as a rule, have and carry short-barrelled weapons in such a way that they are not visible.

(2) At the proposal of the Minister responsible for transport, the Government shall determine the exceptions and special features of the carrying and use of weapons and the transport of weapons and dangerous objects at public airports and air traffic, if other regulations allow and to ensure safety. The government decides on an individual exception by a decision.

**Article 127**  
**(security checks and security)**

(1) Appropriate areas, premises and equipment for security inspections of aircraft, passengers, baggage, air cargo and things must be provided at a public airport, public parts of the airport, controlled parts of the airport, security restricted areas, critical parts of security areas must also be determined restricted movement and, if necessary, other security-relevant areas of the airport.

(2) The operator of a public airport or its part, which provides and operates manoeuvring surfaces and platforms, passenger or cargo terminal of the airport, must ensure the following technical and technological security conditions on these surfaces or in the terminal in accordance with aviation security programs:

1. areas at the airport required for aircraft security checks,
2. premises and equipment necessary for the basic and special security checks of passengers, baggage, air cargo and other persons and things entering or entering security restricted areas, critical parts of the security restricted area and, if specified, other security important areas of the airport,
3. basic security checks on passengers, luggage and belongings and other persons entering security restricted areas,
4. premises and equipment for accommodation and care of persons referred to in the fifth paragraph of Article 84 of this Act and for other special categories of passengers, for

example for persons who are in the process of forced removal of an alien or are in need of transport or the execution of a final conviction,

5. protection of public parts of the airport and controlled parts of the airport, except for the official premises of the police, customs and other state bodies, unless otherwise regulated by a contract with these bodies,
6. spatial and other conditions to the competent authorities for the supervision of the implementation of protection.

(3) Basic safety inspections of aircraft shall be provided by the air carrier or aircraft operator, which shall also provide the equipment necessary for their implementation.

(4) Special security inspections and measures shall be performed by the Police.

(5) If the competent aviation authority or the Police finds that the protection referred to in this Article is not provided in accordance with aviation regulations and aviation security programs and other acts, the Minister of the Interior may, upon proposal and in agreement with the Minister responsible for traffic, order police protection until the deficiencies are remedied. The costs incurred shall be borne by the person responsible for ensuring that these tasks are carried out.

(6) Public parts of the airport, controlled parts of the airport, security restricted areas, critical parts of the security restricted area and other security-important areas of the airport referred to in the first paragraph of this Article shall be determined by the Aviation Security Program for the Republic of Slovenia also defined in the operating permit of the public airport.

### **Article 128**

#### **(movement and stay at a public airport and in an air navigation service facility)**

(1) In controlled parts of a public airport, security restricted areas, critical parts of a security restricted area and, if specified, other security-important areas of a public airport and in air navigation services facilities defined in relevant aviation security programs, they may move and detain only those persons who perform official duties and have the appropriate permits for movement and detention (hereinafter: movement permit).

(2) The Agency shall issue a movement permit to the person referred to in the previous paragraph (hereinafter: the applicant) at the reasoned proposal of the airport operator referred to in the second paragraph of Article 127 of this Act, the operator of other airport infrastructure referred to in the seventh paragraph of Article 103 air navigation services or the head of a state body performing official duties at an airport or air traffic control facility (hereinafter: the proposer). A movement permit shall be issued if the prescribed conditions for movement and stay at the airport and in the air navigation services facility for which the movement permit is required are met. On the basis of the movement permit, the airport operator shall ensure the production of an identification badge for the airport, the public company Kontrola zračne probe Slovenije, d.o.o, for the facilities of air navigation services. The form and content of the identification badge shall be determined in the aviation security program for the Republic of Slovenia. The identification badge is proof that the holder has been issued an appropriate movement permit.



(3) Before issuing a movement permit, the Agency shall, with the consent of the applicant, verify the applicant's past and, on the basis of the obtained data, assess the applicant's fitness for movement and stay at the airport and unaccompanied air navigation services facility.

Verification of the past is performed on the basis of:

- a detailed curriculum vitae provided by the applicant,
- the opinion of the applicant for the issue of a movement permit, which must contain at least a definition of the need to move and stay in the area and in the facility for which the movement permit is required, information on possible disciplinary sanctions and disciplinary proceedings,
- copies of the document proving the applicant's identity,
- evidence of undeleted final convictions for intentional criminal offenses prosecuted ex officio,
- evidence of undeleted final decisions on aviation offenses in the field of security, on offenses in the field of protection of public order and peace, relating to violent and daring behaviour and use of dangerous objects and in the field of production and trafficking of drugs,
- evidence of the absence of criminal proceedings for intentional criminal offenses prosecuted ex officio,
- the consent of the applicant for the collection of personal data, for background checks and for possible security checks,
- a personal interview with the applicant if the information and documents obtained are unclear.

Evidence referred to in the fourth, fifth and sixth indents of this paragraph shall be obtained by the official conducting the procedure, ex officio from official records kept by Slovenian authorities or holders of public authority issued by the Slovenian authority.

(4) The application with the evidence referred to in the preceding paragraph submitted by the applicant shall be submitted in such a way that the applicant does not have access to the personal data of the applicant. If, on the basis of available information or interview, the suitability of the applicant for an unaccompanied movement permit is assessed on the basis of available information or interview, a security check shall be carried out with the applicant's consent, if necessary. Security checks shall be carried out at the request of the Agency by the Police and the Slovenian Intelligence and Security Agency in accordance with the powers and in accordance with the procedures laid down in the regulations on the protection of classified information. Security clearance includes the verification of information specified in the regulations on the protection of classified information in order to obtain permission to access classified information classified CONFIDENTIAL.

(5) Other persons may also move in the areas and areas referred to in the first paragraph of this Article if they intend to board or disembark an aircraft or perform certain tasks, but must have an escort appointed by the competent security service at the airport.

(6) Flight crew members may also move in the areas and areas referred to in the first paragraph of this Article without a movement permit and unaccompanied, provided they have an appropriate identification badge issued in accordance with Annex 9 to the Chicago Convention.

(7) The Agency and the bodies performing the security clearance referred to in the third paragraph shall, in the context of examining the application for a movement permit, background checks and security screening, preparation of an assessment of the applicant's fitness for movement and stay at the airport and unaccompanied air navigation service facility of this Article, in accordance with the regulations on personal data protection, process the following personal data:

- all information contained in the identity card or travel document in accordance with the regulations,
- data on work experience, employment and employers,
- data on undeleted final convictions for intentional crimes prosecuted ex officio and data on undeleted final decisions on aviation offenses in the field of security, on offenses in the field of protection of public order and peace relating to violent and daring behaviour and use dangerous goods and in the production and trafficking of drugs,
- information on ongoing criminal proceedings for intentional criminal offenses prosecuted ex officio,
- information on significant life events provided by the applicant in the detailed curriculum vitae,
- biometric data, if access to the areas and facilities referred to in the first paragraph of this Article is provided in accordance with regulations using equipment that requires such data,
- assessment of the suitability for the issue of a movement permit.

(8) The detailed curriculum vitae referred to in the first indent of the third paragraph of this Article must contain the following information:

1. personal name, including previous ones;
2. Unique personal identification number (EMŠO);
3. date and place of birth;
4. citizenship or citizenships, including previous ones;
5. address of residence (permanent, temporary and address of availability);
6. stay abroad if it lasted three months or more (place, period and reason for stay);
7. profession and work performed;
8. military service;
9. schooling and attending seminars or other forms of training abroad, if they lasted more than one month (place and period);
10. employers and their addresses, including previous ones;
11. undeleted final convictions for intentional offenses prosecuted ex officio and information on undeleted final decisions on aviation security offenses, on public order and peace protection offenses relating to violent and daring behaviour and the use of dangerous objects and in the field of drug production and trafficking;
12. ongoing criminal proceedings for intentional criminal offenses prosecuted ex officio;
13. dependence on alcohol, drugs or other addictions;
14. illness or mental disorders that could jeopardize the safe performance of work tasks;
15. contacts with foreign security or intelligence services;
16. membership or participation in organizations or groups that endanger the vital interests of the Republic of Slovenia or member states of political, defence and security alliances of which the Republic of Slovenia is a member;
17. **(deletion)** ;

18. previous security checks in accordance with the aviation regulations in force in the Republic of Slovenia;
19. participation in foreign armed forces or other armed formations;
20. financial liabilities or guarantees assumed with an indication of the type (e.g. loans, mortgages, alimony) and the amount of financial liabilities, reasons for debts and creditors and an indication of all income in the previous year, including data on real estate ownership. The verified person shall also provide data on the average personal income in the last three months before completing the security questionnaire;
21. **(deletion)** ;
22. characteristics and circumstances of the life of the person being tested which may result in exposure to extortion or other forms of pressure.

(9) The Government shall prescribe the manner of issuing a movement permit and the mandatory contents of the reasoned proposal referred to in the second paragraph of this Article. The protection of movement permits and identification badges against counterfeiting and other forms of abuse, as well as the manner of wearing the identification badge and verifying the associated identity of the holder, shall be determined in the aviation security program for the Republic of Slovenia.

(10) Notwithstanding the previous provisions of this Article, a movement permit for employees of the Police, the Slovenian Intelligence and Security Agency and the ministry responsible for defence shall be issued by the Agency only on the basis of a request and opinion of the applicant or in a facility for which it is necessary to have a movement permit, if the body that applied for the movement permit submits a statement that it has performed a check that corresponds at least to the past verification referred to in the third paragraph of this Article.

#### **Article 128.a**

##### **(reasons for refusing to issue a movement permit and other restrictions)**

- (1) The Agency shall refuse to issue a movement permit referred to in the preceding Article if:
1. the identity of the applicant is not demonstrated;
  2. the actually established circumstances from the security check indicate a well-founded doubt about the reliability of the individual for independent movement in the areas referred to in the first paragraph of Article 128 of this Act (security reservation);
  3. the applicant has not been shown the need to move and stay in the areas of the airport and in the air navigation services facility for which the movement permit is required, or if this need is not permanent;
  4. the applicant has not consented to the collection of personal data, background checks or any security checks;
  5. the applicant has been convicted of an intentional criminal offense prosecuted ex officio, or has been convicted of an aviation security offense, or of an offense concerning the protection of public order and peace relating to violent and daring conduct and the use of dangerous objects, or for an offense in the field of production and trafficking of illicit drugs;
  6. is an applicant in criminal proceedings for an intentional criminal offense which is prosecuted ex officio;
  7. the applicant did not attend the personal interview if invited;

8. it is established that the applicant has provided false information in the application for a movement permit.

(2) When refusing to issue a movement permit, the Agency shall also inform the applicant of the reasons for refusing to issue a permit in a manner that conceals the source of the data.

(3) The Agency shall revoke the issued movement permit if it is established during the validity of the movement permit that the reasons referred to in the first paragraph of this Article for refusing to issue the permit have arisen.

(4) The Agency may serve the movement permit on the applicant only in person, while other methods of service that are considered personal service are not permitted.

(5) The Agency shall suspend the exercise of rights under a movement permit if:

1. the holder of the movement authorization has not completed the safety training within the time limit, if required by the aviation security program, or
2. a circumstance has arisen with the holder of the movement permit, which indicates the occurrence of the reasons for revoking the permit.

(6) The temporary suspension of the exercise of rights from the permit shall be orally pronounced by an authorized official of the Agency, who shall also temporarily revoke the permit. A written decision on temporary detention must be issued within 24 hours of the imposition.

#### **Article 129 (aviation security programs)**

(1) Aviation security programs shall be prepared for the Republic of Slovenia, for each public airport, for each air carrier and for each air navigation service provider.

(2) Aviation security tasks and measures determined by aviation security programs shall be mandatory for all those performing tasks related to air traffic and air transport.

(3) The Agency shall be responsible for the coordinated implementation of all prescribed security measures at public airports.

(4) Aviation security programs are not public documents and are not considered to be information of a public nature.

#### **Article 130 (aviation security program for the Republic of Slovenia)**

(1) The Aviation Safety Program for the Republic of Slovenia shall be adopted by the Government on the proposal of the Minister responsible for transport.

(2) The security programs of public airports, air carriers and air navigation service providers must be harmonized with the aviation security program referred to in the preceding paragraph.

(3) The Agency shall be responsible for coordinating and monitoring the implementation of the aviation security program referred to in the first paragraph of this Article.

### **Article 131**

#### **(security program of the public airport and the air navigation service provider)**

(1) The security program of a public airport shall be approved by the Agency on the proposal of the airport manager, who shall previously coordinate it with the operators at the airport if there are several airport operators at the airport.

(2) The safety program of the air navigation service provider shall be approved by the Agency.

(3) The airport operator and the air navigation service provider must publish appropriate safety instructions and prohibitions.

### **Article 132**

#### **(airline security program)**

(1) The air carrier security program shall be approved by the Agency.

(2) The security program of a Slovenian air carrier must also be harmonized with the security programs of airports abroad where it operates scheduled air services, unless an international agreement in force in the Republic of Slovenia provides otherwise.

(3) A foreign air carrier must harmonize its security program with the security programs of airports in the Republic of Slovenia where it wishes to operate air transport, unless an international agreement in force in the Republic of Slovenia provides otherwise.

### **Article 133**

#### **(Council of the Republic of Slovenia for the Protection of Civil Aviation and Airport Councils for the Protection of Civil Aviation)**

(1) For the preparation of measures for the coordinated operation of ministries and their bodies, various services, agencies and other organizations that prepare and implement various aspects of security or are responsible for it, and for the coordination of security activities, on the proposal of the Minister responsible for traffic, the government establishes the Council of the Republic of Slovenia for the Protection of Civil Aviation.

(2) In order to prepare measures for the coordinated operation of various companies, services, agencies and other organizations that prepare and implement various aspects of security or are responsible for it, and to coordinate security activities, the airport manager shall establish an airport council at the international airport for the protection of civil aviation.

## 7.2. Measures to facilitate air transport

### **Article 134 (simplification of formalities)**

- (1) For the preparation of measures for facilitations in public air transport and simplification of formalities, commissions for facilitations in air transport shall be established.
- (2) Measures to facilitate public air transport and simplify the formalities referred to in the preceding paragraph shall include in particular prescribed measures, procedures and documents relating to aircraft, reception and departure of passengers, goods and mail, transit traffic, equipment and procedures at public airports and other facilities in public air transport.
- (3) The Government, upon a coordinated proposal of the Minister responsible for transport and the ministers responsible for interior, finance, agriculture, forestry and food, protection and rescue, health and foreign affairs, shall establish an interdepartmental commission for air transport facilitation and appoint its members.
- (4) The Government shall prescribe at which airports the airport commissions for air traffic facilitation shall be established, their tasks and composition, as well as measures, manner and procedures for air traffic facilitation and simplification of formalities.

## 8.0 AIRCRAFT SEARCH AND RESCUE AND AIRCRAFT AND INCIDENTS

### **Article 135 (search and rescue)**

- (1) The Government shall determine the conditions and manner of searching and rescuing aircraft and issue instructions to be adopted in the event that the aircraft is missing, is in danger, has an accident or is in danger of air traffic. The government shall determine the tasks and responsibilities between the organizations and services involved in the search and rescue, in accordance with this Act and regulations issued on the basis thereof, and in accordance with the regulations on protection against natural and other disasters.
- (2) The Agency shall coordinate search and rescue operations for civil aviation.
- (3) The owner or user of the aircraft, persons performing duties on board the aircraft or at airports or other aviation facilities, must participate in the search and rescue.

### **Article 136 (rescue award and costs of investigating an air accident or serious incident)**

- (1) A person who rescues an aircraft in distress or an aircraft which has suffered an accident and any person who participated in the rescue shall be entitled to a rescue award. The Government shall issue a decree specifying the manner and conditions regarding the exercise of the right to a reward depending on the amount of costs incurred by the person in the resolution in question and depending on the property saved.

(2) The costs of investigating an air accident and a serious incident shall be borne initially by the state budget.

(3) The Government may demand reimbursement of the costs of the investigation from a person for whom the competent authority has indisputably established the intentional causing of an accident or incident, or the causing of an accident or incident due to gross negligence. The right to reimbursement of the costs of the investigation becomes statute-barred after the expiration of two years from the finality of the court decision or the finality of the decision of the Administrative Body.

(4) The costs of rescuing the aircraft or removing the wreckage shall be borne by the owner of the aircraft. This is also the case if the removal of the wreckage was requested by the Chief Investigator for the purpose of the investigation.

### **Article 137** **(investigation and investigative body)**

(1) If a fatal accident, serious injury to persons or major damage to aircraft or property on the ground occurs during the use of an aircraft, a comprehensive investigation and analysis of the accident and an investigation into the causes of the accident, injuries and damage caused and other consequences of the accident.

(2) An investigation shall also be carried out if an incident has occurred.

(3) The provisions of this Chapter shall also apply outside the territory of the Republic of Slovenia to:

1. accident investigations involving aircraft registered in a Member State of the Community, unless such investigations are carried out by another State,
2. investigations into serious incidents involving aircraft registered in a Member State of the Community or operated by an undertaking established in a Member State of the Community, unless such investigations are carried out by another State.

(4) The basic goal of the investigation of accidents and incidents under this Act is to improve flight safety by ensuring the speedy conduct of investigations, in order to prevent accidents and incidents in the future. The investigation shall establish the causes, consequences and other facts. The investigation of an accident and incident under this Act may not relate to the establishment of guilt or liability.

(5) Investigations of accidents and incidents shall be conducted by an investigative body organized as an independent organizational unit at the ministry responsible for transport. This organizational unit must be functionally independent from the aviation authorities that ensure the performance of professional and administrative tasks related to: airworthiness, certification, aviation operations, maintenance, licensing, air traffic control and management, and airport operations. It must also be independent of other bodies and entities whose interests may conflict with the tasks and powers of the investigative body.

(6) Notwithstanding the preceding paragraph, the tasks entrusted to the investigating authority may be extended to tasks related to data collection and analysis and to other tasks related to

aviation safety, in particular to reduce aviation risks and prevent accidents and incidents if these tasks do not affect the independence of the investigative body and do not result in its obligation to draw up rules and aviation standards or to conduct proceedings in this regard.

(7) The investigative body referred to in the fifth paragraph of this Article shall receive the funds it needs to carry out its tasks independently of the bodies referred to in the fifth paragraph of this Article and shall be provided with the opportunity to obtain sufficient financial resources to perform the required tasks. The head and investigators of the investigative body shall acquire a position which gives them the necessary guarantees of independence.

(8) The investigative body must constantly maintain the necessary training and information for the needs of its field of work, which is also ensured by constantly or occasionally monitoring and analyzing the implementation of various tasks or activities in the field of aviation and issuing appropriate safety recommendations.

### **Article 138** **(commission, investigator, observer)**

(1) An investigation in accordance with this Act and regulations issued on the basis thereof shall be carried out by the investigative body referred to in the fifth paragraph of the previous article, except in the cases referred to in the tenth paragraph of this Article.

(2) The head and investigators of an investigative body with special powers shall be appointed by the government from among aviation experts who have at least ten years of work experience in the field of aviation, and the head shall also have a higher education in the relevant field.

(3) In the event of an accident or serious incident, the head of the investigative body shall appoint a commission to investigate the event, consisting of the chief investigator and one or more investigators, and in less complex cases may appoint a single investigator.

(4) If someone lost his life in an air accident, was seriously injured, caused major material damage or if it was an accident of a foreign or police aircraft, a representative of the ministry responsible for the interior shall also be appointed to the commission.

(5) The commission or the investigator shall be independent in their work.

(6) The Commission or the investigator should be given access to the necessary operational, technical and legal findings for a particular investigation by other authorities and participants in the accident. If necessary, the head of the investigative body may request the assistance of individual experts in the field of work and foreign aviation experts of civil aviation authorities and other bodies qualified to investigate aviation accidents and incidents.

(7) Investigations of accidents and incidents of aircraft entered in the register of military aircraft and foreign military aircraft on the territory or in the airspace of the Republic of Slovenia shall be conducted by an investigative body organized by the ministry responsible for defence. This investigative body must be functionally independent from other bodies and entities whose interests may conflict with the tasks and powers of the investigative body. The investigation shall be monitored by an observer from the investigative body referred to in the fifth paragraph of the previous article, appointed by the head of this investigative body. The observer may be



present at all investigative actions and may be acquainted with all the findings of the investigation, including classified information, if he meets the prescribed conditions.

(8) If a military aircraft was also involved in an accident or serious incident of a civilian aircraft, a member from the ministry responsible for defence shall also be appointed to the commission appointed by the head of the investigative body.

(9) The Government may delegate the task of conducting an accident investigation to another state if, on the proposal of the head of the investigative body, it finds that the investigating body will not be able to ensure the full realization of the purpose of the investigation.

(10) Accidents and serious incidents of aircraft with a maximum take-off mass of up to 2250 kg used for non-commercial activities referred to in Article 68 of this Act (kites, paragliders, sport parachutes, ultra light aircraft, hot air balloons and general category aircraft) , is investigated by the Commission for the Investigation of Accidents and Incidents, appointed by the Aviation Association of Slovenia, according to the rules for the investigation of aviation accidents and incidents, which apply to the investigative body. The investigation of accidents and incidents carried out by a commission appointed by the Aviation Association of Slovenia is supervised by the investigative body referred to in this chapter, which may at any time take over the investigation. In the event that new safety findings are expected from the investigation of an accident or serious incident referred to in this paragraph, the provision of this paragraph shall not apply.

#### **Article 139 (investigation notice)**

(1) The investigating body shall inform all those who show a legal interest of the investigation. They shall be allowed to make the statement they deem necessary to protect their rights to the Air Accident Investigation Commission or the investigator. They shall be kept informed of the progress of the investigation to the extent necessary, provided that this is not contrary to the interests of the investigation.

(2) The investigative body shall inform and report aviation accidents to the International Civil Aviation Organization, aviation authorities and organizations in accordance with Annex no. 13 to the Chicago Convention.

(3) The investigative body referred to in the seventh paragraph of the previous article shall also take into account NATO standards when informing and reporting on aviation accidents and incidents.

#### **Article 140 (investigation assistance)**

(1) The investigative body or commission must be allowed to work unhindered during the investigation of an accident or serious incident of an aircraft.

(2) The investigative body must provide the other competent investigative body or the state prosecutor, at his request, with the necessary professional assistance at work.

(3) The provisions of this Act on the investigation of accidents and incidents shall in no way limit the competence of the bodies under other regulations.

**Article 141**  
**(special powers and regulations)**

(1) The Commission or the investigator of an air accident or incident may question anyone it deems to be able to provide information relevant to the investigation, and may examine objects, documents, records and important data stored on a computer investigator the following powers:

1. for immediate free access to the scene of the accident or incident and to the aircraft, its parts, cargo, wreckage, for entry into land and facilities;
2. to immediately order the retention of evidence and to supervise the removal of the remains or parts of the aircraft for the purposes of the investigation;
3. for the immediate withdrawal of the flight parameter recorder and other recorders for the purposes of investigation analyzes;
4. to conduct the examination of witnesses and participants, without a court decision, even though they are in hospital care, in agreement with a doctor;
5. to obtain and keep copies of any information or records held by the owner, user or manufacturer of the aircraft, as well as the competent civil aviation authorities and the airport operator.

(2) The Chief Investigator shall have special powers:

1. to obtain the results of medical and pathological results without a court decision;
2. for the temporary seizure of a vehicle or aircraft for the purpose of conducting an investigation against appropriate compensation, for which a certificate shall be issued.

(3) The Government shall issue regulations on the investigation of aviation accidents, serious incidents and incidents, the manner of informing and the work of the investigative body, informing the competent authorities of such events and the obligations of aviation and other professional personnel in this regard.

**Article 142**  
**(Prohibition on the removal of aircraft parts and belongings)**

(1) Found aircraft and items carried on board an aircraft, or anything belonging to that aircraft or items suspected of being the cause of an accident, may not be removed or relocated without the permission of the Chief Investigator, except, if necessary to save human life or for other exceptional reasons.

(2) Whoever finds the items mentioned in the previous paragraph must immediately inform the police, the investigative body, the commission or the investigator, who has the right to confiscate these items in favour of the investigation.

**Article 143**  
**(Investigation report and safety recommendations)**

- (1) The investigative body or commission or investigator shall submit a final report on an air accident or serious incident, as a rule within twelve months from the day of the accident or serious incident.
- (2) The commission or the investigator of the accident or incident shall prepare a report in an appropriate form, depending on the type and severity of the accident or incident. The anonymity of the persons involved in the incident must be taken into account in the incident report. The report shall also state the aim of the investigation referred to in the fourth paragraph of Article 137 of this Act. If necessary, the report shall include safety recommendations.
- (3) After obtaining a report on an accident or serious incident, the investigative body shall, to the extent necessary, prepare safety recommendations, which shall be sent to the ministry responsible for transport and other interested persons.
- (4) A safety recommendation may in no case create a presumption of guilt or liability for an accident or incident.

**Article 144**  
**(participation of investigative bodies and public information)**

- (1) The Commission or investigators shall cooperate in the investigation with judicial authorities.
- (2) The public shall be informed of the final accident report by the investigating body in cooperation with the minister responsible for transport.

**Article 145**  
**(preventive measures)**

- (1) Before the end of the investigation of an air accident or incident, the head of the investigative body may, at the proposal of the chief investigator, restrict or prohibit the use of a certain type of aircraft, its parts, equipment, navigation devices, flying and performing the work of aviation and other elimination of possible causes of the plane crash, or a serious incident, if there is a reasonable suspicion that this will prevent a new accident or risk. The costs of these restrictions or prohibitions cannot be borne by the ministry responsible for transport.
- (2) The completed investigation may be resumed if the person who demonstrates a legal interest provides the ministry responsible for transport with new evidence of the accident or incident. The reopening of an accident or incident investigation may no longer be requested after the expiration of five years from the date of the accident or incident.

## OTHER AIRCRAFT REGULATIONS

### **Article 146 (air routes)**

The Minister responsible for transport may determine the air routes on which aircraft must fly in Slovenian airspace and may issue regulations for crossing state borders in air traffic.

### **Article 147 (restrictions and prohibitions)**

- (1) For reasons of public order and safety, the Agency may request the competent air traffic service that the pilot-in-command immediately land the aircraft at the nearest suitable airport.
- (2) If an aircraft has landed in an area where flying is prohibited, the pilot-in-command must, as soon as he becomes aware of the prohibited position, ensure that the aircraft leaves such area immediately.
- (3) The Government shall prescribe the conditions that must be met if the ministry responsible for defence, the ministry responsible for customs or the ministry responsible for the interior requires the aircraft to land for the purpose of inspection and procedures carried out in such cases.

### **Article 148 (restrictions on the transport of military combat equipment and other special goods)**

- (1) Military weapons and mines may not be transported by air, except with the special permission of the competent authorities and in accordance with the regulations governing the transport of dangerous goods.
- (2) Where necessary and in the interests of public order and security, the government may also prohibit the transport of other special goods.

### **Article 149 (transport of dangerous goods)**

The provisions of the regulations on the transport of dangerous goods shall apply to the transport of dangerous goods by air. Such regulations must be as consistent as possible with aviation standards and recommended practices.

### **Article 150 (Prohibitions on the transport of dangerous goods by air)**

No one may, regardless of position or as owner, carrier, consignor, consignee, freight forwarder, passenger or crew member:

1. use or attempt to use civil aircraft as a means of transporting goods that are prohibited by law or other regulations to be carried by air to, from or within the Republic of Slovenia,

2. to transport, attempt to transport or cause the carriage of goods on civil aircraft classified as dangerous goods by law or other regulations, if all prescribed conditions are not met and compliance with the technical instructions relating to such carriage is not established.

**Article 151  
(deleted)**

**Article 152  
(authorization for non-payment of certain costs)**

(1) The airport service provider may prevent the departure of the aircraft until the payment of costs to be paid in connection with the services provided and the use of the infrastructure referred to in Articles 88 and 118 of this Act or until a security for these costs is lodged.

(2) The Government may prescribe a procedure for the implementation of the provision of the preceding paragraph and exceptions.

**Article 153  
(power to determine exemptions)**

(1) With regard to unmanned or unmanned aircraft or aircraft that are specific in other respects, the Minister responsible for transport may, after prior verification of compliance with the prescribed conditions, grant exceptions to the provisions of the following chapters of this Act: aircraft, aircraft and other professional staff, air transport and other air transport activities and airports or issue regulations other than those covered by those Chapters. Such exemptions or regulations may be decided upon only where they are not contrary to the public interest or to the interests of aviation security.

(2) In order to ensure the safety of air traffic, the Minister responsible for transport may prescribe restrictions on the movement and use of facilities intended for movement in the air, which cannot be classified as aircraft.

**Article 154  
(regulations on the installation of radio equipment)**

The Minister responsible for transport shall prescribe the conditions relating to the installation and use of radio equipment on board aircraft and other communication devices for the purposes of civil aviation.

**Article 155  
(use of language)**

(1) The competent authorities shall conduct proceedings and issue legal acts in accordance with the provisions of this Act in the Slovene language. The Minister responsible for transport may, at the proposal of the Agency, prescribe cases and conditions when, in addition to Slovene, terms in English or English may be used if necessary to ensure compliance with international regulations and documents or to ensure air safety.

(2) Notwithstanding the provision of the preceding paragraph, for the purposes of air traffic management, it may be prescribed that only English be used.

## 10.0 PUBLIC INFRASTRUCTURE, AIRPORT OPERATIONS AND PROVISION OF AIR NAVIGATION SERVICES

### 10.1. Land management and public infrastructure

#### **Article 156 (public infrastructure and land management)**

(1) Land on which public airports and infrastructure facilities, devices and assets referred to in the first paragraph of Article 88 and Article 118 of this Act are located may be owned by the state, local community and other public law entities as well as private law entities.

(2) A person referred to in the preceding paragraph may acquire land for the expansion of a public airport and the construction of new facilities referred to in the preceding paragraph if he has prepared an airport development program in accordance with the national program referred to in Article 6 of this Act referred to in point 1 of the first paragraph of Article 165 of this Act. He has a pre-emption right.

(3) Public airports and facilities and devices referred to in the first paragraph of Articles 88 and 118 of this Act are public infrastructure facilities and the special features of regulations on spatial planning shall be used for their construction.

(4) The infrastructure facility and device referred to in Article 88 of this Act may be owned by the state, local community or a person governed by private law. In the event that the infrastructure facility, device or asset is owned by a person who is not the owner of the land, their mutual relations regarding land use shall be regulated by a contract. Regardless of possible business, status, liquidity and similar changes, it must be ensured that such a facility is permanently used only for the purposes of the airport.

(5) ( [expired](#) )

#### **Article 157 (concession award)**

The construction and operation of a new public airport can be ensured by the state by granting a concession. The conditions of the concession are determined by the government with a concession act. The selection of the concessionaire shall be made by the government in an appropriate, impartial, transparent and non-discriminatory manner, on the basis of a public tender published in accordance with the regulations governing public procurement.

## 10.2. Operation of public airports

### **Article 158 (operation of public airports)**

(1) The operation of a public airport includes the management and administration, maintenance, development, modernization and construction of airport infrastructure referred to in Article 88 of this Act, which is primarily intended for public air transport and the provision or performance of services referred to in Article 89 (2). As a rule, the operation of a public airport is ensured under market conditions.

(2) The operation of a public airport shall be carried out by a legal person registered for this activity and having obtained an operating permit in accordance with the provisions of this Act. The airport operator must also meet the conditions for the development and provision of spatial and temporal capacity of the public airport, which are determined by the government in the public interest in accordance with the national program, on the proposal of the Minister responsible for transport.

(3) The operator of a public airport must carry out its activity in an appropriate, impartial, transparent and non-discriminatory manner and in such a way as to ensure the safety, regularity and smoothness of air traffic.

(4) The operation of a public airport may be financed from public funds as operating aid to airports in accordance with the Guidelines on State aid to airports and air carriers (OJ C 99 of 4.4.2014, p. 3). The decree prescribes in more detail the conditions and criteria for granting aid to airports for current operations.

(5) If the operation of a public airport cannot be ensured to the extent and in the manner necessary to ensure the public interest referred to in the third paragraph of Article 1 of this Act, the government may ensure it for an airport of national importance and the local community for a local airport:

- under public-private partnership conditions,
- in the form of a public utility service.

(6) Operators of other infrastructures at the airport shall manage and manage and take care of the maintenance and development of these infrastructures located at an individual part of the airport.

### **Article 159 (ground handling and care for others)**

(1) Ground handling at a public airport may be performed by an airport operator, an airport user, or a contractor registered for it who meets the conditions prescribed by this Act.

(2) The operator of a public airport where commercial air transport is provided must enable air carriers and other providers of ground handling services to provide ground handling services. The following categories of services are considered to be ground handling services within the meaning of the provisions of this Act:

1. airport management and control
2. reception and departure of passengers,
3. reception and dispatch of luggage,
4. reception and dispatch of cargo and mail,
5. reception and dispatch of aircraft on the platform,
6. aircraft maintenance,
7. supply of fuels and lubricants,
8. aircraft maintenance,
9. air operations and crew services,
10. land transport and
11. provision of passengers with food and drink,

laid down in more detail by the Minister responsible for transport, taking into account Community rules.

(3) A user of an airport may provide ground handling for his own needs in self-sufficiency conditions if he meets the prescribed organizational, technical, technological and spatial conditions for the provision of individual categories of services referred to in the previous paragraph. In the event of a request from a foreign carrier for self-handling at the airport concerned, the condition of reciprocity must also be met. The same conditions apply to registered contractors referred to in the first paragraph of this Article.

(4) Fulfilment of the conditions referred to in the preceding paragraph shall be established for the airport operator in the procedure of issuing an operating permit.

(5) Before issuing the decision referred to in the third paragraph of this Article, the airport user and the registered contractor referred to in the first paragraph of this Article must also prove to the Agency their financial capacity and adequate liability insurance. If the airport user and the registered contractor will employ new workers for the provision of ground handling services, he must undertake to employ these workers from among the workers who would lose their jobs due to his takeover of these services if they meet the required conditions.

(6) For the categories of baggage acceptance and departure, aircraft reception and departure, refuelling and lubricants, and cargo and mail reception and dispatch, as regards the physical handling of cargo and mail between the airport terminal and the aircraft, both on arrival, departure or departure in transit, the number of those entitled to provide these services for themselves shall be determined by the Government on the proposal of the Minister responsible for transport, who shall obtain the prior opinion of the public airport operator. The Government, on the proposal of the Minister responsible for transport, shall also determine the number of registered providers of ground handling services for others, following the previously obtained opinion of the public airport operator. The number of providers of these services for themselves and the number of providers of these services for others may not be less than two.

(7) If required by special reasons regarding space or capacity in relation to traffic density and the level of land use at the airport, in addition to the restrictions referred to in the preceding paragraph, additional restrictions may be imposed in individual cases. If the stated reasons are given, the number of those who provide other categories of ground handling services referred to in the second paragraph of this Article may be limited to a maximum of two in an individual



case. More detailed conditions and criteria regarding restrictions on the provision of ground handling shall be determined by the government.

(8) Where the number of ground handling service providers is limited to others and where the number of ground handling service providers is limited for their own needs for reasons of available space or capacity in relation to traffic density and level of land use at the airport which prevent market opening and / or self-sufficiency, determined by regulations, ground handling contractors shall be selected in accordance with public procurement rules for a period of seven years. The choice shall be made by the public airport operator after consultation with the user committee. If the public airport operator provides these services himself, the choice shall be made by the Agency in consultation with the user committee and the airport operator. The selection obligation under the procurement rules does not apply to the airport operator and its right to provide ground handling services.

### **Article 160**

#### **(management and administration of centralized infrastructures and free access to facilities)**

(1) Notwithstanding the provisions of Articles 158 and 159 of this Act, the airport operator shall ensure the management and administration of centralized infrastructures at a public airport which are used for the provision of ground handling services and whose complexity, cost or impact on the environment do not allow sharing or duplication of systems, such as baggage sorting, infrastructure de-icing, water purification and fuel distribution systems, which force suppliers of ground handling services and self-handling airport users to use these infrastructures. The management and administration of centralized infrastructures must be carried out in a transparent, impartial and non-discriminatory manner and, in particular, must not impede the access of suppliers of ground handling services or self-handling airport users, insofar as this is not permitted by law.

(2) Providers of ground handling services and users of public airports who have opted for self-sufficiency must be provided with access to airport facilities to the extent necessary for the performance of their activities. The space available at the public airport for ground handling services should be shared between the various suppliers of ground handling services and the self-handling users of the airport, including new providers in this field, to the extent necessary to exercise their rights effective and fair competition. Free access to airport facilities and the distribution of space intended for ground handling must be ensured on the basis of appropriate, impartial, transparent and non-discriminatory rules and criteria prescribed by the government, on the proposal of the Minister responsible for transport.

(3) The Agency shall exercise professional supervision over the implementation of the provisions of this Article.

### **Article 161**

#### **(public airport management and airport user committee)**

(1) At a public airport, the airport operator shall be considered the operator of the public airport who independently or in the performance of other activities or tasks manages and manages airport infrastructure intended for public air traffic, conducts the necessary procedures necessary and coordinates and supervises the various service providers present at each airport.

(2) An airport users' committee shall be established at each public airport, representing the interests of airport users or natural and legal persons responsible for the air transport of passengers, mail and / or cargo from or to the airport concerned.

(3) The tasks of coordinating operational security measures at international airports shall be performed by the Agency.

(4) The Agency shall regularly monitor the implementation of the provisions of the first paragraph of Article 158 and Article 159 of this Act and shall act in accordance with its competencies.

**Article 162**  
**(public airport opening hours)**

(1) The public airport operator shall determine the operating hours of the airport after having previously coordinated it with the users' committee, the agency and the service providers referred to in the third paragraph of Article 89 of this Act.

(2) If the public airport operator does not reach the consent referred to in the preceding paragraph, the operating hours of the public airport of national importance shall be determined by the minister responsible for transport, and for airports of local importance by the agency in agreement with the local community.

(3) If the opening of a public airport outside the operating hours determined in accordance with the first and second paragraphs of this Article is necessary to ensure air traffic safety, the costs incurred in connection with the opening of the airport to ensure air traffic safety shall not be covered by the price provided in a transparent, impartial and non-discriminatory manner, the airport operator and the suppliers of ground handling services required for such operation of the airport shall be entitled to payment under a contract concluded with the Agency for each budget period .

10.3. Providing air navigation services activities

**Article 163**  
**( [expired](#) )**

10.4. Prices of services and tariffs

**Article 164**  
**(method and procedure of formation and determination of tariffs and prices)**

(1) At a public airport, the operator of a public airport and providers of ground handling services for third parties are obliged to draw up tariffs as a basis for determining the prices of individual services according to the principles of equal, transparent and non-discriminatory treatment of users of their services and complexity of the service. The same applies to compensations for the use of centralized infrastructures and compensations for free access to facilities referred to in Article 160 of this Act.

(2) The Government, upon a coordinated proposal of the Minister responsible for transport and the Minister responsible for finance, shall prescribe prices, fees, rents and compensations for the use of facilities owned by it and for services of services referred to in Article 163 of this Act and other services provided by the competent state authorities, depending on the cost, type, quantity and complexity of the services.

(3) If the operator of a public airport, user of an airport and provider of ground handling services provides ground handling services, he must keep accounting for ground handling services separately from accounting for other activities he performs (hereinafter: separate accounting). The implementation of separate accounting and the verification that there are no financial flows between its ground handling activity and other activities shall be verified by an independent auditor. Separate accounting must also be kept for activities related to the operation of a public airport in the sense of the provisions of point 20 of Article 17 of this Act.

(4) In accordance with the requirements of aviation regulations and legal acts in force or applicable in the Republic of Slovenia, the Government shall, by decree, determine common principles for charging airport charges, within which it shall regulate requirements regarding non-discrimination, common charging system, consultations and procedures, if consensus is not reached, transparency, new infrastructure, quality standards, service differentiation and control.

(5) In accordance with the requirements of regulations and legal acts applicable or in force in the Republic of Slovenia, the Government shall, by decree, determine common principles for charging security fees, within which it regulates requirements regarding non-discrimination, common charging system, consultations and procedures, if no agreement is reached, transparency, new security equipment, quality standards, service differentiation and control.

(6) Unless otherwise provided by regulations and legal acts in force or applicable in the Republic of Slovenia, the public airport operator and providers of ground handling services for third parties must consult the airport users' committee in the process of setting tariffs and prices referred to in this Article. If the Users' Committee disputes the appropriateness of tariffs and prices, the Government shall decide on tariffs and prices on the proposal of the Minister responsible for transport. The decision of the Government is valid for a maximum of six months. The Government may, on the proposal of the Minister responsible for transport, who has previously consulted the parties concerned, extend the validity of the decision for a further six months if or until the users' committee disputes the appropriateness of tariffs and prices.

#### **Article 165** **(by-laws)**

(1) In order to implement the provisions of this Chapter, the Government shall prescribe:

1. conditions and criteria regarding the development and provision of spatial and temporal capacities of the public airport, which must be met by the operator of the public airport (Article 158),
2. conditions of implementation and restrictions regarding ground supply (Article 159),
3. rules and criteria for free access to airport facilities and the division of space intended for ground handling (Article 160),

4. the manner of managing and managing airport infrastructures and supervising the providers of various services present at this airport, and the obligations regarding the management of the necessary procedures (Article 161),
5. the manner of establishment and operation of the airport users' committee and its tasks (Article 161),
6. method of coordinating the operating hours of the public airport (Article 162).

(2) The Minister responsible for transport shall prescribe in detail the categories of ground handling services, the manner of their implementation and the organizational, technical and technological standards for their implementation (Article 159).

(3) The Government and the minister responsible for transport shall also take into account Community regulations when issuing the regulations referred to in the preceding two paragraphs.

## 11.0. SUPERVISION AND MISDEMEANOR PROCEDURES

### **Article 166 (competent authorities)**

(1) The Ministry responsible for transport is responsible for administrative matters, constant supervision and supervision over the implementation of aviation regulations and legal acts in force or applicable in the Republic of Slovenia, and misdemeanour proceedings related to these regulations, which relate in particular to:

- access to air routes, public service obligations and air fares,
- international air transport,
- access to the market for ground handling services at airports,
- allocation of slots at airports.

Officials of the Ministry responsible for transport performing the tasks referred to in this paragraph shall be subject to the requirements and competencies applicable to persons of the Agency authorized to decide on administrative matters, constant supervision, control over the implementation of aviation regulations and misdemeanour proceedings.

(2) The Agency is competent for decision-making in administrative matters, permanent supervision and supervision over the implementation of aviation regulations and legal acts in force or applicable in the Republic of Slovenia, and misdemeanour proceedings related to these regulations relating to:

- flight safety and commercial air operations, airports and air traffic management,
- civil aviation security,
- safety in relation to other aviation activities, personnel and equipment used in civil aviation,
- operating license,
- other safety oversight tasks set out in implementing regulations of the European Union, the Government and the Minister responsible for transport,

except for the oversight of the implementation of aviation regulations and infringement procedures carried out directly by European Union bodies.

(3) In accordance with the aviation regulations in force or applicable in the Republic of Slovenia, the Agency may assign special certification tasks to a qualified entity if this is necessary to ensure the prescribed professionalism and timeliness of certification procedures. In accordance with aviation regulations and legal acts in force or applicable in the Republic of Slovenia, the Agency also cooperates in international affairs and with international organizations in the field of civil aviation.

(4) Unless otherwise provided by regulations and other legal acts of the European Union, including acceptable means of coordination and instructions, the provisions of this Regulation shall apply to the position, rights and duties, powers, measures and responsibilities of air traffic controllers and supervisors of the law.

(5) The Agency shall recognize the status of a qualified entity to an interested legal entity on the basis of a substantiated application with appropriate evidence, if it meets the criteria or requirements determined by the regulations of the European Union. Permanent supervision over the fulfilment of the requirements for the recognition of the status of a qualified entity is performed by the Agency. The Agency shall ex officio revoke or refuse to renew the issued recognition of the status of a qualified entity if it finds during the supervision that the qualified entity does not meet the prescribed requirements for recognition of the status, obviously incorrectly performs certification tasks or abandons the integrity of certification tasks.

(6) The Agency shall select a qualified entity referred to in the third paragraph of this Article in a public competition if there are several qualified entities for a certain field.

**Article 166.a**  
**(powers to carry out controls and misdemeanour proceedings)**

(1) Performing individual actions and deciding in administrative matters, constant supervision and supervision over the implementation of aviation regulations and legal acts referred to in the previous article (all listed below: aviation control), which also applies to persons who in accordance with regulations and legal acts in force or used in the Republic of Slovenia require an appropriate license, rating, authorization, certificate or certificate to perform activities and activities, performed by qualified and authorized aviation supervisors of the Agency who meet the conditions set by aviation regulations and legal acts, which are valid or used in the Republic of Slovenia.

(2) Aviation control, which does not apply to persons who need an appropriate license, rating, authorization, certificate or certificate to perform activities and activities, may be performed by authorized aviation and agency supervisors and officials of the ministry responsible for transport conditions under this Act and regulations on general administrative procedure.

(3) The misdemeanour proceedings referred to in the preceding Article shall be conducted and decided in misdemeanour proceedings by qualified aviation supervisors and supervisors of the Agency and officials of the ministry responsible for transport in accordance with this Act and the Misdemeanours Act.

(4) Authorization for the performance of tasks and decision-making in administrative matters, permanent supervision, supervision over the implementation of regulations and misdemeanour procedures shall be exercised by aviation and agency supervisors and officials of the ministry responsible for transport with an official card. Where this is in the interests of the personal safety and visibility of officials and other persons during the conduct of the procedure, aviation and agency supervisors, officials of the Ministry responsible for transport and other persons of the Agency and the Ministry responsible for transport involved in these procedures must have also appropriate protective equipment. The Minister responsible for transport shall prescribe the requirements and procedure for the issuance of the service card and its form, as well as the requirements for protective equipment.

**Article 167**  
**(skills maintenance)**

(1) In order to maintain the appropriate professional qualifications of the employees of the Agency (hereinafter: officials of the Agency), the Agency shall ensure their continuous professional development and maintenance of training.

(2) In order to maintain the necessary knowledge and training, aviation supervisors may perform certain professional work within their professional competence in aviation with the written consent of the Agency Director, but as a rule they do not perform aviation supervision with the person performing such professional work.

(3) At the request of the Agency, the applicant for the entry of a new aircraft type in the Aircraft Register of the Republic of Slovenia or the entry of a new aircraft type in the air operator's certificate and in similar cases must provide appropriate training for air traffic controllers.

**Article 168**  
**(Aviation Supervisors and Supervisors - Officials of the Agency)**

(1) The aviation supervisor responsible for decision-making in administrative matters and permanent supervision, which also applies to persons who need an appropriate license, rating, authorization, certificate or certificate to perform activities and activities, must:

1. have at least the education acquired according to the higher professional program of the first level or the level of education acquired according to the study program which, in accordance with the regulations governing higher education, corresponds to the first level of study programs, appropriate directions according to the type of tasks
2. have relevant work experience in the field of aviation under his control,
3. be professionally qualified as an air traffic controller in the area over which he / she supervises,
4. have an appropriate license, rating, authorization, certificate or attestation, if required for the persons performing the activities he / she supervises, depending on the manner of carrying out the procedures.

In administrative matters, it may decide and carry out permanent supervision, which does not apply to officials who need an appropriate license, rating, authorization, certificate or certificate to perform activities and activities, as well as a supervisor who meets the conditions from 1, 2 and 3 points of this paragraph.

(2) The aviation supervisor responsible for supervising the implementation of aviation regulations, which also apply to persons who need an appropriate license, rating, authorization, certificate or attestation to perform activities must:

1. have at least the education acquired according to the higher professional program of the first level or the level of education acquired according to the study program which, in accordance with the regulations governing higher education, corresponds to the first level of study programs, appropriate directions according to the type of tasks
2. have relevant aviation experience in the field under his control,
3. be professionally qualified as an air traffic controller in the area over which he / she supervises,
4. pass a test of knowledge, which includes the exercise of powers under the regulations on misdemeanours and knowledge of the regulations whose enforcement is supervised,
5. have the appropriate license, rating, authorization, certificate or attestation, if required for the persons performing the activities he / she supervises, depending on the manner of carrying out the procedures.

Supervision over the implementation of regulations that do not also apply to officials who need an appropriate license, rating, authorization, certificate or certificate to perform activities and activities may also be supervised by a supervisor who meets the conditions from 1, 2, 3 and Point 4 of this paragraph.

(3) The aviation supervisor and the supervisor responsible for conducting misdemeanour proceedings must:

1. have a university degree in the relevant field according to the type of tasks he / she performs,
2. have relevant work experience in the field of aviation in which he performs his duties,
3. pass a test of knowledge, which includes the exercise of powers under the regulations on misdemeanours and knowledge of the regulations whose enforcement is supervised.

(4) The supervisors referred to in the second paragraph of Article 166.a of this Act must:

1. have at least the education acquired according to the higher professional program of the first level or the level of education acquired according to the study program which, in accordance with the regulations governing higher education, corresponds to the first level of study programs, appropriate to the type of tasks or higher professional education in the relevant field, if they only conduct procedures before issuing a decision in complex administrative matters,
2. have relevant work experience in the field of aviation in which he performs his duties,
3. have a professional examination in administrative procedure.

(5) The Minister responsible for transport shall prescribe the work experience required to obtain the authorization of the air traffic controller or the supervisor referred to in the first, second, third and fourth paragraphs of this Article. and point 3 of the second paragraph of this Article and conditions regarding work experience and licenses, ratings, authorizations, certificates or certificates in special cases when, due to changes in regulations, it is not possible to meet conditions regarding work experience in aviation or license, rating, authorizations, certificates or attestations, if required and if these requirements are not specified in acceptable means of harmonization.

(6) The provisions of the first paragraph of this Article shall also apply to authorized professionals of a qualified entity who perform special certification tasks in accordance with the provisions of aviation regulations and legal acts in force or applicable in the Republic of Slovenia, if these requirements are not specified in acceptable ways. coordination or instructions issued by the European Aviation Safety Agency.

(7) The conditions regarding the education referred to in point 1 of the first and point 1 of the second paragraph of this Article shall also be met by a person who has a higher education acquired before the introduction of higher professional education in 1996 or university studies after 1998, and:

- a pilot airplane license (ATPL (A)) with relevant work experience in the area under control, or a helicopter traffic pilot license (ATPL (H)) with relevant work experience in the area under his control, or at least a professional airplane pilot license (CPL (A)) with relevant work experience in the area under his control or a professional helicopter pilot's license (CPL (H)) with relevant work experience in the area under his control, or
- an air traffic controller license with a supervisory approach control rating or a supervisory area control rating with relevant work experience in the area under its control, or a category B aircraft maintenance license with relevant work experience in the area under its control or a category aircraft maintenance license C with relevant work experience in the field under his control,

and thus also meets the conditions for holding a position in the agency for which a higher education is required.

**Article 168.a**  
**(Exceptions concerning the employment of an official of the Agency)**

(1) If an employment relationship for the position of an official of the Agency is concluded with a person who is not professionally qualified as an aviation supervisor or supervisor at the time of employment, such person must meet the prescribed conditions no later than 18 months from the date of employment.

(2) An official of the Agency who is not professionally qualified as a supervisor may perform individual professional acts (such as preparation of analyzes, information, etc.) in the field of supervision during the period from employment to training for a supervisor.

**Article 168.b**  
**(qualification of officials)**

(1) Competence is required for the following areas, depending on the powers of the official of the Agency:

1. administrative procedure and administrative dispute (official of the Agency responsible for deciding on administrative matters and official of the Agency responsible for ongoing supervision),
2. the procedure for managing and deciding on misdemeanours (official of the Agency responsible for permanent supervision and official of the Agency responsible for misdemeanour proceedings), and



3. decision-making in administrative matters, procedures for continuous supervision and control over the implementation of individual aviation regulations (official of the Agency responsible for administrative affairs, official of the Agency responsible for permanent supervision and official of the Agency responsible for misdemeanour proceedings; hereinafter: professional field).

(2) Examinations in the fields referred to in points 1 and 2 of the preceding paragraph shall be conducted in accordance with the regulations on administrative procedures and inspection supervision determined by the minister responsible for administration.

(3) A more detailed program of professional training for an individual professional field referred to in point 3 of the first paragraph of this Article (hereinafter: professional training), the procedure for verifying professional competence and recognition of completed training at other bodies and organizations, on training and other issues related to professional training shall be determined by the Minister responsible for transport on the proposal of the Agency.

#### **Article 168.c**

##### **(verification of professional competence for the professional field)**

(1) Verification of professional competence for officials of the Agency shall be performed by the Agency. The verification is carried out before an expert commission appointed by the director of the agency. At least one member of the commission must have recognized professional competence for the field for which the professional competence is being tested.

(2) The candidate may perform the aptitude test for the professional field at the expense of the body no more than twice.

#### **Article 168**

##### **(keeping records of professional training and professional qualifications)**

(1) The Agency shall keep records of professional training and professional qualifications of officials of the Agency in the professional field, records of members of the commission at individual examinations and records of examinations performed in the professional field.

(2) In the records referred to in the preceding paragraph, the Agency shall manage and process the following personal data for the purposes of performing professional competence checks under this Act as a personal data controller:

- personal name,
- address of permanent and temporary residence,
- EMŠO,
- professional title,
- area of expertise and
- the name of the body where the person is employed on the day of the proficiency check.

(3) The data from the records referred to in the first paragraph of this Article shall be used for issuing public documents on completed professional training, and for civil servants they may also be linked to the central personnel records.

#### **Article 168.d**

##### **(Consequences if the candidate has not met the qualifications of the official)**

An employment contract shall be terminated for a candidate who fails to meet the conditions regarding the qualifications of the official referred to in Article 168.b of this Act within the prescribed time limit referred to in the first paragraph of Article 168a of this Act. The reasons on the part of the aviation supervisor or supervisor do not include excused absence from work due to illness or other absence longer than one month, during the time during which the candidate receives salary compensation in accordance with the law.

#### **Article 169**

##### **(application of regulations on administration, inspection and misdemeanours)**

(1) Notwithstanding other provisions of this Act, an official of the Agency who, in performing permanent supervision tasks, establishes non-compliance with prescribed requirements or that a law or other regulation or other act has been violated shall not be obliged to carry out procedures in accordance with misdemeanour regulations itself ordered prescribed measures and performed acts for which it is authorized by law or other regulation to ensure compliance with prescribed requirements or to cease violating the law or other regulation or other act whose implementation it supervises. In case of intentional violation of regulations or gross negligence, order prescribed measures and perform acts for which it is authorized by law or other regulation to ensure compliance with prescribed requirements or stop violation of law or other regulation or other act,

(2) If the official of the agency responsible for supervising the implementation of aviation regulations finds that the supervised person does not have the prescribed permit or other document of the competent authority proving that he is adequately qualified or may perform such activity or activity, or if he otherwise violates a law or other regulation or other legal act, he shall act in accordance with this Act and carry out proceedings in accordance with the regulations on misdemeanours.

(3) Depending on the fulfilment of the prescribed conditions, an individual official of the Agency may perform the tasks of management and decision-making in administrative matters, constant supervision and management of misdemeanour proceedings.

(4) The provisions of the first, second and third paragraphs of this Article shall also apply to the ministry responsible for transport and officials of the ministry responsible for transport who are authorized to perform tasks of constant supervision, control over the implementation of aviation regulations and misdemeanour proceedings.

#### **Article 169.a**

##### **(procedural provisions)**

(1) The decision of the body or official of the body issued in the procedure of establishing a violation of aviation regulations by an air carrier not registered in the Republic of Slovenia shall be deemed served if and when it is physically handed over to the pilot-in-command as misdemeanour proceedings. If this is not possible, it shall be handed over to any other member of the crew or left in a conspicuous place on board the aircraft upon oral warning of service.

(2) If the liable party fails to fulfil the obligations or conditions referred to in Article 170 of this Act, the document shall be temporarily revoked until the prescribed supervision is established or until its expiry. The document shall be revoked by the authority which issued it. The holder of a document whose validity has been suspended must return the document to the issuing authority within the time limit imposed.

### **Article 170 (obligations of taxpayers)**

(1) The state body and the local community body, legal and natural person (hereinafter: the liable party) must enable the official person to perform supervision without interruption.

(2) An official person has the right to enter business premises, facilities or other working premises without prior notice, regardless of working and daily hours, and without the permission of the person liable whose work, business premises, equipment and facilities he supervises in which the activity is performed.

(3) Business premises shall also be deemed to be residential premises designated by the liable party as his seat or as a business premises where the activity is performed.

(4) When inspecting residential premises, an official may inspect only that part which is intended for business.

(5) The liable party must provide the official person performing the supervision, within the time limit set by the official person, with the required information, written explanation or statement in relation to the subject of supervision.

(6) When performing supervision, an official may, for the time necessary for performing supervision, but for a maximum of eight days, withdraw the documentation necessary to establish the factual situation in the case in question, if he considers that there are reasonable grounds for regulations issued on its basis.

(7) The official shall issue a certificate on the seizure of the documentation referred to in the preceding paragraph.

### **Article 171 (measures taken by officials)**

(1) In aviation control, an official of the ministry responsible for transport and an official of the agency responsible for constant supervision, control over the implementation of aviation regulations and related misdemeanour procedures shall have, in addition to the powers of the inspector determined by inspection regulations, also the rights and obligations to apply, in case of established non-compliances with prescribed requirements or violations of the law or other regulations and legal acts they control, in addition to measures under aviation regulations and legal acts in force or applicable in the Republic of Slovenia, general regulations on administration and inspection, the following powers of action:

1. order the offender by decision to remedy deficiencies or irregularities by an act or omission;

2. request the revocation of the license, authorization, certificate or work permit or other document from the body that issued it;
3. impose a ban on the operation of the aircraft if the operation would be dangerous for air traffic or if it is established that the compulsory insurance in traffic is not concluded or covered in the prescribed amount, or if it is reasonable to assume that the aircraft is not navigable or otherwise the requirements and conditions governing the flight are not met;
4. suspend or limit the certificate issued if the continued performance of the work or activity would be manifestly dangerous to air traffic;
5. require an extraordinary examination of the professional or medical fitness of the flight crew and other professional staff;
6. order a test with means or devices for measuring alcohol and drugs or refer them for an expert examination;
7. impose a ban on the continuation of activities or activities if it is established that the conditions determined by regulations and legal acts applicable or valid in the Republic of Slovenia or with approved manuals or issued documents are not met;
8. issue a decision on a misdemeanour or a payment order in accordance with the regulations on misdemeanours, if the conditions under the regulations on misdemeanours are met;
9. impose another measure in accordance with the aviation regulations in force or applicable in the Republic of Slovenia.

(2) If the official person establishes that the liable person has acquired material gain through the commission of a criminal offense or misdemeanour, he shall propose to the competent court its confiscation.

(3) If an official person in the performance of supervision tasks finds a violation of a law or other regulation or act, the implementation of which is supervised by another inspection, he shall establish the actual situation and draw up a report on his findings and forward it to the competent inspection.

#### **Article 172 (sealing)**

(1) If an official of the Agency finds irregularities that could endanger the safety of air traffic, he has the right to seal the aircraft or device.

(2) The official of the Agency shall mark the seal with the stamp of the Agency.

#### **Article 173 (prohibition of activities)**

An official of the Agency may, by a decision, temporarily prohibit the performance of part of the work process or activity if he finds that it is performed without the permission of the competent administrative body on the fulfilment of special conditions for performing the activity.

**Article 174**  
**(decision, appeal, suspension of execution)**

(1) The official of the Agency responsible for permanent supervision and the official of the Agency responsible for the supervision of the implementation of aviation regulations may also pronounce a decision orally in the case of urgent measures.

(2) The official of the Agency responsible for permanent supervision and the official of the Agency responsible for supervising the implementation of aviation regulations must issue a decision in the case referred to in the preceding paragraph no later than five days from the day the inspection was performed.

(3) An appeal may be lodged against the decision of the official of the Agency responsible for permanent supervision and the official of the Agency responsible for the supervision of the implementation of aviation regulations within eight days from the day of service.

(4) An appeal against the decision referred to in the second paragraph of this Article shall not suspend the execution of the decision.

(5) At the reasoned request of the appellant, the official of the agency responsible for permanent supervision and the official of the agency responsible for supervising the implementation of aviation regulations may postpone the execution of the decision if the postponement does not endanger air traffic safety or aviation security.

**Article 175**  
**(control of aircraft, carriers and air traffic)**

The control of aircraft, carriers and air traffic includes, in particular, the control of the application of rules on: the use of aircraft, in particular as regards the conditions for the safe use and proper maintenance of aircraft and the ability to operate and transport safely; manufacture of aircraft, engine, propeller, aircraft parts and equipment; aircraft maintenance, repair, refurbishment and equipment; the loading of the aircraft and the distribution of the cargo in it; documents, books and manuals that must be on board the aircraft; air transport with regard to the fulfilment of the prescribed conditions for the performance of transport; maintenance of routes and observance of the flight schedule, regarding the performance of transport in accordance with the provisions of an international agreement or in accordance with a permit issued to a foreign carrier; fulfilling the conditions for the safe use of the aircraft for own needs and fulfilling the conditions for performing other activities related to air traffic. The provisions on aircraft control also apply mutatis mutandis to the control of ultra light and other aircraft devices.

**Article 176**  
**(control of airports and take-offs)**

The control of airports and airfields includes, in particular, the control of the application of regulations on: the safe use of airports and airfields; design, construction and reconstruction of airports and facilities in the airport zone; maintenance of airport facilities and equipment intended for air traffic and air transport; installation, integrity and maintenance of airport facilities and equipment intended for air traffic and air transport; erection, perfection and

maintenance of landmarks on buildings; the condition of runways and other runways and aprons and other areas for the movement of aircraft at the airport; the faultlessness of lighting systems intended for the landing, take-off and parking of aircraft and the provision and faultlessness of the basic and alternative power supply of these systems; technical and other conditions for the safe reception and departure of aircraft, passengers and goods at a public airport; the quality of fuel and lubricants and the integrity of the devices and equipment intended to refuel and lubricate the aircraft; premises, technical equipment and the manner of inspecting aircraft, passenger baggage and goods, security at the airport and take-offs, and prescribed airport services.

**Article 177**  
**(control of aviation and other professional staff)**

The supervision of aviation and other professional staff includes, in particular, the supervision of the application of regulations on: the work and manner of performing the professional work of aviation and other professional staff; their professional training and licenses, their professional and medical abilities; duration of work obligations, flight time, minimum rest periods, number of take-offs and landings during working hours, duration of daily rest of aircraft crew members and duration of continuous work, duration of shifts and daily rest of air traffic controllers.

**Article 178**  
**( [expired](#) )**

**Article 179**  
**(other supervisory authorities)**

(1) The ministry responsible for transport and the agency shall ensure the necessary conditions for the performance of supervision carried out by the competent bodies of the European Union in accordance with the regulations in force or applicable in the Republic of Slovenia.

(2) The Minister responsible for transport may also authorize special forms of supervision carried out in accordance with established international practice by ICAO, ECAC and EUROCONTROL and conclude the necessary written agreements.

(3) Persons subject to the special form of supervision referred to in the first and second paragraphs of this Article must enable the uninterrupted implementation of supervision in accordance with the agreement referred to in the preceding paragraph.

11.1. APPEAL AND DECISION

**Article 179.a**  
**(appeal against acts of the Agency)**

(1) An appeal may be lodged against decisions issued by the Agency in the first instance on the basis of aviation regulations and legal acts in force or applicable in the Republic of Slovenia, unless otherwise provided by aviation regulations in force in the Republic of Slovenia. Appeals against the Agency's decisions are decided by the ministry responsible for transport.

(2) The procedures on appeals referred to in the preceding paragraph shall be conducted by the Standing Board of Appeals. In conducting the procedure, the Commission shall apply the rules of procedure from the General Administrative Procedure Act, insofar as the aviation regulations in force or applicable in the Republic of Slovenia do not stipulate otherwise. The Commission shall prepare a report and a proposal for a decision.

(3) The commission shall consist of the chairman of the commission, at least one deputy chairman of the commission and, depending on the aviation professional fields, the required number of members of the commission. The Minister responsible for transport shall appoint employees of the ministry responsible for transport and external experts who meet the conditions for aviation supervisors or supervisors referred to in the first or second paragraph of Article 168 of this Act to the commission referred to in the preceding paragraph. In doing so, it must be ensured that the expertise of the Commission for Procedural and Professional Aviation Areas is ensured.

(4) The composition of the commission for conducting the procedure in relation to an individual appeal shall be determined by the chairman of the commission, depending on the professional field in which the decision-making is required. In the event of the removal of the chairman of the commission or his restraint, the composition of the commission for conducting the procedure in relation to an individual appeal (hereinafter: the appeal commission) shall be determined by the deputy chairman of the commission. The Board of Appeal may decide when at least half of the members are present. The Board of Appeal shall approve the report by a majority of the members present and adopt a proposal for a decision.

(5) The members of the commission referred to in the third paragraph of this Article shall be entitled to remuneration for the work performed, as determined by the government. Funds for wages are provided by the ministry responsible for transport.

(6) The Minister responsible for transport shall prescribe in detail the manner of work and decision-making of the Board of Appeal.

**Article 179.b.  
(enforceability)**

An appeal against a decision relating to the airworthiness and environmental impact of aircraft, personnel referred to in the first paragraph of Article 43 of this Act, security and aviation operations, air work, airport operations and the provision of air navigation services shall not suspend the execution of the decision.

**Article 179c  
(deleted)**

**Article 179  
(deleted)**

11.2 AGENCY

11.2.1 Establishment of the Agency

**Article 179.d**  
**(agency)**

(1) The Agency is a legal entity under public law. The Agency is an aviation administrative and supervisory body in the field of aviation regulations and legal acts in the field of safety and security in civil aviation, which are valid or used in the Republic of Slovenia.

(2) The Agency shall be established and perform tasks in accordance with this Act and regulations on public agencies, unless otherwise determined by aviation regulations in force or applicable in the Republic of Slovenia.

(3) The name of the Agency shall read: Public Agency for Civil Aviation of the Republic of Slovenia. The abbreviated name of the agency, which can be used in the operation of the agency and the issuance of documents and in international cooperation, reads in Slovene and English: Civil Aviation Agency or Civil Aviation Agency.

(4) The founder of the agency is the Republic of Slovenia.

11.2.2 Agency bodies

**Article 179e**  
**(agency bodies)**

The bodies of the Agency are the Council of the Agency and the Director of the Agency (hereinafter: the Director of the Agency).

**Article 179.f**  
**(agency council)**

(1) Members of the Agency Council shall be appointed and dismissed by the Government on the proposal of the Minister responsible for transport. They are appointed for a term of five years and may be reappointed.

(2) The Council of the Agency shall have five members. The manner of formation and more detailed tasks of the Agency's Council shall be determined by the constitutive act.

(3) Anyone who meets the conditions determined by the regulations on public agencies and other conditions determined by the constituent act may be appointed a member of the council of the agency. A member of the agency council cannot be a representative of the user of the agency service.

(4) Unless otherwise provided by this Act, the council of the agency shall have the powers determined by the regulations on public agencies.

(5) Notwithstanding the provisions of the regulations on public agencies and this Act, the council of the agency may not give guidelines and instructions to the director of the agency or employees of the agency regarding:



- procedures and organizational structures for the implementation of aviation regulations in force or applicable in the Republic of Slovenia;
- decision - making in administrative matters, ongoing supervision, control of the implementation of aviation regulations and infringement proceedings, and
- issuance of aviation regulations and safety requirements.

**Article 179**  
**(director of the agency)**

(1) The Agency shall be managed, represented and represented by the Director of the Agency, who shall be appointed by the Government for a term of five years on the basis of a public tender on the proposal of the Minister responsible for transport, and may be reappointed. The public tender is conducted by the council of the agency. A person may be appointed director of the Agency who:

- have at least the education acquired according to the higher professional program of the first level or the level of education acquired according to the study program which, in accordance with the regulations governing higher education, corresponds to the first level of study programs.
- has at least ten years of work experience,
- is an expert in the field of work of the agency,
- has not been convicted of an intentional criminal offense prosecuted ex officio and sentenced to unconditional imprisonment for a term exceeding six months.

(2) Within the competence of the Agency, the Director of the Agency shall independently issue general acts of the Agency referred to in the fifth paragraph of Article 179i of the Act and other general acts authorized to issue them by the Agency's founding act and aviation regulations in force in Slovenia.

(3) The conclusion of an employment contract with the director of the agency shall be regulated in the constitutive act.

11.2.3 Operation of the Agency and responsibilities

**Article 179.x**  
**(operation of the agency)**

(1) The operation of the Agency must be independent of, and impartial to, natural and legal persons who perform aviation activities or are otherwise subject to aviation regulations.

(2) The Agency shall perform its tasks in accordance with aviation regulations and other acts in force or applicable in the Republic of Slovenia, the founding acts and the approved annual work program and financial plan.

(3) The annual work program and financial plan of the Agency shall be approved by the Government. The annual work program must include:

- security control and management tasks,
- definition of the Agency's own activities,
- international activities and

- a program for the preparation of expert bases for the adoption and amendments to aviation regulations.

The annual work program must be accompanied by a five-year development strategy for the Agency, which must include:

- the Agency's contribution to civil aviation safety management,
- establishment plan,
- measures for the effective use of resources and
- other issues set out in the constitutive act.

(4) The program of the Agency referred to in the preceding paragraph must be consistent with the programs of the ministry responsible for transport and the government relating to the safety, regularity and smoothness of air transport and public finances.

#### **Article 179.i (responsibilities and tasks of the agency)**

(1) The Agency performs professional tasks, decides on administrative matters, performs regulatory and supervisory tasks related to air safety and civil aviation security, and supervises the implementation of aviation regulations and legal acts in force or applicable in the Republic of Slovenia and in its territory. Jurisdiction and the infringement proceedings related to these regulations, with the exception of related tasks for which the bodies of the European Union are competent. The Agency may also perform other activities in the field of aviation if this is in accordance with the requirements for carrying out the basic activities of the Agency, determined by regulations in force or applicable in the Republic of Slovenia.

(2) In carrying out its tasks, the Agency must take all measures necessary to achieve the objectives set in relation to the implementation of the tasks referred to in the third, fourth, fifth and sixth paragraphs of this Article and policies designed to promote air safety, regularity and smoothness.

(3) The professional tasks of the Agency are:

- monitoring the state of development and safety of civil aviation in the Republic of Slovenia and in the international context;
- preparation of professional materials for the adoption of regulations. Where the materials for the adoption of regulations include technical regulations and in particular regulations concerning construction, planning and operational aspects, the ministry responsible for transport may not change the content of these proposals without prior coordination with the Agency;
- preparation of analyzes, studies and other professional materials in the field of civil aviation for own needs and the needs of the ministry responsible for transport, in accordance with the annual work program;
- statistical reporting and statistical surveys;
- proposing and implementing measures determined by the national security program;
- cooperation with the European Aviation Safety Agency in the field of work;
- cooperation in international affairs in the professional field;

- other professional tasks that must be performed by the competent supervisory authority in accordance with the aviation regulations in force or applicable in the Republic of Slovenia, and related professional tasks determined by the founding act.

(4) Decision-making in administrative matters includes:

- decision-making in administrative matters in areas within its competence;
- performing other decision-making tasks in administrative matters determined by aviation regulations in force or applicable in the Republic of Slovenia.

(5) The regulatory tasks of the Agency are:

- issuance of airworthiness requirements;
- issuance of operational and technical requirements;
- issuing safety directives;
- issuing manuals for the work of the Agency's supervisory staff;
- issuance of certification specifications;
- issuing acceptable means of compliance and instructions;
- other regulatory tasks determined by aviation regulations in force or applicable in the Republic of Slovenia.

(6) The supervisory and misdemeanour tasks of the Agency are:

- carrying out constant supervision in the areas within its competence;
- performing misdemeanour tasks in areas within its competence;
- -exercising control over the implementation of aviation regulations in areas within its competence;
- safety oversight of aircraft from third countries landing at airports in the Republic of Slovenia;
- other control and misdemeanour tasks determined by aviation regulations in force or applicable in the Republic of Slovenia.

(7) The competencies and tasks of the Agency referred to in the third to sixth paragraphs of this Article shall not relate to the competencies and tasks performed by the ministry responsible for transport in accordance with this Act or directly performed by the Commission of the European Union and European Aviation Safety Agency.

(8) The act referred to in the fifth paragraph of this Article, which is not an act in an individual administrative matter or the procedure of permanent supervision, shall be published in the manner usual in air traffic. Acts referred to in the fifth paragraph of this Article, with the exception of safety directives and manuals for the work of the Agency's supervisory staff, shall also be published in the Official Gazette of the Republic of Slovenia.

#### **Article 179j** **(publicity of the agency's work)**

(1) The operation of the agency is public.

(2) The Agency is obliged to inform users of its services in an appropriate manner about its work, tasks and responsibilities, rights and obligations of users and procedures for their

implementation, as well as other important circumstances affecting relations with users, in accordance with regulations on public agencies.

(3) The director of the agency shall be responsible for the publicity of the work referred to in the preceding paragraphs.

**Article 179k**  
**(supervision of the work of the agency)**

(1) The Agency must keep separate accounting records by areas of its work in accordance with the regulations on the transparency of financial relations and the separate recording of various activities. The Agency's financial statements and business report must be reviewed by a certified auditor.

(2) The Agency must prepare an annual work report and a business report. The work report and business report must be approved by the government.

(3) The Agency shall publish a summary of the work report on its website.

(4) In order to supervise the legality, efficiency and effectiveness of the work of the Agency by the ministry responsible for transport, except with regard to the requirements to be met by the persons performing the supervision, apply mutatis mutandis the provisions of European Union rules on the working methods of the European Aviation Safety Agency in carrying out standardization inspections or laying down procedures for carrying out Commission inspections in the field of aviation security.

**Article 179l**  
**(Cooperation of the Agency with other supervisory authorities and the European Commission)**

(1) The Agency shall cooperate with other supervisory authorities and the European Aviation Safety Agency in accordance with the provisions of European Union regulations relating to the work of supervisory authorities in the aviation field.

(2) The Agency shall co-operate with the supervisory bodies referred to in Article 179 of this Act in accordance with the guidelines of the ministry responsible for transport.

**Article 179m**  
**(agency financing)**

(1) The Agency shall be financed by:

1. revenues from the budget of the Republic of Slovenia,
2. revenue from fees and reimbursement of costs paid in accordance with the tariff by applicants and holders of certificates and other documents issued by the Agency,
3. revenues from reimbursements for performed certification procedures, other issued individual legal acts and performed tasks of continuous supervision, which are performed by the Agency on a contractual basis for the needs of the European Aviation Safety Agency or other competent aviation authorities,
4. income from other activities.

(2) The budget shall finance the Agency's general security tasks and programs, the implementation of professional and development tasks, international cooperation, control over the implementation of aviation regulations and misdemeanour procedures, and other tasks performed by the Agency for other state bodies. Certification and similar tasks shall also be financed from the budget if necessary to maintain the necessary staff and capacity of the Agency, where insufficient revenue from fees and reimbursement cannot ensure the Agency's continued capacity to carry out its tasks.

(3) Revenues from fees and reimbursement of costs shall finance the tasks of decision-making in administrative matters or certification, tasks of permanent supervision and other tasks related to the issuance of documents and permanent supervision within the competence of the Agency.

(4) Fees and payment of costs shall be charged on the basis of a tariff issued by the Agency with the prior consent of the Government. Tariffs are set in the same way as fees and charges levied by the European Aviation Safety Agency.

(5) The surplus of revenues obtained on the basis of the provisions of points 2 to 4 of the first paragraph of this Article over expenditures shall be used by the public agency for:

- carrying out and developing activities,
- for the remuneration of employees of a public agency, as set out in the agency's memorandum of association,
- to promote aviation innovation and education and to enforce a safety management system.

Any remaining funds under this title shall be transferred in full to the Agency's reserves, but the cost base for setting the tariff for a certain period must be reduced for a certain part of these funds. The share of the surplus for which the cost base for setting the tariff is reduced and the period for which it is reduced shall be determined in the Agency's work program.

(6) The Agency may borrow only if it is determined in the financial plan and if the conditions from the law governing public finances are met.

#### **Article 179n** **(specifics regarding employment in the agency)**

An employee of the Agency referred to in Article 168.a of this Act who does not meet the prescribed conditions for an official of the Agency shall be entitled to pay from the day of employment to the day of fulfilment of the prescribed conditions for an official of the Agency without allowance for danger and special burdens, if this allowance belongs to him in accordance with the regulations.

### 12.0. CRIMINAL PROVISIONS

#### **Article 180** **(aviation offenses)**

(1) A fine of 4,000 to 30,000 euros shall be imposed for a misdemeanour on a legal person who is the owner or user of an aircraft, or on another legal person, if:

1. violates Slovenian airspace (first and second paragraphs of Article 10),
2. does not comply with the provisions of this Act on the restriction or prohibition of the use of airspace (Article 11),
3. performs flight with an aircraft at supersonic speed (Article 12),
4. does not announce the flight of the aircraft (first paragraph of Article 13),
5. allows armaments or reconnaissance equipment to be carried in a foreign aircraft in a manner that enables its use contrary to regulations (Article 14),
6. uses unregistered aircraft in Slovenian airspace (Article 18),
7. uses an aircraft in the Republic of Slovenia that is not navigable or does not meet environmental protection requirements (first paragraph of Article 31),
8. fails to ensure that, depending on the category and purpose, the aircraft is equipped with devices and equipment for safe flight (second paragraph of Article 40),
9. performs professional training of aviation and other professional personnel without a prescribed work permit (first and second paragraphs of Article 56),
10. performs air transport without an operating license and air operator's certificate (first paragraph of Article 68, Article 69 and Article 76),
11. transports military armaments or mines without special permission in air traffic (first paragraph of Article 148),
12. acts in contravention of the regulations governing the transport of goods that may be classified as dangerous by air, but which is not prohibited for air transport (Article 149),
13. acts in contravention of the ban on the transport of dangerous goods by air (Article 150),
14. fails to comply with the ban on the take-off of an aircraft in the event of a reasonable presumption that the aircraft is inoperable or has no appropriate crew or that it does not otherwise meet the requirements and conditions governing flying under this Act (Article 151);
15. does not take into account the measure of preventing the departure of the aircraft until the payment of costs or the deposit of security for these costs or does not act in accordance with the government regulation regarding the procedure for preventing departure (Article 152).

(2) A fine of 400 to 2,000 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 4,000 to 20,000 euros shall be imposed on a sole proprietor who is the owner or user of an aircraft or another sole proprietor who commits an offense referred to in the first paragraph of this Article.

(4) A fine of 300 to 600 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

#### **Article 181** **(aviation offenses)**

(1) A fine of 2,500 to 25,000 euros shall be imposed on a legal person who is the owner or user of an aircraft if:

1. performs flying with an aircraft registered in the Republic of Slovenia, which does not have the national affiliation mark "S5" and the prescribed registration mark (first paragraph of Article 21),

2. uses an aircraft that is not navigable (second paragraph of Article 31),
3. installs or uses a radio device or other equipment for communication with the aircraft without the prescribed permission for their installation and use in the aircraft (Article 41),
4. does not ensure that the aircraft has a qualified crew that has valid licenses, ratings, authorizations, certificates or certificates appropriate to the aircraft and the tasks it performs and that it meets other prescribed conditions (first paragraph of Article 44),
5. does not appoint a pilot-in-command for each flight (fourth paragraph of Article 59),
6. violates the conditions related to the use of airports and airfields (Article 90),
7. does not participate in search and rescue (third paragraph of Article 135),
8. violates the conditions related to the installation and use of radio equipment on board aircraft and other communication devices for the purposes of civil aviation (Article 154),
9. does not use Slovene or English in accordance with regulations (Article 155),
10. fails to comply with the decision of the air traffic controller by ordering the sealing of the aircraft or device (first paragraph of Article 172).

(2) A fine of 300 to 1,200 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 2,500 to 17,000 euros shall be imposed on a sole proprietor who is the owner or user of an aircraft or another sole proprietor who commits an offense referred to in the first paragraph of this Article.

(4) A fine of 250 to 600 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

### **Article 182 (aviation offenses)**

(1) A fine of 4,000 to 30,000 euros shall be imposed on an aviation operator who is a legal person for a misdemeanour if:

1. does not implement the safety management system in the prescribed manner (third paragraph of Article 5),
2. does not organize the quality assurance system in the prescribed manner (Article 9),
3. designs or manufactures aircraft, engine, propeller, aircraft part and equipment, performs maintenance, changes or repairs on such products, or prepares technical documentation for such works if it does not meet the general conditions for performing activities and does not have a valid license with appropriate authorizations, or if he / she does not have an appropriate certificate or certificate issued by the Agency for the performance of such work (first paragraph of Article 38).

(2) A fine of 400 to 2,000 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 4,000 to 20,000 euros shall be imposed on a sole proprietor who performs activities in aviation who commits an offense referred to in the first paragraph of this Article.

(4) A fine of 300 to 600 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

**Article 183**  
**(aviation offenses)**

(1) A fine of 4,000 to 30,000 euros shall be imposed on a legal person for a misdemeanour if:

1. as an operator of a public airport does not allow an aircraft to use airport infrastructure and prescribed services, according to the reference code, category, purpose and capacity of the airport and according to the volume of air traffic, in accordance with applicable regulations and operating license (Article 92),
2. as an airport operator violates the temporary restriction or prohibition of the operation of the airport (third paragraph of Article 94),
3. as an investor or owner does not obtain the prescribed prior consent (first paragraph of Article 97 and first paragraph of Article 98),
4. uses the airport without a valid operating permit (Article 102, second paragraph of Article 103),
5. as the owner or user of the facility, does not mark obstacles with landmarks or does not maintain them in perfect condition (first paragraph of Article 113),
6. without the permission of the Agency, installs or activates a device or system operating in the airport zone and which could cause disruption or obstruction of air traffic (first paragraph of Article 114),
7. as a person governed by private law, acquires land for the expansion of a public airport and the construction of new facilities without an airport development program (second paragraph of Article 156),
8. as an operator of a public airport does not manage a public airport in accordance with the obtained operating permit (second paragraph of Article 158),
9. as an operator of a public airport does not carry out its activities in an appropriate, impartial, transparent and non-discriminatory manner and in such a way as to ensure the safety, regularity and smoothness of air traffic (third paragraph of Article 158),
10. as an operator of a public airport, does not enable the air carrier and other providers of ground handling services to provide ground handling services (second paragraph of Article 159),
11. as a self-sufficient user of the airport or a registered provider of ground handling services, performs ground handling activities but does not meet the conditions determined by a decision of the Agency or provides services without such a decision (third paragraph of Article 159),
12. as an operator of a public airport does not perform ground handling activities in accordance with the operating permit (fourth paragraph of Article 159),
13. as a self-sufficient user of the airport or a registered provider of ground handling services fails to fulfil the obligation in connection with the employment of new employees for the provision of ground handling services (fifth paragraph of Article 159),
14. as the operator of a public airport, selects suppliers of ground handling services without consulting the users' committee or in a manner that is not in accordance with the rules of public procurement (eighth paragraph of Article 159),
15. as the operator of a public airport does not manage and administer centralized infrastructures in a transparent, impartial and non-discriminatory manner or obstructs



- the access of ground handling service providers or self-handling airport users to these infrastructures (first paragraph of Article 160),
16. as the operator of a public airport does not provide free access to airport facilities in an appropriate, impartial, transparent and non-discriminatory manner (second paragraph of Article 160),
  17. as the operator of a public airport does not ensure the operation of the public airport within the time determined by the minister responsible for transport (second paragraph of Article 162),
  18. as an airport operator or provider of ground handling services for third parties, violates the prescribed manner and procedure for formulating and determining tariffs and prices of individual services (first and second paragraphs of Article 164),
  19. as an operator of a public airport, provider of ground handling services for third parties or a user of an airport providing ground handling services in self-sufficiency conditions for ground handling services or activities related to the operation of a public airport in terms of the provisions of point 20 of Article 17; does not keep accounting in the prescribed manner (fourth paragraph of Article 164).

(2) A fine of 400 to 2,000 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 4,000 to 20,000 euros shall be imposed on an individual entrepreneur who commits an offense referred to in the first paragraph of this Article.

(4) A fine of 300 to 600 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

#### **Article 184 (aviation offenses)**

(1) A fine of 2,500 to 25,000 euros shall be imposed on a legal person for a misdemeanour if:

1. as the operator of a public airport does not provide the Agency with the necessary information for the publication of general conditions for the use of public airport, tariffs and prices (first paragraph of Article 95),
2. places a new or increases or raises an existing obstacle without the prior consent of the competent authority (first and second paragraphs of Article 112),
3. does not remove obstacles constructed or increased without consent or without observing the conditions from the consent at his own expense (fourth paragraph of Article 112),
4. as the owner, operator of a public airport, provider of airport service at a public airport, air carrier or provider of air navigation services does not participate in the preparation and implementation of security measures and procedures or does not comply with regulations, programs and other acts in the field of security, valid in the Republic of Slovenia (second and third paragraphs of Article 125),
5. as an operator of a public airport does not ensure the technical and technological conditions of security (second paragraph of Article 127),
6. fails to adequately publish safety instructions and prohibitions as an airport operator or air navigation service provider (third paragraph of Article 131),

7. as the owner of an infrastructure facility who is not also the owner of the land on which the facility is located, does not ensure that this facility permanently serves only the purposes of the airport (fourth paragraph of Article 156),
8. as an operator of other infrastructures at a public airport located at an individual part of the airport, does not take care of the maintenance of these infrastructures (fifth paragraph of Article 158),
9. as the operator of a public airport, determines the operating hours of the public airport without the prescribed harmonization (first paragraph of Article 162),
10. as an operator of a public airport of local importance, fails to ensure the operation of the airport in accordance with the decision of the Agency (second paragraph of Article 162).

(2) A fine of 300 to 1,200 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 2,500 to 17,000 euros shall be imposed on a sole proprietor who commits an offense referred to in points 2, 3, 4 and 10 of the first paragraph of this Article.

(4) A fine of 250 to 600 euros shall be imposed on an individual - a natural person who commits an offense referred to in points 2, 3 and 4 of the first paragraph of this Article.

#### **Article 185 (aviation offenses)**

A fine of 400 to 600 euros shall also be imposed on the responsible person of the air navigation service provider if:

1. fails to ensure that prior consent is obtained before determining the location, commencement of construction or reconstruction, or before the installation of infrastructure facilities, devices and systems of air navigation services (first paragraph of Article 119),
2. allows the provider of air navigation services not to perform these services in accordance with the conditions determined by this Act or regulations issued on its basis (second paragraph of Article 117),
3. allow the use of infrastructure facilities, devices and systems of air navigation services that do not meet the prescribed conditions or have not been determined by the prescribed measurements, and calibrations if it allows the staff maintaining and using them not to be professionally qualified or if it allows the said facilities to be used without an operating permit (first paragraph of Article 121).

#### **Article 186 (aviation offenses)**

(1) A fine of 2,000 to 20,000 euros shall be imposed on:

1. the operator of the aerodrome if he violates the temporary restriction or prohibition of the operation of the aerodrome (third paragraph of Article 94),
2. the operator of the aerodrome if he violates the provisions regarding the operating conditions and the operating permit of the aerodrome (Article 105 in connection with Article 102),

3. the operator of a public airport, if he does not manage and does not manage airport infrastructures intended for public air traffic, does not manage the necessary procedures necessary in this regard and does not coordinate and supervise providers of various services present at each airport ( first paragraph of Article 161).

(2) A fine of 300 to 1,000 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 300 to 600 euros shall be imposed on an individual - a natural person who commits an offense referred to in points 1 and 2 of the first paragraph of this Article.

### **Article 187 (aviation offenses)**

A fine of 400 to 600 euros shall be imposed for an offense on the pilot-in-command or another person operating the aircraft if:

1. violates the rules of the air (first paragraph of Article 8),
2. in the event of a violation of airspace by aircraft, does not agree to the order of the competent authority in accordance with the instructions (third paragraph of Article 10),
3. is not acquainted with the contents of the cargo he is transporting (seventh paragraph of Article 59),
4. perform the duties of a pilot in commercial air transport if he has exceeded the prescribed age (eighth paragraph of Article 59),
5. does not act in accordance with the powers (first paragraph of Article 60),
6. fails to check before take-off that the crew and aircraft are ready and fit for safe flight and that all prescribed documents are on board (third paragraph of Article 60),
7. does not provide professional assistance to the police and does not give them information when they request it in accordance with their legal powers (eighth paragraph of Article 60),
8. does not act in accordance with the powers (first and second paragraphs of Article 61),
9. fails to ensure that items relevant to the misdemeanour proceedings or to the investigation of a criminal offense are handed over to the appropriate authority (fourth paragraph of Article 61),
10. fails to notify the ministry responsible for transport of a plane crash with fatal or serious bodily injury or significant damage or of a serious incident and fails to submit a written report to it (Article 63),
11. does not report on circumstances, events and malfunctions that may affect the airworthiness of the aircraft (Article 64),
12. does not land immediately at the nearest suitable airport in accordance with the instructions of the competent air traffic service (first paragraph of Article 147),
13. fails to ensure that the aircraft immediately leaves the area where flying is prohibited (second paragraph of Article 147),
14. fails to comply with the ban on the take-off of an aircraft in the event of a justified presumption that the aircraft is not navigable or that it does not have an appropriate crew or that it does not otherwise meet the requirements and conditions under this Act (Article 151).

### **Article 188**

### **(aviation offenses)**

A fine of 300 to 600 euros shall be imposed for a misdemeanour on a person performing the duties of flight crew or other professional staff if:

1. perform the duties of a pilot or flight crew member or perform tasks related to the maintenance and airworthiness of aircraft or the management and control of air traffic or the planning of air operations or the issuance of aeronautical meteorological observations or forecasts if he does not have a valid license, rating, paragraph 43 of Article),
2. exercises privileges deriving from a license, rating, authorization, certificate or attestation issued by another ICAO Member State or JAA, if it does not maintain the prescribed level of knowledge and competence (third paragraph of Article 43),
3. perform duties on board the aircraft or perform aircraft maintenance and airworthiness tasks or conduct and control airspace or plan air operations if under the influence of alcohol, narcotics or other psychoactive substances or if he has ingested a medicinal product that may affect his psychophysical abilities (first paragraph of Article 47),
4. acts in contravention of the second paragraph of Article 47,
5. as a member of the crew does not comply with the orders of the pilot-in-command (fourth paragraph of Article 60),
6. as a pilot does not keep records of flight time (Article 66),
7. when performing tasks in air navigation services, does not act in such a way that safety and order are ensured or that the safety of people and property is not endangered (first paragraph of Article 116).

### **Article 189 (aviation offenses)**

(1) A fine of 2,500 to 25,000 euros shall be imposed on a legal person for a misdemeanour if:

1. as an air carrier, fails to ensure that crews do not exceed the permitted time limits in relation to flight, rest and the number of take-offs and landings or fails to ensure the prescribed rest period (first paragraph of Article 65),
2. as an air carrier, does not keep records of flight time, work obligations and rest of air and other professional staff (third paragraph of Article 65),
3. as an air carrier, carries out professional training of aviation and other professional personnel without fulfilling the prescribed conditions (first paragraph of Article 77),
4. as a contractor, performs aviation activity of a special type without an appropriate special permit (second paragraph of Article 77),
5. as an aircraft user does not obtain the prior approval of the aircraft leasing agency (third paragraph of Article 77),
6. as an organizer of an aviation event or an organizer of an aviation competition does not obtain a special permit for an aviation event or aviation competition (fifth paragraph of Article 77),
7. as a foreign air carrier performs scheduled air transport in contravention of an international agreement or special permit (first paragraph of Article 81),
8. as an air carrier, performs special air transport without a permit (second paragraph of Article 81),

9. as an air carrier does not perform scheduled air transport in accordance with the flight schedule (first paragraph of Article 84),
10. as an air carrier or aircraft operator, fails to provide basic safety inspections of aircraft or equipment necessary for their implementation (third paragraph of Article 127),
11. as an air carrier for its own needs provides ground supply in self-sufficiency conditions, but does not meet the prescribed organizational, technical and technological conditions for the provision of individual categories of services or does not obtain the prescribed decision (third paragraph of Article 159).

(2) A fine of 300 to 1,200 euros shall also be imposed on the responsible person of a legal person for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 2,500 to 17,000 euros shall be imposed on a sole proprietor who commits an offense referred to in the first paragraph of this Article.

(4) A fine of 250 to 600 euros shall also be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

**Article 189.a**  
**(aviation offenses)**

A fine of 3,500 to 6,500 euros shall be imposed on an air carrier who fails to provide information or has provided incorrect information on passengers (Articles 84a and 84b).

**Article 189.b**  
**(aviation offenses)**

(1) A fine of 3,000 to 15,000 euros shall be imposed on an air carrier for a misdemeanour - a legal person that has not sent passenger data or has not sent them on time or has sent incorrect data or has not sent them in a previously agreed manner (84.c and 84.h Article).

(2) A fine of 2,000 to 10,000 euros shall be imposed on an air carrier who is a sole proprietor or an individual who independently carries out an activity for the misdemeanour referred to in the preceding paragraph.

(3) A fine of 1,000 to 5,000 euros shall be imposed on the responsible person of a legal person, sole proprietor of an individual or an individual who independently performs an activity that is an air carrier for the misdemeanour referred to in the first and second paragraphs of this Article.

(4) A fine of 3,000 to 8,000 euros shall be imposed on a legal person who, in the course of its gainful activity, makes a reservation for passengers in scheduled and special air transport and fails to send or did not send data on these passengers to the air carrier in time or sent incorrect data (Article 84c).

(5) A fine of 400 to 3,000 euros shall be imposed on a sole proprietor or an individual who independently carries out an activity when making a reservation for passengers in scheduled and special air transport in the course of carrying out his gainful or registered activity.

(6) A fine of 200 to 1,000 euros shall be imposed on the responsible person of a legal person, sole proprietor or sole proprietor for a misdemeanour referred to in the fourth and fifth paragraphs of this Article when making a reservation for passengers in scheduled and special air transport.

**Article 190**  
**(aviation offenses)**

(1) An individual - a natural person shall be fined from 300 to 600 euros for a misdemeanour if:

1. does not act in accordance with regulations, programs and other acts in the field of security in force in the Republic of Slovenia (public paragraph of Article 125) at a public airport, aircraft or in an air navigation service facility (third paragraph of Article 125),
2. carries weapons or dangerous objects at a public airport or transports weapons or dangerous objects contrary to regulations (Article 126),
3. moves or stays in controlled parts of a public airport, security restricted areas, critical parts of a security restricted area and, if designated, in other security-relevant areas of a public airport and in air navigation services facilities identified in relevant air traffic control facilities. security programs without performing official duties or having the appropriate permit (first paragraph of Article 128),
4. moves in controlled parts of the public airport, security restricted areas, critical parts of the security restricted area and, if specified, in other security-important areas of the public airport and in air navigation services facilities defined in the relevant aviation security programs without an escort (fifth paragraph of Article 128),
5. moves as a member of the flight crew in the areas and areas referred to in the first paragraph of Article 128 without an appropriate identification badge (sixth paragraph of Article 128),
6. does not participate in or offers assistance in the investigation of an air accident or incident in accordance with the powers and requirements of the commission or the air accident investigator (first paragraph of Article 141),
7. in the event of a plane crash or incident, removes or relocates, without the permission of the Chief Investigator, aircraft and items or anything belonging to that aircraft or items suspected of being the cause of the crash (first paragraph of Article 142) ,
8. finds things in the event of a plane crash but fails to inform the police, the investigative body, the commission or the investigator (second paragraph of Article 142).

(2) A fine of 300 to 600 euros shall be imposed on a passenger for a misdemeanour if he acts in contravention of the third paragraph of Article 59.

**Article 191**  
**(aviation offenses)**

(1) A fine of 800 euros shall be imposed on a legal person who is the owner or user of an aircraft, or another legal person, if:

1. does not keep the Agency informed of any change in the data entered in the aircraft register (first paragraph of Article 27),

2. refuses to submit all data related to the airworthiness, maintenance, changes or repairs of the aircraft and all data and statistics on its operation and use (sixth paragraph of Article 32),
3. fails to provide the Agency and its authorized persons with free access to all premises and equipment of the owner or user, as well as to aircraft on the ground and during flight, or fails to assist the Agency in carrying out its tasks (seventh paragraph of Article 32);
4. fails to inform the Agency of circumstances, events and errors and irregularities that could affect the airworthiness of the aircraft (third paragraph of Article 33),
5. does not have the appropriate prescribed documents on board (first paragraph of Article 42)
6. does not allow the Agency and anyone who has to inspect aviation documents in order to protect their rights to inspect these documents (second paragraph of Article 42).

(2) A fine of 600 euros shall be imposed on a sole proprietor who performs activities in aviation or another sole proprietor if he commits an offense referred to in the preceding paragraph.

(3) A fine of 300 euros shall also be imposed on the responsible person of a legal person for a misdemeanour if he commits the misdemeanour referred to in the first paragraph.

(4) A fine of 250 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

#### **Article 192 (aviation offenses)**

(1) A fine of 800 euros shall be imposed for a misdemeanour on a legal person performing aviation activities, or another legal person if:

1. deny the authorized person free access to all premises, equipment, data and documentation in connection with the inspection of all licenses, certificates and attestations, in connection with the construction, maintenance, modification and repair of aircraft, engine, aircraft parts and equipment (third paragraph 38 Article).

(2) A fine of 600 euros shall be imposed for a misdemeanour on a sole proprietor performing aviation activities or another sole proprietor if he commits an offense referred to in the preceding paragraph of this Article.

(3) A fine of 300 euros shall also be imposed on the responsible person of a legal person for a misdemeanour if he commits the misdemeanour referred to in the first paragraph of this Article.

(4) A fine of 250 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

#### **Article 193 (aviation offenses)**

(1) A fine of 800 euros shall be imposed on a legal person that is an air carrier, or another legal person, if:

1. as the holder of an air operator's certificate, does not immediately notify the Agency in writing of any changes affecting the facts and circumstances which gave rise to the certificate or operational provisions or exercises entitlements from the certificate unless the Agency has approved the changes in writing (sixth paragraph 76). Article),
2. does not publish the flight schedule before its entry into force for a certain traffic period (second paragraph of Article 84),
3. does not send the prescribed records on the performed traffic and its regularity to the Agency, in accordance with the instructions (fourth paragraph of Article 84),
4. does not take an alien who brought him and who does not meet the legal conditions for entry into the country from the country within the time determined by the ministry responsible for the interior (fifth paragraph of Article 84).

(2) A fine of 600 euros shall be imposed on a sole proprietor who is an air carrier or another sole proprietor if he commits an offense referred to in the preceding paragraph of this Article.

(3) A fine of 300 euros shall also be imposed on the responsible person of a legal person for a misdemeanour if he commits the misdemeanour referred to in the first paragraph of this Article.

(4) A fine of 250 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.

#### **Article 194 (aviation offenses)**

(1) A fine of 800 euros shall be imposed on a legal person for a misdemeanour if:

1. does not enable uninterrupted supervision of an official of the Agency (first paragraph of Article 170),
2. fails to provide the official person of the Agency with the required information, written explanations or statements regarding the subject of supervision within the time limit set by him (fifth paragraph of Article 170),
3. does not act in accordance with the issued ban or measure of an official of the Agency (Article 171),
4. continues to perform the work process or activity, despite the issued decision on prohibition (Article 173).

(2) A fine of 600 euros shall be imposed on a sole proprietor if he commits an offense referred to in the preceding paragraph of this Article.

(3) A fine of 300 euros shall also be imposed on the responsible person of a legal person for a misdemeanour if he commits the misdemeanour referred to in the first paragraph of this Article.

(4) A fine of 300 euros shall also be imposed on the responsible person of a state body for a misdemeanour if he commits the misdemeanour referred to in point 2 of the first paragraph of this Article.

(5) A fine of 250 euros shall be imposed on an individual - a natural person who commits an offense referred to in the first paragraph of this Article.



**Article 195**  
**(globe)**

Fines prescribed by this Act shall be imposed within the range determined by this Act.

**Article 196**  
**(side sanction)**

Together with the penalty for the misdemeanour referred to in the second point of the first paragraph of Article 190, the perpetrator shall be given a secondary sanction of confiscation of objects.

13.0. ACTS OF THE GOVERNMENT AND ACTS OF MINISTERS

**Article 197**  
**(application of aviation standards and recommendations)**

(1) In accordance with the powers under this Act, the Government or the competent Minister shall issue implementing regulations determining the direct application of standards and recommendations adopted occasionally by the International Civil Aviation Organization (ICAO), common aviation regulations issued by the Joint Aviation Authorities (JAA), the standards of the European Organization for the Safety of Air Navigation (EUROCONTROL) and the recommendations of the European Civil Aviation Conference (ECAC).

(2) The Minister responsible for transport shall regularly monitor changes in standards and recommendations, the Common Aviation Regulations and the recommendations referred to in the preceding paragraph, and shall take care of timely changes in implementing regulations. If he finds non-compliance with the law, he informs the government.

(3) The Agency shall ensure the ongoing updating of the Annexes to the Chicago Convention and the Common Aviation Regulations.

(4) The Agency shall lay down technical rules in particular with regard to aircraft, aviation personnel and the performance of aviation activities.

(5) When issuing the regulations referred to in this Article, the competent issuer shall also take into account the relevant Annex to the Chicago Convention, Community regulations, other acts of international aviation organizations regulating aviation issues binding on the Republic of Slovenia and the Common Aviation Regulations.

(6) If the Government finds that immediate action is necessary to ensure the safety of air traffic, it shall order the necessary action and inform the National Assembly of the Republic of Slovenia of the security issues and its action.

(7) The Agency publishes the Code of Aviation Regulations, in which, in addition to aviation regulations, it publishes standards and recommendations occasionally adopted by ICAO, the Common Aviation Regulations (JAR) issued by the Joint Aviation Authorities (JAA), and European Aviation Safety Organization standards (EUROCONTROL), recommendations of the European

Civil Aviation Conference (ECAC), as aviation standards and recommendations applicable in the Republic of Slovenia.

**Article 198**  
**(deadline for issuing certain government regulations)**

Within 24 months after the entry into force of this Act, the Government shall issue regulations on:

- protection (fourth paragraph of Article 125);
- the manner of issuing a single permit for movement and movement in the areas referred to in the first paragraph of Article 128 and the reasons for refusing to issue or revoking the permit (third paragraph of Article 128);
- conditions and manner of searching and rescuing the aircraft and issuing instructions to be adopted in the event that the aircraft is missing or in danger or an accident has occurred or when air traffic is in danger (first paragraph of Article 135);
- investigation of aviation accidents, serious incidents and incidents, manner of informing and work of the investigative body, informing the competent authorities about the mentioned events and about the obligations of aviation and other professional personnel in this regard (third paragraph of Article 141).

**Article 199**  
**(deadline for issuing certain ministerial regulations)**

(1) The Minister responsible for transport shall, within 24 months after the entry into force of this Act, issue regulations on:

- conditions and procedures for obtaining a license for aeronautical technical personnel and for obtaining a certificate or certification of the organization for design, manufacture, maintenance, modification and repair of aircraft, engines, propellers, aircraft parts and equipment and amateur aircraft construction (second paragraph of Article 38) );
- records and documents to be kept by the aviation operator and to determine which ones must be permanently on board the aircraft (first paragraph of Article 42);
- personnel performing the tasks referred to in the first paragraph of Article 43 and the conditions and procedures for obtaining a license, rating, authorization, certificate or attestation (fifth paragraph of Article 43);
- conditions and procedures for the recognition of foreign licenses (sixth paragraph of Article 43);
- more detailed requirements, manner and procedure for obtaining an air operator's certificate (ninth paragraph of Article 76);
- the manner and procedures of allocating slots and airports where the determination of slots is obligatory (second paragraph of Article 93).

(2) The Minister responsible for transport shall, within 24 months after the entry into force of this Act, issue regulations:

1. in agreement with the Minister responsible for the environment and spatial planning:
  - on other environmental protection requirements to be met by aircraft used in the Republic of Slovenia, procedures for determining emission limit values and on other environmental protection requirements and documents proving them (tenth paragraph of Article 31);
  - on permitted total noise and emissions of aircraft engines at the airport and in the airport zone and determine the amount of the fee for the elimination of harmful effects on the environment if noise and emissions exceed the permitted limits (first paragraph of Article 115);
2. in agreement with the Minister responsible for health:
  - more detailed regulations determining the specifics of medical examinations of aviation personnel and other professional personnel (sixth paragraph of Article 51).

**Article 200**  
**(common provision on the issuance of regulations)**

When issuing regulations and other acts referred to in this Act, the relevant annexes to the Chicago Convention and other documents of international aviation organizations, community regulations and the relevant Common Aviation Regulations shall be taken into account.

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**The Aviation Act - ZLet (Official Gazette of the Republic of Slovenia, No. [18/01](#) ) contains the following transitional and final provisions:**

»14.0. TRANSITIONAL AND FINAL PROVISIONS

Article 201  
(reasonable application of the provisions of individual regulations)

(1) Until the entry into force of regulations pursuant to the provisions of this Act, the following regulations and other acts shall apply in the Republic of Slovenia insofar as they do not conflict with them:

1. Rules on the work and instrumental equipment of meteorological stations and other meteorological assistance services in aviation at airports open to public air traffic (Official Gazette of the SFRY, No. 45/67),
2. Decision on the opening of Ljubljana Airport for international public air transport (Official Gazette of the SFRY, No. 51/63),
3. Decree on security at public airports (Official Gazette of the SFRY, No. 73/87),
4. Decree on obtaining consent and conditions and manner of launching missiles for defence against hail (Official Gazette of the SFRY, No. 32/87),
5. Decree on the manner of implementation of Articles 208 and 209 of the Air Navigation Act (Official Gazette of the SFRY, No. 17/87),
6. Rules on the design, construction and reconstruction of civil airports and their classification (Official Gazette of the SFRY, No. 2/66 and correction in the Official Gazette of the SFRY, No. 4/66),

7. Rules on the form of permanent and temporary passes for movement at a public airport (Official Gazette of the SFRY, No. 32/75),
8. Rules on the first aid service at the airport (Official Gazette of the SFRY, No. 57/78),
9. Rules on the method of entering airports in the register of civil airports and airfields in the register of airfields (Official Gazette of the SFRY, No. 11/79),
10. Rules on the marking of runways and other runways and airport aprons at the airport (Official Gazette of the SFRY, No. 47/79),
11. Rules on the method of marking runways and other runways at civil airports and on the installation of landmarks on facilities in the zone of civil airports (Official Gazette of the SFRY, No. 24/66 in connection with Article 197 of the Rules on marking runways and landing and other runways and airport platforms at the airport, Official Gazette of the SFRY, No. 47/79 - in accordance with the above provisions, only Articles 52 to 74 apply),
12. Rules on the maintenance of facilities, equipment and installations important for the safety of air navigation at the airport (Official Gazette of the SFRY No. 9/84),
13. Rules on the service for the reception and dispatch of aircraft, passengers and goods at a public airport (Official Gazette of the SFRY, Nos. 66/87 and 57/90),
14. Order on the minimum equipment for the control of aircraft, passengers, luggage and goods (Official Gazette of the SFRY, No. 12/75),
15. Rules on the premises, technical equipment and manner of inspection of aircraft, passengers and items at a public airport (Official Gazette of the SFRY, Nos. 8/89, 24/89 and 61/90),
16. Rules on Flying Aircraft (Official Gazette of the SFRY, Nos. 10/79 and 4/83),
17. Rules on the procedure and manner of determining the seaworthiness of aircraft (Official Gazette of the SFRY, No. 35/80),
18. Rules on the method of surrendering and returning weapons and ammunition in public transport in air transport (Official Gazette of the SFRY, Nos. 40/80 and 14/82),
19. Rules on the method of throwing chemical agents from aircraft (Official Gazette of the SFRY, Nos. 62/80 and 52/83),
20. Rules on amateur aircraft construction (Official Gazette of the SFRY, No. 19/82),
21. Rules on devices and equipment that must be installed in an aircraft depending on its category and purpose (Official Gazette of the SFRY, No. 59/84),
22. Rules on the transport of children in public transport by air (Official Gazette of the SFRY, No. 2/87),
23. Rules on Civil Gliding (Official Gazette of the FRY, No. 52/55),
24. Parachute Rules (Official Gazette of the SFRY, Nos. 73/89 and 57/90),
25. Rules on the Method of Investigating Air Accidents (Official Gazette of the SFRY, No. 66/87),
26. Rules on Investigation of Endangering the Safety of Aircraft (Official Gazette of the SFRY, No. 79/87),
27. Rules on the Conditions for the Transport of Animals in Public Transport by Air (Official Gazette of the SFRY No. 42/88, Corrigendum No. 45/88, 57/90),
28. Rules on the homologation of airplanes, engines, propellers, parachutes, balloons, kites and airplane equipment (Official Gazette of the SFRY, No. 54/88),
29. Rules on special conditions for the manufacture and modification of aircraft, engine, propeller, parachute and aircraft equipment, the method of preparation of technical - technological documentation and technical control of production (Official Gazette of the SFRY, No. 75/88),

30. Rules on professional education, examinations and work permits for aviation technical personnel of air traffic control (Official Gazette of the SFRY, No. 13/79).
31. Rules on professional education, examinations and work permits for air traffic controllers (Official Gazette of the SFRY, No. 62/79),
32. Rules on professional training, examinations and work permits for aircraft crew members (Official Gazette of the SFRY, Nos. 2/80, 31/80, 53/80, 43/81 and 10/85),
33. Rules on professional training, examinations and work permits for professional staff performing work important for the safety of air navigation (Official Gazette of the SFRY, Nos. 64/80, 63/81 and 77/82),
34. Rules on the form of a work permit for professional staff performing work important for the safety of air navigation (Official Gazette of the SRS, No. 39/83),
35. Rules on professional education, professional training, examinations, permits and authorizations of aeronautical technical personnel and aeronautical personnel of technical preparation (Official Gazette of the SFRY, No. 35/87, correction no. 12/88 and 8/89),
36. Rules on professional education, professional examination, work permit and work that may be performed by the staff of the liaison service (Official Gazette of the SFRY, No. 62/74),
37. Rules on professional education, professional training, examinations, permits and authorizations of the personnel of the air traffic control liaison service (Official Gazette of the SFRY, No. 12/88),
38. Rules on professional education, professional training, examinations, permits and authorizations of air traffic personnel (Official Gazette of the SFRY, No. 37/88),
39. Rules on the duration of shifts, the duration of continuous work and the duration of daily rest of air traffic controllers and assistant air traffic controllers (Official Gazette of the SFRY, Nos. 6/89 and 40/89),
40. Rules on professional education, professional training, examinations, permits and authorizations, personnel working in the meteorological safety of air navigation (Official Gazette of the SFRY, Nos. 36/89 and 50/90),
41. Rules on medical conditions for performing the work of aviation and other professional personnel and on special conditions for performing medical examinations of aviation and other professional personnel, which must be met by medical organizations of associated labour (Official Gazette of the SFRY, No. 81/89).

(2) Until the entry into force of regulations pursuant to the provisions of this Act, the following regulations shall apply in the Republic of Slovenia insofar as they do not conflict with them:

1. Rules on the content of the general ledger of the aircraft register (Official Gazette of the Republic of Slovenia, No. 2/92),
2. Rules on airfields (Official Gazette of the Republic of Slovenia, No. 58/92),
3. Rules on the method of issuing permits for aircraft flights (Official Gazette of the Republic of Slovenia, Nos. 58/92 and 12/01),
4. instructions on the manner of screening passengers enjoying diplomatic and consular immunity in public air transport (Official Gazette of the Republic of Slovenia, No. 70/94),
5. Rules on the conditions to be met by schools or school training centres for aviation personnel (Official Gazette of the Republic of Slovenia, No. 23/95),
6. Order on charges for air routes (Official Gazette of the Republic of Slovenia, No. 77/95).
7. Rules on ultra light aircraft (Official Gazette of the Republic of Slovenia, No. 2/96),

8. Rules on the use and registration of aircraft of the Ministry of Defence (Official Gazette of the Republic of Slovenia, No. 23/96),
9. Rules on the registration of military aircraft (Official Gazette of the Republic of Slovenia, No. 51/96),
10. Order on the operating hours of public airports (Official Gazette of the Republic of Slovenia, Nos. 26/95, 72/95, 35/97, 49/98, 77/98 and 109/00),
11. Rules on the registration and marking of vehicles, aircraft and watercraft of the Ministry of Defence (Official Gazette of the Republic of Slovenia, Nos. 67/95 and 34/96),
12. Order on the aircraft inspection fee (Official Gazette of the Republic of Slovenia, No. 54/97),
13. Order on the fee for checking the professional competence of aviation personnel (Official Gazette of the Republic of Slovenia, Nos. 54/97 and 39/00),
14. decision on the establishment of the airport air traffic control of Cerklje, Cerklje ob Krki (Official Gazette of the Republic of Slovenia, No. 49/97),
15. Rules for the safe take-off and landing of aircraft in conditions of reduced visibility (Official Gazette of the Republic of Slovenia, No. 68/97),
16. Rules on the manner and conditions of using recreational leave of air traffic controllers and assistant air traffic controllers of the Air Navigation Administration of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, No. 79/97),
17. Rules on the identification mark - badges for persons employed in the Air Navigation Administration of the Republic of Slovenia and for other persons (Official Gazette of the Republic of Slovenia, No. 43/98),
18. Rules on the card of an authorized employee of the Ministry of Transport and Communications (Official Gazette of the Republic of Slovenia, No. 72/98),
19. Decree on hang-gliding and paragliding (Official Gazette of the Republic of Slovenia, No. 13/99),
20. Rules on the number and composition of aircraft crew members (Official Gazette of the Republic of Slovenia, No. 24/99),
21. Rules on the working hours of aircraft crews (Official Gazette of the Republic of Slovenia, No. 31/99),
22. Rules on Licensing of Flight Personnel - Aircraft Pilots (Official Gazette of the Republic of Slovenia, No. 3/00),
23. Rules on the definition and use of compatible technical specifications for the procurement of air traffic management equipment and systems (Official Gazette of the Republic of Slovenia, No. 3/00),
24. Rules on the rescue and fire service at a public airport (Official Gazette of the Republic of Slovenia, No. 42/00),
25. Rules on the Flight of Military Aircraft (Official Gazette of the Republic of Slovenia, No. 46/00),
26. 26th Rules on Aircraft Noise (Official Gazette of the Republic of Slovenia, No. 55/00).

#### Article 202

(regulations that expire or cease to apply)

(1) The following shall cease to apply on the day this Act enters into force:

1. the Air Navigation Act (Official Gazette of the SFRY, Nos. 45/86, 24/88, 80/89 and 29/90), with the exception of the provisions of Articles 28 and 37 to 40, which shall apply until the entry into force of the regulations referred to in Article 4. chapters of this Act,

2. Act on the Use of Public Airports (Official Gazette of the SFRY, No. 12/64 - consolidated text).

(2) The following shall cease to be valid on the day this Act enters into force:

1. the Act Amending the Air Navigation Act (Official Gazette of the Republic of Slovenia, No. 58/93),
2. Decree on the aircraft nationality code (Official Gazette of the Republic of Slovenia, No. 9/93).

Article 203  
(airworthiness regulations)

Until the entry into force of the regulations referred to in Article 31 of this Act, the following shall apply to the airworthiness of aircraft:

1. Airworthiness testing may be basic, regular or extraordinary and shall be performed on the ground and in flight. Basic and regular inspections shall be carried out at the request of the aircraft owner, and an extraordinary inspection may be ordered by an aviation inspector if he has reasonable grounds to suspect that the aircraft is not safe to fly.
2. The in-flight test shall be performed for the base flight in the absence of passengers and shall include the in-flight flight characteristics and behaviour test; the regular in-flight test shall include the control of aircraft devices and systems in a manner not endangering flight safety.
3. The basic inspection shall be performed on new aircraft and aircraft purchased abroad, and on other aircraft after renewal or major repairs of the load-bearing structure or after a change that may affect the essential characteristics of the aircraft (strength, service life and technical characteristics) and aircraft, who have not held a valid certificate of airworthiness for more than 6 months. Regular inspection of the aircraft shall be performed prior to the issuance or renewal of the certificate of airworthiness. An extraordinary inspection of an aircraft shall be performed if a major part of its structure is damaged, which may affect its airworthiness, or on the basis of a reasonable suspicion that the aircraft does not meet the prescribed airworthiness requirements.
4. The owner shall pay a fee for the inspection of the aircraft. In the event that the extraordinary inspection requested by the inspector establishes that the aircraft is airworthy, no inspection fee shall be paid.

Article 204  
(aircraft manufacturing regulations and common aviation regulations)

(1) Until the entry into force of the regulations referred to in Articles 38 and 39 of this Act, the following shall apply to the manufacture of aircraft, engines, propellers, parts and equipment:

1. The aircraft, engine, propeller, part and equipment of the aircraft must be manufactured in accordance with the technical regulations for the manufacture and quality of the installed material. The manufacturer's standards approved by the Management Board are used for production. Appropriate technical documentation must be submitted to the Administration before commencing or during the construction or execution of a change to an aircraft, engine, propeller, part or equipment.

2. The manufacture and modification of aircraft, engine, propeller, aircraft parts and equipment, and the production of technical and technological documentation for the manufacture and modification may be performed by an organization that meets specific conditions in addition to the general conditions for economic activity technical means of work, professional personnel for the manufacture of aircraft, and operational and technical procedures.
3. The manufacturer of the aircraft, engine, propeller, aircraft parts and equipment must provide the client or customer with documentation on use, maintenance, renewal and repair of the product together with the product and ensure that it is timely and continuously informed of technical changes or changes in use, maintenance and repairs on the type of product concerned.
4. Testing for the issuance of a type-certificate or appropriate certificate shall be performed by a legal entity that meets the prescribed conditions and is authorized to do so by the Administration. During the certification process, the flight manual and the maintenance manual for the new type of aircraft, engine, propeller, part or equipment of the aircraft must be submitted to the Administration. Testing for the type certification referred to in this Article shall not be performed if, based on the results of tests performed abroad, it has been established that the submitted type meets the prescribed technical conditions for airworthiness.

#### Article 205

(regulations on maintenance, modifications and repairs on aircraft)

Until the entry into force of the regulations referred to in Articles 38 and 39 of this Act, the following shall apply to the performance of maintenance, changes and repairs on aircraft, engines, propellers, parts and equipment of aircraft:

1. Inspections and tests, repairs, replacements and renewals on aircraft, engine, propeller, aircraft parts and equipment (hereinafter: aircraft maintenance), preventive aircraft maintenance and implementation of changes and repairs on aircraft, engine, propeller, aircraft parts and equipment, and technical control and quality control of works must be performed in accordance with the regulations issued on the basis of this Act and the technical regulations of the manufacturer for a specific type of aircraft.
2. For the maintenance and technical control of maintenance of aircraft, engine, propeller, aircraft parts and equipment and for the preparation of technical-technological documentation, the contractor authorized by the Administration must meet, in addition to general, special conditions regarding working premises, equipment with technical means work, professional staff for this work and operational and technical procedures. General category single-engine aircraft, balloons and gliders may also be maintained by an authorized natural person if they are licensed for this type of aircraft, which does not apply to renewal.
3. Maintenance and technical inspection of aircraft, engine, propeller, aircraft parts and equipment shall be performed according to the technical maintenance system determined for each type of aircraft, engine, propeller, aircraft part and equipment. The technical system consists of the program and prescribed procedures for maintenance of aircraft, engine, propeller, aircraft parts and equipment and includes deadlines and manner of their implementation, determined in accordance with the regulation issued under this Act the aeronautical authorities and organizations of the aircraft



manufacturer's country and the technical instructions for the maintenance of the aircraft, engine, propeller, aircraft parts and equipment manufactured by the manufacturer, and the manner of their use and the results of in-service reliability testing, technical system for aircraft, engine,

4. If the owner of the aircraft entrusts the maintenance of the aircraft, engine, propeller, part and equipment to another person, he must submit to the Administration a document proving that such person has been authorized by the competent aviation authority or organization to perform such work.
5. If an aircraft entered in the aircraft register is leased to another person, the owner of the aircraft must contractually maintain the aircraft, engine, propeller, part and equipment of the aircraft according to an approved technical maintenance system with a person authorized for such work in accordance with Article 38 of this Act.
6. The owner or user of the aircraft must, in accordance with the regulation issued on the basis of this Act, provide an inspection of the aircraft before each take-off to determine whether the aircraft is airworthy. The person authorized to inspect the aircraft must confirm by his signature in the aircraft book that the aircraft has been inspected and that he is fit to fly safely.
7. The program of repair of the aircraft due to major damage due to which the aircraft has lost its airworthiness shall be approved by the Administration.

#### Article 206

(aircraft classification regulations)

Until the entry into force of the regulations referred to in Article 40 of this Act, aircraft shall be classified according to:

1. Type into: aircraft heavier than air (aircraft, gyroplane, helicopter, flywheel, glider, ultra light aircraft and other aircraft) and aircraft lighter than air (free balloon, tethered balloon and airship);
2. Category into: traffic category, general category (non-acrobatic, semi-acrobatic and acrobatic) and special category (amateur aircraft, experimental aircraft, ultra light aircraft and the like);
3. Purpose of use: as aircraft for the transport of persons and goods, aircraft for the transport of cargo, aircraft for work in agriculture and forestry, aircraft for sports activities, aircraft for flight crew training, first aid aircraft and others;
4. maximum take-off mass on: aircraft with a mass: 50 to 2750 kg, 2751 to 5700 kg, 5701 to 27000 kg, 27001 to 72000 kg and over 72001 kg.

#### Article 207

(regulations on aircraft documents and books)

Until the entry into force of the regulations referred to in Article 42 of this Act, the following provisions shall apply to aircraft documents and books:

1. An aircraft used for flying must have the documents and books prescribed by this Act. The content of documents and books and the manner of their management shall be regulated by regulations issued on the basis of this Act.

2. During the flight, the following documents and books must be carried in the aircraft, except in the balloon and other aircraft:

- certificate of entry in the aircraft register,
- aircraft certificate of airworthiness,
- radio license (if any),
- crew member's license or certificate,
- aircraft operation log,
- flight order.

3. In addition to the documents and books referred to in the previous point of this Article, the aircraft used for the carriage of persons and goods must also contain the following documents and books:

- document of load and position of centre of gravity,
- flight preparation documents,
- a document with information on the goods loaded, if the goods are transported,
- aircraft flight manual,
- Flight Operations Manual,
- aircraft travel manual,
- list of equipment in case of danger with which the aircraft is equipped,
- aircraft travel book,
- certificate of compliance with environmental protection requirements (noise, gas emissions).

4. If an aircraft is deleted from the aircraft register, the following documents shall be handed over to the Administration: a certificate of entry in the aircraft register, a certificate of airworthiness of the aircraft and a radio license (if any).

5. The content of the documents on board the aircraft is as follows:

- information on the nationality of the aircraft, the purpose of use and the owner of the aircraft shall be entered in the registration certificate;
- the certificate of airworthiness of the aircraft shall include information on its markings, type, category, type and purpose of use, and other prescribed information;
- a work permit for a radio station gives the right to use a certain radio station in a manner regulated by regulations on radio communications;
- data on extraordinary and other incidents on the aircraft during the flight are entered in the aircraft travel book, except for data entered in the operational logbook;
- information on the aircraft crew, aircraft movement, engine operation and other systems and devices on the aircraft, flight hours, accidents involving the aircraft, repairs and inspections performed and the readiness of the aircraft for flight shall be entered in the aircraft operational log;
- data on the number of passengers, the weight of the loaded items, the distribution of cargo and the amount of fuel carried by the aircraft shall be entered in the list of load and position of the centre of gravity;
- meteorological data, flight plans and a list of aircraft take-off and landing data shall be entered in the flight preparation documents;

- the flight manual contains instructions for the use of the aircraft, its devices and systems;
- the travel manual contains travel tickets and procedures for taking off and landing aircraft from the airport;
- the flight operations manual contains a description of the aircraft systems and a description of normal and emergency procedures and emergency procedures.

6. The completed operational logbook of the aircraft used for the carriage of persons and property must be on board the aircraft until the next operational logbook is completed. The operational logbook of an aircraft that is not used for the transport of persons and things shall be kept by the owner or user of the aircraft for three years from the day it was completed. After the expiry of this period, the data from the operational logbook of the aircraft used for the transport of persons and things shall be entered in the collection of technical documents on essential characteristics and maintenance of the aircraft (hereinafter: registry book) kept by the owner or user must be kept for 10 years after the aircraft has been deleted from the register. If the aircraft is sold to a foreign buyer, the registry book is handed over to that buyer.

7. A completed aircraft travel document must be kept by the aircraft owner or user for one year from the day it was completed. After the expiry of this period and if the aircraft is deleted from the register, the aircraft travel book shall be handed over to the Administration, which must keep it for 10 years from the day it was received.

8. The list of loading and position of the centre of gravity and the document with information on boarded items must be kept by the owner or user of the aircraft and the relevant service at the airport for take-off and landing for at least 90 days from the day the flight started.

9. Flight preparation documents must be kept by the aircraft owner or user for at least 90 days after the flight.

10. Documents and books of foreign aircraft issued in accordance with the regulations of the country of registration of the aircraft are valid in the Republic of Slovenia, if this is determined by an international agreement or on the condition of reciprocity. Notwithstanding this requirement, the documents and books of a foreign aircraft in the Republic of Slovenia are valid even if reciprocity is not demonstrated, if this is recognized to the foreign aircraft in the permit to fly in Slovenian airspace.

11. An aircraft registered in the Republic of Slovenia upon the entry into force of this Act shall be deemed to meet environmental protection requirements if it holds a noise certificate issued or recognized for the aircraft in accordance with the regulations applicable on the day this Act enters into force.

#### Article 208 (license regulations)

(1) Until the entry into force of the regulations referred to in Articles 43 to 67 of this Act, work permits and authorizations issued to aviation personnel in accordance with the provisions of the Air Navigation Act for a license, rating, authorization, certificate and attestation under this Act shall remain valid until the expiry of the individual permit or until the expiry of the transitional periods specified in the said regulations.

(2) Until the regulations referred to in Articles 38, 43 and 48 of this Act are issued, the validity of the work permit and the authorization with the validity of:

1. 24 months - to a sports pilot;
2. 12 months - to a professional pilot of an airplane or helicopter;
3. 12 months - to the traffic pilot of an airplane or helicopter;
4. 12 months to the navigator-pilot;
5. 12 months to an aeronautical engineer;
6. 12 months for cabin crew,

if the applicant proves that he meets all the prescribed professional, medical, age and other conditions in accordance with the regulations referred to in Article 201 of this Act.

(3) The qualification of a person holding a license referred to in points 2 and 3 of the second paragraph of this Article does not exercise the entitlements from the license and authorization for more than 60 days, verified by the instructor or authorized flight instructor, in accordance with the first paragraph of Article 201 of this Act. The same shall apply mutatis mutandis to a person who has a license or authorization referred to in point 1 of the second paragraph of this Article, if he does not exercise the rights from the license and authorization for more than 90 days.

#### Article 209

(regulations on air traffic controller licenses)

(1) Until the entry into force of the regulations referred to in Articles 43 and 48 of this Act, a flight controller less than 40 years of age shall be issued or extended a work permit and authorization, or a license and authorization valid for 24 months shall be issued to is over 40 years old, and for 12 months.

(2) Until the entry into force of the regulations referred to in Articles 43 and 48 of this Act, the assistant air traffic controller shall be issued or extended a work permit and authorization, or a certificate with an appropriate authorization valid for 24 months.

#### Article 210

(regulations on licenses for other staff)

Until the entry into force of the regulations referred to in Articles 38, 43, 48 and 67 of this Act, a person belonging to:

- staff responsible for the meteorological safety of air navigation,
- aeronautical technical staff,
- air traffic staff,
- flight crew for technical preparations,
- flight control technical staff,
- air traffic control technology preparation staff,
- staff for communications and air traffic control,
- parachute staff,

issue or renew the work permit and authorization for 24 months.

Article 211  
(regulations on restrictions on work obligations)

(1) Until the issuance of regulations referred to in Articles 43 to 67 of this Act, the following may last for a member of the aircraft crew in air transport:

1. working hours - up to 40 hours per week, not exceeding 160 hours in 30 consecutive days, and
2. Flight time - up to 28 hours per week, not exceeding 85 hours in 30 consecutive days.

(2) The working hours of the air traffic controller shall not exceed 160 hours per month or 462 hours in three consecutive months.

Article 212  
(recreational holiday)

(1) Employees of air navigation services who must have a valid license or authorization for their work in accordance with the provisions of aviation standards and ICAO recommendations shall be entitled to up to 15 days of special leave per year (recreational leave) to maintain physical and mental condition.

(2) Flight controllers shall be entitled to 15 days of special leave referred to in the preceding paragraph, of which seven days shall be seven days of paid medically programmed recreational leave per year.

(3) The Minister responsible for transport shall issue regulations on the manner and conditions of use and payment of leave referred to in this Article.

Article 213  
(regulations on the operating license and certificate of the air carrier)

(1) The implementing acts referred to in Chapter 4 of this Act shall be issued by the Minister responsible for transport no later than six months after the entry into force of this Act and shall apply six months after their issuance, unless an individual implementing act provides otherwise.

(2) Documents issued on the basis of Articles 28 and 37 to 40 of the Air Navigation Act (Official Gazette of the SFRY, Nos. 45/86, 24/88, 80/89, 29/90 and Official Gazette of the Republic of Slovenia, no. 58/93), shall be considered an operating license and certificate of the air carrier referred to in Articles 69 to 76 or another relevant certificate or permit issued in accordance with the provisions of Chapter 4 of this Act, and may be used until the application of regulations referred to in the previous paragraph. An application for the issuance of a document under this Act shall be submitted by the applicant to the Administration no later than 60 days before the commencement of the application of the regulations referred to in the preceding paragraph.

(3) An air carrier shall be deemed to meet the conditions regarding the operating license referred to in the first paragraph of Article 68 and Article 69 of this Act and the conditions regarding the air carrier certificate referred to in Article 76 of this Act if it has a valid document issued on the day on the basis of Article 28 of the Act referred to in the preceding paragraph.

The provision of this paragraph shall apply until the entry into force of the implementing regulations referred to in the first paragraph of this Article.

#### Article 214

(protection in the performance of pilots and field workers)

(1) Professional and traffic pilots employed in the State Administration with a rating or authorization of an instructor or flight instructor, if required by the systematisation, employees of the Investigative Body for Investigation of Air Accidents and Incidents, employees of technical services of the Administration performing field work, employees The Sector for Safety and Aviation Standards in the Administration, which performs work in the field, and aviation inspectors have the right to special protection when performing work.

(2) Injury or illness arising from the performance of work duties shall be considered as an injury at work or an occupational disease. An employee referred to in the previous paragraph who is injured or ill while performing work has rights under special regulations.

(3) The injury referred to in the preceding paragraph shall also be deemed to be an injury suffered by the employee on the way from work or to work in the usual way.

(4) The family members of a worker referred to in the first paragraph who has lost his life in the performance of his duties shall have the right to reimbursement of transport costs, funeral services and compensation.

(5) The costs for disability and accident insurance and the rights referred to in the preceding paragraphs of this Article shall be covered by the state. The amount of the sum insured shall be prescribed by the minister responsible for transport in agreement with the minister responsible for finance.

#### Article 215

(application of certain provisions)

The provisions of the second to sixth paragraphs of Article 39, the ninth paragraph of Article 69, in the part relating to compliance with any decisions, recommendations or explanations of the European Commission and the decision of the European Court, the second paragraph of Article 71, in the part relating to citizens of the Member States of the Community, the seventh paragraph of Article 72, the first and third paragraphs of Article 74 and the seventh paragraph of Article 81 of this Act shall apply from the date of membership of the Republic of Slovenia in the Community or from the date of entry into force point of Article 55 of the Europe Agreement or other international treaty.

#### Article 216

(airports and air navigation services)

(1) The Government shall determine the system of airports referred to in Article 86 of this Act within 12 months of the entry into force of this Act.

(2) Airports and facilities at airports and facilities, devices and networks of air navigation services shall be deemed to have an operating permit under this Act if they are in use on the day this Act enters into force and their purpose has not changed since 25 June 1991.

(3) Notwithstanding the provision of the preceding paragraph, the airport operator must submit to the Administration:

1. analysis of topographic conditions,
2. an airport navigation study with relevant meteorological data,
3. instructions for the work of the prescribed services and the use and maintenance of facilities, equipment and devices important for air traffic safety,
4. spatial implementation act for the airport area,
5. drawing from the cadastral plan (folder copy),
6. extracts from the land register for airport plots, all to the extent not yet submitted to the Administration.

#### Article 217 (security)

Basic security inspections and other security tasks referred to in the third paragraph of Article 127 of this Act shall be taken over by airport service providers referred to in Article 158 of this Act within three months of the entry into force of regulations and programs referred to in Articles 125 and 129 of this Act.

#### Article 218 (development of airports during the transition period)

Until the adoption of the national program, the tasks related to the planned development of airports are performed on the basis of the programmed development of an individual airport, for which the airport operator obtains the consent of the government. The Government shall issue the consent with reasonable observance of the provisions of Article 6.

#### Article 219 (operation of public airports during the transitional period)

(1) Persons who, on the day of entry into force of this Act, perform activities determined by this Act as tasks of an airport operator, continue to perform their activities and are obliged to obtain an operating permit under this Act within one year of the enactment of regulations from 165 of which they are obliged to submit a complete application no later than 6 months before the expiry of the said deadline. Operators of public airports or providers of ground handling services are obliged to prepare tariffs and set prices from Article 164 of this Act and hold the first consultation within 60 days after the entry into force of the regulations from Article 165 relating to the airport users' committee. New service providers must make the first coordination before starting to provide services.

(2) The Government shall issue the regulations referred to in Article 165 within 10 months of the entry into force of this Act.

#### Article 220

(launch of the Civil Aviation Administration)

On the day this Act enters into force, the Administration shall continue to operate as the Civil Aviation Administration of the Republic of Slovenia and, until the exclusion of air navigation services from its composition, the order referred to in point 5 of the first paragraph of Article 117 of this Act.

Article 221

(transitional provision for authorized healthcare providers)

Authorized providers of medical examinations who, on the day this Act enters into force, perform medical examinations of aviation and other professional personnel, shall continue to perform their current tasks until the expiry of their authorizations, which have been issued in accordance with current regulations or until the acquisition of an authorization in accordance with the provisions of this Act and the regulations referred to in the sixth paragraph of Article 51 of this Act, but no later than 31 December 2002.

Article 222

(pending infringement proceedings)

Proceedings on misdemeanours introduced before the entry into force of this Act shall be completed in application of the provisions of the Air Navigation Act (Official Gazette of the SFRY, Nos. 45/86, 24/88, 80/89 and 29/90 and Official Gazette of the Republic of Slovenia, no. 58/93).

Article 223

(costs)

(1) For license, rating, authorization, training certificate, recognition of foreign documents, proficiency testing, examination, aircraft registration, aircraft registration certificate, certificate, license, document approvals, aircraft registration checks and other acts at the request of a client performed within the scope of their competences by the Management Board or an authorized person, all in accordance with the provisions of this Act and regulations issued on the basis thereof, shall be paid.

(2) The Minister responsible for transport, in connection with the first paragraph of this Article:

1. may prescribe forms issued by the Management Board,
2. and in agreement with the Minister responsible for finance:
3. determine the price of the forms referred to in the previous point and the amount of costs referred to in the previous paragraph of this Article, which the parties pay to the competent authority.

(3) The certificate of payment of costs shall be attached to the applicant for the application for the issuance of the required document or the proposed action of the Administration, or to the authorized person.

(4) The procedure for the issuance of a document which was instituted before the entry into force of this Act shall be terminated in accordance with the provisions of this Act.



(5) Forms issued by the Administration may be used for another two years from the issuance of regulations referred to in this Act, unless a different deadline is determined by the said regulations. After the expiry of this period, the issued document, at the request of the holder for the renewal of the document, shall be replaced by a new one upon the expiration of the document.

Article 224  
(national flag)

An aircraft registered in the Republic of Slovenia upon the entry into force of this Act may carry the Slovenian national flag, regardless of the provision of Article 21 of this Act.

Article 225  
(entry into force of the law)

This Act shall enter into force on the thirtieth day after its publication in the Official Gazette of the Republic of Slovenia. "

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**The Meteorological Activity Act - ZMetD (Official Gazette of the Republic of Slovenia, No. [49/06](#)) contains the following transitional and final provisions:**

»42. member  
(entry into force)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia. "

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**The Amendments to the Aviation Act Act - ZLet-A (Official Gazette of the Republic of Slovenia, No. [79/06](#)) amends Article 207 of the Act to read as follows:**

»207. member  
(regulations on aircraft documents and books)

Until the entry into force of the regulations referred to in Article 42 of this Act, the following provisions shall apply to aircraft documents and books:

1. An aircraft used for flying must have the documents and books prescribed by this Act. The content of documents and books and the manner of their management shall be regulated by regulations issued on the basis of this Act.
2. During the flight, the following documents and books must be carried in the aircraft, except in the balloon and other aircraft:
  - certificate of entry in the aircraft register,
  - aircraft certificate of airworthiness,

- radio license (if any),
- crew member's license or certificate,
- aircraft operation log,
- flight order.

3. In addition to the documents and books referred to in the previous point of this Article, the aircraft used for the carriage of persons and goods must also contain the following documents and books:

- document of load and position of centre of gravity,
- flight preparation documents,
- a document with information on the goods loaded, if the goods are transported,
- aircraft flight manual,
- Flight Operations Manual,
- aircraft travel manual,
- list of equipment in case of danger with which the aircraft is equipped,
- aircraft travel book,
- certificate of compliance with environmental protection requirements (noise, gas emissions).

4. If the aircraft is deleted from the aircraft register, the following documents shall be handed over to the ministry responsible for transport: certificate of entry in the aircraft register, certificate of airworthiness and aircraft license (if any).

5. The content of the documents on board the aircraft is as follows:

- information on the nationality of the aircraft, the purpose of use and the owner of the aircraft shall be entered in the registration certificate;
- the certificate of airworthiness of the aircraft shall include information on its markings, type, category, type and purpose of use, and other prescribed information;
- a work permit for a radio station gives the right to use a certain radio station in a manner regulated by regulations on radio communications;
- data on extraordinary and other incidents on the aircraft during the flight are entered in the aircraft travel book, except for data entered in the operational logbook;
- information on the aircraft crew, aircraft movement, engine operation and other systems and devices on the aircraft, flight hours, accidents involving the aircraft, repairs and inspections performed and the readiness of the aircraft for flight shall be entered in the aircraft operational log;
- data on the number of passengers, the weight of the loaded items, the distribution of cargo and the amount of fuel carried by the aircraft shall be entered in the list of load and position of the centre of gravity;
- meteorological data, flight plans and a list of aircraft take-off and landing data shall be entered in the flight preparation documents;
- the flight manual contains instructions for the use of the aircraft, its devices and systems;
- the travel manual contains travel tickets and procedures for taking off and landing aircraft from the airport;
- the flight operations manual contains a description of the aircraft systems and a description of normal and emergency procedures and emergency procedures.

6. The completed operational logbook of the aircraft used for the carriage of persons and property must be on board the aircraft until the next operational logbook is completed. The operational logbook of an aircraft that is not used for the transport of persons and things shall be kept by the owner or user of the aircraft for three years from the day it was completed. After the expiry of this period, the data from the operational logbook of the aircraft used for the transport of persons and things shall be entered in the collection of technical documents on essential characteristics and maintenance of the aircraft (hereinafter: registry book) kept by the owner or user must be kept for 10 years after the aircraft has been deleted from the register. If the aircraft is sold to a foreign buyer, the registry book is handed over to that buyer.

7. A completed aircraft travel document must be kept by the aircraft owner or user for one year from the day it was completed. After the expiry of this period and if the aircraft is deleted from the register, the passport of the aircraft shall be handed over to the ministry responsible for transport, which must keep it for 10 years from the day it received it.

8. The list of loading and position of the centre of gravity and the document with information on boarded items must be kept by the owner or user of the aircraft and the relevant service at the airport for take-off and landing for at least 90 days from the day the flight started.

9. Flight preparation documents must be kept by the aircraft owner or user for at least 90 days after the flight.

10. Documents and books of foreign aircraft issued in accordance with the regulations of the country of registration of the aircraft are valid in the Republic of Slovenia, if this is determined by an international agreement or on the condition of reciprocity. Notwithstanding this requirement, the documents and books of a foreign aircraft in the Republic of Slovenia are valid even if reciprocity is not demonstrated, if this is recognized to the foreign aircraft in the permit to fly in Slovenian airspace.

11. An aircraft registered in the Republic of Slovenia upon the entry into force of this Act shall be deemed to meet environmental protection requirements if it holds a noise certificate issued or recognized for the aircraft in accordance with the regulations applicable on the day this Act enters into force. ";

**amends Article 213 of the Act to read as follows:**

»213. member  
(regulations on the operating license and certificate of the air carrier)

(1) The implementing acts referred to in Chapter 4 of this Act shall be issued by the Minister responsible for transport no later than six months after the entry into force of this Act and shall apply six months after their issuance, unless an individual implementing act provides otherwise.

(2) Documents issued on the basis of Articles 28 and 37 to 40 of the Air Navigation Act (Official Gazette of the SFRY, Nos. 45/86, 24/88, 80/89, 29/90 and Official Gazette of the Republic of Slovenia, no. 58/93), shall be considered an operating license and certificate of the air carrier referred to in Articles 69 to 76 or another relevant certificate or permit issued in accordance with the provisions of Chapter 4 of this Act, and may be used until the application of regulations referred to in the previous paragraph. An application for the issuance of a document under this

Act shall be submitted by the applicant to the ministry responsible for transport no later than 60 days before the application of the regulations referred to in the preceding paragraph.

(3) An air carrier shall be deemed to meet the conditions regarding the operating license referred to in the first paragraph of Article 68 and Article 69 of this Act and the conditions regarding the air carrier certificate referred to in Article 76 of this Act if it has a valid document issued on the day on the basis of Article 28 of the Act referred to in the preceding paragraph. The provision of this paragraph shall apply until the entry into force of the implementing regulations referred to in the first paragraph of this Article. ";

**amends Article 214 of the Act to read as follows:**

»214. member  
(protection in the performance of pilots and field workers)

(1) Professional and traffic pilots employed in the State Administration with the rating or authorization of instructor or flight instructor, if required by the systematisation, employees of the investigative body for the investigation of aviation accidents and incidents, employees of technical services of the ministry responsible for transport in the field, employees of the Sector for Safety and Aviation Standards in the Ministry responsible for transport who perform work in the field and aviation inspectors have the right to special protection when performing work.

(2) Injury or illness arising from the performance of work duties shall be considered as an injury at work or an occupational disease. An employee referred to in the previous paragraph who is injured or ill while performing work has rights under special regulations.

(3) The injury referred to in the preceding paragraph shall also be deemed to be an injury suffered by the employee on the way from work or to work in the usual way.

(4) The family members of a worker referred to in the first paragraph who has lost his life in the performance of his duties shall have the right to reimbursement of transport costs, funeral services and compensation.

(5) The costs for disability and accident insurance and the rights referred to in the preceding paragraphs of this Article shall be covered by the state. The amount of the sum insured shall be prescribed by the minister responsible for transport, in agreement with the minister responsible for finance. ";

**amends Article 216 of the Act to read as follows:**

»216. member  
(airports and air navigation services)

(1) The Government shall determine the system of airports referred to in Article 86 of this Act within 12 months of the entry into force of this Act.

(2) Airports and facilities at airports and facilities, devices and networks of air navigation services shall be deemed to have an operating permit under this Act if they are in use on the day this Act enters into force and their purpose has not changed since 25 June 1991.

(3) Notwithstanding the provision of the preceding paragraph, the airport operator must submit to the ministry responsible for transport:

1. analysis of topographic conditions,
2. an airport navigation study with relevant meteorological data,
3. instructions for the work of the prescribed services and the use and maintenance of facilities, equipment and devices important for air traffic safety,
4. spatial implementation act for the airport area,
5. drawing from the cadastral plan (folder copy),
6. extracts from the land register for airport plots, all to the extent not yet submitted to the ministry responsible for transport. ";

**amends Article 223 of the Act to read as follows:**

»223. member  
(costs)

(1) For license, rating, authorization, training certificate, recognition of foreign documents, proficiency testing, examination, aircraft registration, aircraft registration certificate, certificate, license, document approvals, aircraft registration checks and other acts at the request of a party performed within the scope of its competence by the ministry responsible for transport or an authorized person, all in accordance with the provisions of this Act and regulations issued on the basis thereof, shall be paid costs.

(2) The Minister responsible for transport, in connection with the first paragraph of this Article:

1. may prescribe forms issued by the ministry responsible for transport,
2. and in agreement with the Minister responsible for finance:
3. determine the price of the forms referred to in the previous point and the amount of costs referred to in the previous paragraph of this Article, which the parties pay to the competent authority.

(3) The certificate of payment of costs shall be attached by the applicant to the application for the issuance of the required document or the proposed action of the ministry responsible for transport or the authorized person.

(4) The procedure for the issuance of a document which was instituted before the entry into force of this Act shall be terminated in accordance with the provisions of this Act.

(5) Forms issued by the ministry responsible for transport may be used for another two years from the issuance of regulations referred to in this Act, unless a different deadline is determined by the said regulations. After the expiry of this period, the issued document shall be replaced by a new one upon the application of the holder for the extension of the validity of the document upon the expiry of the validity of the document. ";

**and contains the following transitional and final provisions:**

»TRANSITIONAL AND FINAL PROVISIONS

## Article 59

(1) The competencies and tasks of the Administration of the Republic of Slovenia for Civil Aviation and the Traffic Inspectorate of the Republic of Slovenia under the Air Navigation Services Provision Act (Official Gazette of the Republic of Slovenia, No. 30/06 - official consolidated text) shall pass on the day this law to the ministry responsible for transport.

(2) It is considered that in all regulations issued on the basis of the Aviation Act (Official Gazette of the Republic of Slovenia, No. 18/01, 110/02 - ZGO-1 and 49/06 - ZMetD) and those applicable to on its basis, in cases where the competence of the Civil Aviation Administration of the Republic of Slovenia or its head or the Traffic Inspectorate of the Republic of Slovenia or its head is stated, the competent authority is the ministry responsible for transport.

(3) The procedure for issuing documents issued on the basis of aviation regulations in force in the Republic of Slovenia and in respect of which the procedure for their issuance was initiated before the entry into force of this Act shall be terminated in accordance with the provisions of this Act.

(4) Forms issued by the Civil Aviation Administration of the Republic of Slovenia may be used until the issuance of new regulations, but not more than one year from the day this Act enters into force.

## Article 60

Notwithstanding Article 217 of the Aviation Act (Official Gazette of the Republic of Slovenia, Nos. 18/01, 110/02 - ZGO-1 and 49/06 - ZMetD), the operator of a public airport providing and operating manoeuvring surfaces and platforms must the airport cargo terminal and air carriers or operators referred to in Article 26 of this Act shall ensure compliance with the conditions and requirements referred to in the said Article within one month after the entry into force of this Act.

## Article 61

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia. The provisions of Articles 18 and 51 of this Act shall apply from 1 September 2006. "

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**The Act Amending the Aviation Act - ZLet-B (Official Gazette of the Republic of Slovenia, No. [33/09](#)) contains the following final provision:**

“FINAL PROVISION

Article 3

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia. "

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**The Amendments to the Provision of Air Navigation Services Act - ZZNSZP-B (Official Gazette of the Republic of Slovenia, No. [109/09](#)) contains the following final provision:**

"32. Member  
(enforcement)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia. "

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**The Amendments to the Aviation Act Act - ZLet-C (Official Gazette of the Republic of Slovenia, No. [62/10](#)) amends Article 203 of the Act to read as follows:**

"203. Member  
(airworthiness regulations)

Until the entry into force of the regulations referred to in Article 31 of this Act, the following shall apply to the airworthiness of aircraft:

1. Airworthiness testing may be basic, regular or extraordinary and shall be performed on the ground and in flight. Basic and regular inspections shall be carried out at the request of the aircraft owner, and an extraordinary inspection may be ordered by the air traffic controller if he has reasonable grounds to suspect that the aircraft is not safe to fly.
2. The in-flight test shall be performed for the base flight in the absence of passengers and shall include the in-flight flight characteristics and behaviour test; the regular in-flight test shall include the control of aircraft devices and systems in a manner not to endanger flight safety.
3. The basic inspection shall be performed on new aircraft and aircraft purchased abroad, and on other aircraft after renewal or major repairs of the load-bearing structure or after a change that may affect the essential characteristics of the aircraft (strength, service life and technical characteristics) and aircraft, who have not held a valid certificate of airworthiness for more than 6 months. Regular inspection of the aircraft shall be performed prior to the issuance or renewal of the certificate of airworthiness. An extraordinary inspection of an aircraft shall be performed if a major part of its structure is damaged, which may affect its airworthiness, or on the basis of a reasonable suspicion that the aircraft does not meet the prescribed airworthiness requirements.
4. The owner shall pay a fee for the inspection of the aircraft. In the event that the extraordinary inspection requested by the inspector establishes that the aircraft is airworthy, no inspection fee shall be paid. ";

**amends Article 214 of the Act to read as follows:**

"214. Member  
(protection in the performance of pilots and field workers)

(1) Professional and traffic pilots employed in the State Administration with the rating or authorization of instructor or flight instructor, if required by the systematisation, employees of the investigative body for the investigation of aviation accidents and incidents, employees of technical services of the ministry responsible for transport in the field, employees of the Sector for Safety and Aviation Standards in the Ministry responsible for transport who perform work in the field and aviation supervisors have the right to special protection when performing work.

(2) Injury or illness arising from the performance of work duties shall be considered as an injury at work or an occupational disease. An employee referred to in the previous paragraph who is injured or ill while performing work has rights under special regulations.

(3) The injury referred to in the preceding paragraph shall also be deemed to be an injury suffered by the employee on the way from work or to work in the usual way.

(4) The family members of a worker referred to in the first paragraph who has lost his life in the performance of his duties shall have the right to reimbursement of transport costs, funeral services and compensation.

(5) The costs for disability and accident insurance and the rights referred to in the preceding paragraphs of this Article shall be covered by the state. The amount of the sum insured shall be prescribed by the minister responsible for transport, in agreement with the minister responsible for finance. ";

**and contains the following transitional and final provisions:**

"TRANSITIONAL AND FINAL PROVISIONS

Article 48  
(assumption of competence)

(1) The Agency shall start exercising the competencies referred to in Article 179i of the Act (hereinafter: taking over competencies) no later than five months after the entry into force of this Act. Continuity of aviation safety control must be ensured in accordance with aviation regulations and legal acts in force or applicable in the Republic of Slovenia.

(2) The Agency shall, taking into account the obligations related to the administrative tasks of the ministry responsible for transport, take over the civil servants of the ministry responsible for transport who were assigned to the positions where the tasks are performed on the day this Act enters into force. , which become the responsibility of the Agency upon taking over the responsibilities. Civil servants shall conclude an employment contract with the Agency for the positions specified in the act on the organization and systematisation of the Agency's positions for which they meet the prescribed conditions.

(3) From the day of the commencement of the operation of the Agency, the transfer or takeover of the necessary funds for its operation and for the takeover of competencies shall be carried out. In doing so, the circumstances and needs of the Agency shall be taken into account from



the beginning of operations until the assumption of competences and after the assumption of competences.

(4) On the day when the Agency takes over competencies, all unfinished administrative procedures within the competence of the Agency and permanent supervision procedures shall be transferred from the ministry responsible for transport to the Agency, which shall continue the procedures in accordance with this Act. Procedures for the issuance of documents issued on the basis of aviation regulations in force or applicable in the Republic of Slovenia, introduced before the day of taking over the competence, shall be completed in accordance with the provisions of this Act.

(5) Complaint procedures initiated before the day of taking over jurisdiction shall be terminated in accordance with the provisions of the law governing aviation that were in force until the entry into force of this Act.

(6) Incomplete inspection procedures and proceedings on misdemeanours that began before the day of taking over jurisdiction shall be completed in accordance with the provisions of this Act.

(7) On the day of taking over the competence, the Agency shall assume all contractual obligations and rights from contracts concluded as a contracting party by the ministry responsible for transport and relating to the performance of the Agency's tasks until the deadlines specified in the assumed contracts.

(8) The regulations issued on the basis of the law governing aviation and the regulations applicable on the basis thereof shall be deemed to be included in the regulations for the implementation of European Union regulations if the competence of the ministry responsible for transport according to this law, it is transferred to the agency, the competent body of the agency, unless otherwise determined for an individual subject area.

(9) Forms issued by the ministry responsible for transport may be used until new ones are issued, but no later than six months after the day of taking over competence.

#### Article 49

(providing conditions for the start of work and operations of the agency)

(1) The Government shall adopt the founding act of the Agency no later than three months after the entry into force of this Act.

(2) The founder shall provide the Agency with financial conditions and basic material resources for the start of work and operations by providing premises and equipment from the ministry responsible for transport.

(3) The Government and the Minister responsible for transport shall issue regulations referred to in the third paragraph of Article 5, the fourth paragraph of Article 68, the first paragraph of Article 155, the fourth paragraph of Article 166.a, the fifth paragraph of Article 168, and the third paragraph of Article 168.b Article and the sixth paragraph of Article 179.a of the Act no later than five months after its entry into force, and the regulation referred to in the fifth paragraph of Article 164 of the Act no later than one year after its entry into force. Until the

entry into force of these regulations, the regulations in force on the day of the entry into force of this Act shall apply. If the Agency would not be able to start performing certain tasks until the regulations under this paragraph are issued, they shall be performed by the ministry responsible for transport until the new regulations come into force.

(4) Notwithstanding the provisions of this Act, the provisions of Articles 207 and 216 of the Act shall apply until the issuance of new regulations.

Article 50  
(eligibility for air traffic controllers)

A person who, on the day this Act enters into force, has a higher education acquired before the introduction of higher professional education in 1996 or university studies after 1998, and:

- a pilot airplane license (ATPL (A)) with relevant work experience in the area under control, or a helicopter traffic pilot license (ATPL (H)) with relevant work experience in the area under his control, or at least a professional airplane pilot license (CPL (A)) with relevant work experience in the area under his control or a professional helicopter pilot's license (CPL (H)) with relevant work experience in the area under his control, or
- an air traffic controller license with a supervisory approach control rating or a supervisory area control rating with relevant work experience in the area under its control, or a category B aircraft maintenance license with relevant work experience in the area under its control or a category aircraft maintenance license C with relevant work experience in the field under his control,

meets the conditions for holding a position in the agency and continues to perform work or employment in the agency at the position for which higher education is required.

Article 51  
(Agency bodies during the transitional period)

The Government of the Republic of Slovenia shall, no later than three months after the entry into force of this Act, on the proposal of the Minister responsible for transport, appoint an acting director of the Agency, but not for more than one year.

Article 52  
(protection at work)

The provisions of Article 214 of the Act regarding protection in the performance of pilots and field workers also apply to air traffic controllers and supervisors employed by the Agency.

Article 53  
(documentary material)

The current collection of documentary material relating to the activities of the Agency under this Act shall be taken over by the Agency from the ministry responsible for transport on the day it takes over the powers to exercise powers and tasks under this Act.

Article 54

(Termination of the provisions of the Air Navigation Services Provision Act)

The third and fourth sentences of the first paragraph and the second and fourth paragraphs of Article 21 of the Air Navigation Services Provision Act (Official Gazette of the Republic of Slovenia, Nos. 101/03, 110/05 and 109/09) shall cease to apply on the day this Act enters into force.

Article 55  
(entry into force)

This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia. " .

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**The Act Amending the Aviation Act - ZLet-D (Official Gazette of the Republic of Slovenia, No. [46/16](#)) contains the following transitional and final provisions:**

“TRANSITIONAL AND FINAL PROVISIONS

Article 2

Until the selection of the operator in accordance with the fifth paragraph of Article 158 of the Act, the operation of a public airport of national importance shall be ensured by the current operator.

Article 3

On the day this Act enters into force, the Decree on the concession for the provision of the public utility service of the Portorož public airport (Official Gazette of the Republic of Slovenia, No. 28/11) shall cease to be valid.

Article 4

This Act shall enter into force on the day following its publication in the Official Gazette of the Republic of Slovenia. «.

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**The Act Amending the Aviation Act - ZLet-E (Official Gazette of the Republic of Slovenia, No. [47/19](#)) contains the following final provision:**

“FINAL PROVISION

Article 20

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia. «.