



Republika e Kosovës  
*Republika Kosovo - Republic of Kosovo*



Autoriteti i Aviacionit Civil i Kosovës  
Autoritet Civilnog Vazduhoplovstva Kosova  
Civil Aviation Authority of Kosovo

**REPORT ON PUBLIC CONSULTATION OF INTERESTED  
PARTIES  
No. 1/2012**

September, 5 2012

## I. GENERAL

This report has been drafted in compliance with the requirements of the Administrative Instruction No. 01/2012 on Procedures for Public Consultation of Interested Parties with regards to the following CAA draft-regulations:

- Regulation on Amendments and Changes to the Regulation no. 01/2008 on Aerodromes.
- Regulation on Approved Aerodromes
- Regulation on Microlight Aircrafts
- Regulation on Conditions and Methods of use of hang-gliders and paragliders

These draft-regulations were in a public consultation procedure from 13 to 27 August 2012. Comments and remarks on the draft- regulations were received from interested parties by applying the method foreseen in Article 5.3 of the Administrative Instruction no. 01/2012 (written consultation) considering that the conditions for organizing a round table with interested parties were not met as foreseen in the Article 5.4 of the Administrative Instruction No. 01/2012.

CAA has carefully reviewed and analyzed every comment/suggestion received on draft-regulations during the public consultations of interested parties.

## II. RECEIVED COMMENTS AND CAA RESPONSES

In the call for public consultation of interested parties responded four physical persons who through the CAA official e-mail presented their comments/suggestions. The order of comments/suggestions has been done based on the calendar order of the receipt of comments and/or suggestions of interested parties through e-mails address.

In the following reflected are comments/suggestions in the original form as sent and received by the CAA for each draft - regulation, whereas in a summarized form are presented those remarks carried out through intervention in the text of the draft-regulation, without respective comments:

- **Draft Regulation on Change and Amendments to the Regulation no. 01/2008 on Aerodromes**  
No comments received.
- **Draft Regulation on Approved Aerodromes**
  1. (Article 13)

*“(In case of physical changes of aerodromes, Operator or the Owner should present an application filled in with all required documentation to be approved by CAA prior to commencement with*

*construction works or alternations to the aerodrome. Application and approval procedures shall be approximately similar to those presented in CHAPTER 1”.*

In the Article 27 on Notification and Reporting, the following has been said:

27.3 An aerodrome operator shall notify CAA in advance of any development or before any changes in the physical characteristics of the approved aerodromes, including the erection of new buildings and alterations to existing buildings or to visual aids.” (As it is written it seems to me not sufficient!)”

(Sent by Avdi J. Shala, member of KHAIA-s, dated 27 August 2012, at 15:36 hrs).

### **1. The CAA response:**

Pursuant to the article 27.3 of the Regulation on Approval of Aerodromes, as well as the Document 9774 of the ICAO-s “Manual on Certification of Aerodromes”, Chapter 3, Article 3D7, an aerodrome operator must notify the CAA as soon as practicable, of any alterations that the operator wishes to make to the physical specifications to include construction of new facilities and changes to existing ones or visual equipment.

Development or alternations to physical specifications of the approved aerodromes can be in range from those that do not at all affect safety of the operations to those considered to be dangerous and/or affect changes of the operation and maintenance procedures and which require also risk assessment and/or aeronautic study. Depending on the type of any development or alternation to physical specifications, and in order to ensure safe operations, CAA will act in compliance with internal procedures.

Any development or alternation to the physical specifications in the approved aerodromes must be in compliance with requirements of article 6.2 of the Draft Regulation.

Furthermore, CAA has published a Technical Publication on Aerodromes Development “TP-08 Aerodrome Development” describing in detail instructions for those involved in any development or physical alternation, in order that those development do not compromise state and international requirements on air operations safety.

### **2. (Article 19)**

#### **CAA acceptance of the Aerodrome Services and Operations Manual**

The CAA shall accept the Aerodrome Services and Operations Manual and any amendments thereto, provided these meet the requirements of this chapter.

“This should be adjusted to this regulation!”

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

### **2. CAA response:**

The Aerodrome Services and Operations Manual must be part of the application for aerodromes certification (Article 5.2 of the Regulation no.1/2008 on Aerodromes), while for approval of an aerodrome, application must include aerodrome operator’s operations and

maintenance procedures (Article 5.2 of the Draft Regulation on Approved Aerodromes); Aerodrome Services and Operations Manual is not required.

On the Chapter 2, respectively in articles 14 and 15 of the Regulation on Approved aerodromes is stressed that aerodrome operator must provide the CAA with a complete and current copy of the operations and maintenance procedures an aerodrome operator must notify the CAA as soon as practicable, of any major alterations that the operator wishes to make to the procedures.

Based on the internal procedures, the CAA may require from the operator additional documentation in order to ensure that the operations and maintenance procedures are in full compliance with requirements of this regulation (Article 6, paragraph 2, items b) and c)).

3. "Also, this draft regulation has been drafted in a good level. Based on our local circumstances, I think that taking over also the approval and oversight of the air fields used for sport aviation by CAAK is right step! However, if we look into European practices, this part is left under the responsibility of respective federations!" See: <http://www.ehpu.org/>; <http://www.epfu.eu/accueil/bienvenue.html>; <http://www.europe-air-sports.org/about-us/our-objectives/>; <http://www.fallschirmsportverband.de/>; <http://www.ballon.eu/> etc. In the future also should be regulated balloon flights and jumping with parachutes!

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

### **3. The CAA response:**

Regulation on Approved Aerodromes derives from the responsibilities set by the Law No. 03/L-051 on Civil Aviation, article 61.2, article 72 and article 74 ("Official Gazette" of the Republic of Kosovo, III<sup>rd</sup> Year, no. 28, dated 04 June 2008).

- **Draft Regulation on operation terms and conditions of hang-gliders and paragliders**

#### 4. (Article 2) Definitions

*Under definitions of the draft regulation on terms and conditions for use of hang-gliders and paragliders, the abbreviation AFK (Aeronautic Federation of Kosovo) as an official sport aeronautics body to be introduced.*

### **4. The CAA response:**

This draft regulation does not talk about the Aeronautic Federation of Kosovo, therefore, it is not necessary that AFK abbreviation is introduced within the definitions part.

#### 5. (Article 13) Flight altitude

“13.3 Hang-gliders and paragliders must fly in an altitude or “horizontal distance” of at least 50 meters (150 feet) above bridges, roads, railways, power lines, skiing lifts, antennas and other similar structures and groups of people”.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

*Summary: Article 13.3 of the Draft Regulation no. Xx/2012 on terms and conditions of use of the delta planes and pre planes should be added “or horizontal distance”.*

#### **5. The CAA response:**

Based on the Annex 2 of Chicago Convention, the “horizontal distance” is used at classification of the air space and the distance from clouds (visibility).

#### **6. (Article 16) Required equipment**

Rescue parachute: Hang-glider or paraglider are not allowed to fly higher than 10- (“50”) meters above the earth if the aircraft or pilot do not have the rescue parachute.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

(Sent by Fadil Gërguri, Prishtina Air club, date 24 August 2012, at 09:46 min).

*Summary: Article 16.1 (b) of the Draft Regulation no. Xx/2012 on terms and conditions of use of the hang-gliders and paragliders to be changed from the altitude of 10 m to 50 m.*

#### **6. The CAA response:**

Draft Regulation sets minimum equipment requirements. The set altitude of 10 meters is foreseen for the practical take-off training purposes, among others, in an altitude from 1 to 5 meters. However, nothing forbids the operator to be equipped with a rescue parachute during all the time.

7. Summary: In article 16.1 b) asked to be changed the parachute re-packing from “once a year” to twice a year.

#### **7. The CAA response:**

In its regulations, the CAAK publishes minimum requirements and the part “or more often if it is specified by manufacturer” covers this requirement.

#### **8. (Article 16) Required equipment**

*“Spine protector: During the flight, person operating with hang-glider or paraglider must use a certified spine protector, excluding cases when it is foreseen landing on the water (e.g. Safety Training)”.* (Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

#### **8. The CAA response:**

Draft Regulation determines minimum requirements for equipment. Spine protectors are not foreseen by any Annex of the Chicago Convention (ICAO). However, nothing forbids

the aircraft operator to use a spine protector as an additional equipment while practicing flight.

9. Summary: In the article 20.1 the student's pilot age to be changed from 15 to 16 years. (Sent by Fadil Gërguri, Prishtina Air club, date 24 August 2012, at 09:46 min).

**9. The CAA response**

Annex 1 of the Chicago Convention determines 16 years of age for being equipped with an aeronautical license, however, this article allows participation in the theory and practical part of the training for pilots from 15 years of age, which is in conformity with the Annex 1 of ICAO.

10. (Article 21) Required Experience

*"3 flights each of them at least two hours, "(how you can fly for two hours with an aircraft without engine – if is not calculated utilization of the Thermics" Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.).*

**10. The CAA response:**

Self responded comment.

11. Comment/suggestion: In article 22.1 should be changed the license granting age from 16 to 18 years (Sent by Fadil Gërguri, Prishtina Air club, date 24 August 2012, at 09:46 min).

**11. The CAA response:**

Annex 1 of the Chicago Convention determines minimum age of 16 years for being granted with an aeronautical license.

12. Comment/suggestion: The article 27.4 should be changed from "always must carry a written letter of authorization by the flight instructor" into "always must be led by the instructor or any from licensed and experience instructors". (Sent by Fadil Gërguri, Prishtina Air club, date 24 August 2012, at 09:46 min).

**12. The CAA response:**

Article 27 of the Draft Regulation determines obligation for carrying documentation and providing them for inspection, i.e. it relates to documentation.

13. Comment/suggestion: Article 31.1 to be changed from "without any expiry date" into "are renewed every 5 years". (Sent by Fadil Gërguri, Prishtina Air club, date 24 August 2012, at 09:46 min).

**13. The CAA response:**

Article 31.2 and 31.3 specify conditions and experience required based on which the license validity is determined.

14. Comment/suggestion: Articles 35.2 and 36.2, the age for undergoing the license examination from 18 to 20 years should be changed. (Sent by Fadil Gërguri, Prishtina Air club, date 24 August 2012, at 09:46 min).

#### **14. The CAA response:**

Annex 1 of the Chicago Convention determines minimum age of 16 years for being equipped with an aeronautical license. Adding to this, also the age condition for license possession for at least 2 years prior to examination, then the minimum age remains to be 18 years.

15. "This draft regulation very well covers this field, however the only thing that is not foreseen is related to establishment of the HANG-GLIDER AND PARAGLIDER, which is also a European practice that will gain some responsibilities similar to the microlight aircraft federation! Look into: <http://www.ehpu.org/>". (Sent by Avdi J. Shala, member of KHAIA-s, date 27 August 2012, at 15:36 hrs).

#### **15. The CAA response:**

It is beyond the competences of CAA, the establishment of Federations or aero clubs of different general aviation fields; therefore this does not forbid individual or initiates organized by individuals to establish a Federation or different aero clubs.

#### **- Draft Regulation on operation with micro-light aircrafts**

16. (Article 2) Definitions and Abbreviations  
*"Inspector of the Aeronautical Federation (AF) - means the person who is responsible for inspection and measurement of noise relative to issuance or re-issuance/renewal of the flying license "for a micro light aircraft", on behalf of the Aeronautical Federation and in compliance with the standards set by CAA".* (Sent by Avdi J. Shala, member of KHAIA-s, date 27 August 2012, at 15:36 hrs).

*Summary: Article 2 of the draft regulation no. Xx/2012 on operation with microlight aircrafts, in the definitions of the Inspector of the Aeronautical Federation to be added "for a microlight aircraft".*

#### **16. The CAA response:**

This is understandable because the draft regulation determines operation with microlight aircrafts.

17. *"The Microlight aircraft / 4<sup>th</sup> Class: Gyrocopter - means a gyrocopter which fulfills the following technical specifications: The maximum continual power is less than or*

equal to 45 kW for one seat or with 60 kW for two seats (look article 6, paragraph 6.1.4, item a) ; Maximum power is less than or equal to 60kW for one seat or 75 kW with two seats; see article 6, paragraph 6.1.4, item a); Maximum weight of the aircraft is less than or equal to 300 kg for one seat or 450 kg for two seats (look article 6, paragraph 6.1.4, item a), these measures can be increased up to 5% for an aircraft equipped with parachuting system; The rotor load on a maximum weight must be between 4,5 and 12 kg/m<sup>2</sup>.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

**17. The CAA response:**

Suggestions are accepted and will be incorporated into the final version of the draft regulation.

**18. (Article 2) Periodical flight training (PFT-“TPF”)**

Comment/suggestion: In article 2 of the draft regulation no. Xx/2012 on operations with superlight aircrafts, in the definition for the periodical flight training (PFT) the abbreviation should be changed into “TPF”.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

**18. The CAA response:**

It is a CAA practice that description of abbreviations is done in the standard aviation language, i.e. English language. This is because of avoiding any confusion of their meaning: VFR, IFR, etc. The same practice applies on this draft regulation.

**19. “MTOM (Maximum Takeoff Mass) - means the highest limit, of any possible case, of the allowed mass for taking off”.**

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

**19. The CAA response:**

Suggestion accepted and will be incorporated into the final version of the draft regulation.

**20. (Article 3) General Provisions**

“3.8 Notification of Occurrence Reporting applies to the superlight aircrafts in pursuant of the Regulation No. 1/2009 on Occurrence Reporting in Civil Aviation. Occurrences are reported to CAA by filling authorized forms for this purpose as per Regulation No. 1/2009. (Occurrences must be also reported to the Commission for Accidents and Aeronautical Occurrence Investigation (CAAOI - KHAIA))”.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

**20. The CAA response:**

Occurrence reporting is foreseen under the CAA Regulation No. 1/2009.

## 21. (Article 5) Aeronautical Federation

“5.1 CAA may approve establishment of a non-commercial Aeronautical Federation at state level in order to manage training, issue flight licenses for superlight aircrafts, approve air fields for flight training activities (*It would be right that federation takes also over approval and oversight of air fields to be used for operation with superlight aircrafts?! and overall inspection of superlight aircrafts. (Also who must have mandate for organization and supervision of sport contests – national championships, etc?!)*)

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

### 21. The CAA response:

Aeronautical Federation of Kosovo will bear such a responsibility pursuant to the Law on sports, within the Ministry for Culture, Youth and Sports.

22. Remark: Article 6.1.4 of the draft regulation no. Xx/2012 on microlight aircraft operations, the word “air” to be cancelled.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

### 22. The CAA response:

Error in drafting, remark accepted.

## 23. (Article 7) Operative conditions

“7.2 Flights are performed only with VFR from the sunrise until the sunset while flights of the Class D, E, F and G of the air space are conducted in pursuant of Visual Meteorology Conditions (VMC) (*visibility, distance from the clouds’ start line until the clouds is equal or higher than determined minimum.*)”

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

*Summary: In the article 7.2 of the draft regulation no. Xx/2012 on operation of the super light aircrafts “only if visibility is at least 5 km” to be added “conform to the Visual Meteorological Conditions (VMC) (visibility, distance from the clouds’ start line until the clouds is equal or higher than determined minimum.)”.*

### 23. The CAA response:

Annex 2 of the Chicago Convention defines the visual flight rules (“VFR”).

24. “7.3.a During the take off, transit (en route) and landing, flights are not performed if the closest horizontal distance is less than 150 meters from inhabited area and 300 meters from the dense constructed area to include weekend based villas area, camping locations and large open locations for the people gathering”.

### *7.3.b Minimum flight altitude: allowed*

*Above the inhabited area or people gatherings is 1000ft (300m), above the highest object/obstacle in a circle with a diameter of 600m.*

*Above the free/not inhabited zone flights may be performed flights in lower than 500 ft (150m) only with aircrafts without engine and only then when there is no danger. Flights are not allowed under the skiing cable cars, bridges and other line,*

*Acrobatic flights may be undertaken only in the free zones and not below the 1500ft (450m) AGL altitude. Flights performed below 1500 ft altitude may be conducted only if respective authority gives permission/approves such a particular cases.*

*Transit (en-route) flights with engine aircrafts can be performed in an altitude not less than 600m (2000ft) above the earth or water surface unless because of safety reasons it is required to fly higher.*

*For the special purpose flights, respective authorities may allow/make exclusions for a single few flights if those flights are necessary and if they do not adversely affect public safety/order."*

Comment/suggestion: In the article 7.3 of the draft regulation no. Xx/2012 on operation with superlight aircrafts, shall be removed "above or" wording and is added "7.3.b The Minimum allowed altitude of flights: Above the inhabited area or people gatherings 1000ft (300m) above an object/highest obstacle in a circle with diameter of 600m. Above the free/non inhabited zones, flights can be performed in an altitude lower than 500 ft (150m) only with engine free aircrafts and only when no danger exists. Flights are forbidden under the skiing cable cabs, bridges and other lines. Acrobatic flights may be performed only in the free spaces and not at in the altitude below 1500ft (450m) AGL. Flights below 1500 ft altitude may be conducted only if respective authority gives permission/approves such a particular cases. Transit (en-route) flights with engine aircrafts can be performed in an altitude below 600m (2000ft) above the earth or water surface unless because of safety reasons it is required to fly higher. For the special purpose flights, respective authorities may allow/make exclusions for a single few flights if those flights are necessary and if they do not adversely affect public safety/order."

*(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)*

### **24. The CAA response:**

Annex 2 of the Chicago Convention defines the minimum altitude during the flights pursuant to the visual flights rules ("VFR").

### **25. (Article 8) Air crews Training**

- e) “Applicants must have gone through a practical training for at least 15 hours of dual flights and at least 5 hours of solo flights by the Aeronautic Federation; *(Is this conducted only by Federation or it can be done by aero clubs or piloting schools?!)*”

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs.)

#### **25. The CAA response:**

Education of pilots is performed at the aero clubs and licensed schools for pilots supervised by the Kosovo Aeronautical Federation.

26. “This draft regulation covers much better this field, the only thing to be done is related to drafting of the regulation on construction and maintenance of the microlight aircrafts. Otherwise, other comments you may find directly in the draft regulation”.

(Sent by Avdi J. Shala, member of the KHAIA, date 27 August 2012, at 15:36 hrs).

#### **26. The CAA response:**

Terms and conditions for construction and maintenance of the microlight aircrafts are determined by the manufacturer.

27. .Increase of the flight altitude in 10000 ft. above the earth (AGL) (Sent by BH, on behalf of the Kosovo Aeronautic Federation, date 21 August 2012 at 14:36 min).

#### **27.The CAA response**

Draft regulation on the operations with microlight aircraft related to equipment and flying permission mentioned in article 6.1.5, on the minimum requirements for equipment in the aircraft does not specify additional oxygen equipment which are mandatory for the flights with atmospheric pressure below 700hPa (10.000 ft), therefore increase of the flight altitude to 10.000 ft above the earth will exceed limited altitude specified in the Annex 6 of the ICAO.

### **III. CONCLUSION**

During the public consultation phase of the interested parties regarding the draft regulations under item I of this report, were evaluated 27 remarks/comments received from 13-27 of August 2012.

From these remarks/comments, the CAA accepted four (4) remarks on errors to be corrected or text to be supplemented (comments no. 9, 17, 19, 22) which will be incorporated into the final version of the respective draft regulations. All other comments received an adequate response.



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