



Director General of Civil Aviation Authority of Kosovo,

Pursuant to Articles 21.2 and 64 of Law No. 03/L-051 on Civil Aviation,

Whereas, the Civil Aviation Authority of Kosovo (CAA) is vested with the powers to preserve aviation safety in Republic of Kosovo,

Recognizing the need for the establishment of Airport Protection Zones following standards of Chapter 4, Annex 14 to the Chicago Convention,

Hereby issues the following:

**REGULATION No. 5/2010
ON AIRPORT PROTECTIVE ZONES**

Article 1

Scope of Application

This Regulation is applicable to all legal entities and individual persons owning or planning to erect a construction in the vicinity of an airport and to the institutions which pursuant to Article 34 of Law Nr. 2004/15 on Construction are responsible for issuing permissions for all types of constructions enlisted thereunder, and the operators of certified airports in the territory of the Republic of Kosovo.

Article 2

Definitions and Interpretations

For the purpose of this Regulation, the following definitions shall apply:

"Aerodrome"- means a defined area on land (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

"Airport" - means a landing area used regularly by aircraft for receiving or discharging passengers or cargo.

"Airport protective zones"- means the entire airport and an area of land or water surface outside its boundaries where height of the constructions is limited.

"Aerodrome Operator" pursuant to Regulation 1/2008 of 27 November 2008 shall mean:

a) a natural person who is engaged as, or who serves in the capacity of, a director or manager of an airport, an aerodrome, an airfield or an air traffic service unit, if such airport, aerodrome, airfield or air traffic service unit provides or maintains aerodrome and/or air navigation facilities for public transport aircraft operations;

b) a natural person in charge of the inspection, maintenance, overhauling, or repair of an aerodrome, and any individual in charge of the inspection, maintenance, overhauling, or repair of air navigation service unit facilities, radio navigation aids, equipment or appliances.

"Annex 14" means the latest edition of the Annex on "Aerodromes", Volume 1, to the Chicago Convention, as at present in force,

"CAA" means the Civil Aviation Authority of Kosovo.

"Certified aerodrome" means an aerodrome whose operator has been granted an aerodrome certificate.

"Construction" means erection, installation, replacement, renovation, enlargement, alteration, conversion or demolition of construction building, excluding works for maintaining existing buildings.

"Developer" means any legal or natural person that has shown the interest to build or has applied for a building permission.

"Electronic aids" means non-visual or instrumental aids used for air navigation at the airport.

"Ministry/ies" means the relevant Ministry or Ministries which may be jointly or severally responsible for issuing construction permits in accordance with the Law No. 2004/15 on Construction.

"Municipalities" means Municipalities that have an aerodrome or its Obstacle Limitation Surfaces within its municipal boundaries.

"Obstacle" in relation to an aerodrome, means all fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are located on an area intended for the surface movement of aircraft or that extend above a defined surface intended to protect aircraft in flight.

"Obstacle limitation surfaces (OLS)" means a series of surfaces that define the volume of airspace at and around an aerodrome to be kept free of obstacles in order to permit the intended aeroplane operations to be conducted safely and to prevent the aerodrome from becoming unusable by the growth of obstacles around the aerodrome.

"Standards" means a reference to Standards for Obstacle Restriction and Removal as set forth in Chapter 4 of Annex 14, the Law No. 03/L-051 on Civil Aviation, and this Regulation.

“Safeguarding Map” means a colour coded map that describes the Airport Protective Zones based on the height limitations for the constructions in different surfaces around the airport.

“Visual aids” means aids at the airport that visually assist air navigation at the airport.

“Visual flight paths” or VFR flights means a flight conducted in accordance with visual flight rules.

Article 3 General Provisions

3.1 All certified aerodromes require Protective Zones in which construction activities may be restricted in order not to jeopardize flight operations from any obstacles.

3.2 Aerodrome Operators are required to define the Airport Protective Zone for the aerodrome they operate in accordance with the standards of Annex 14 to the Chicago Convention. These zones shall be laid down in a Safeguarding Map which shall be accepted and approved by the CAA and made available to the relevant Ministry and Municipalities.

Article 4 Applications for the Construction Permit

4.1 Any and all applications for the construction permit of any construction situated within the territory of the defined Protective Zone of an aerodrome addressed to the relevant Ministry and/or Municipalities shall be subject to the review and prior assessment of compliance with the provisions of paragraph 3.

4.2 The Ministry and Municipalities shall, within a reasonable time, forward an application for the construction permit to the aerodrome operator with all necessary information attached thereto.

4.3 Aerodrome operator shall assess an application for the construction permit within the scope of paragraph 1, against the following criteria:

- a) Obstacle Limitation Surfaces which protect Visual and Instrument Flight Paths;
- b) Effects on Visual and Electronic Aids to Air Navigation;
- c) Potential to attract Birds;

4.4 Aerodrome operator shall within five working days upon receiving the application, review and provide its final assessment with substantiated reasoning to the CAA by stating any of the following findings:

- a) no objection with regards to any point of paragraph 3;
- b) no objection, subject to certain conditions duly stated;
- c) objection, with regard to any point of paragraph 3.

4.5 Aerodrome operator may, on exceptional basis and due to the complexity of the subject matter, extend the time referred to in paragraph 4 for five additional days, provided it receives prior consent of the relevant Ministry or Municipalities involved.

4.6 Subject to the final assessment carried out by the aerodrome operator, the CAA will issue appropriate decision in respect of the compliance of the application for the construction permit with provisions of paragraph 3.

4.7 Without prejudice to the exercise of competences and powers granted by the applicable law to the Ministry and Municipalities, the latter shall take into account the finding of an assessment as endorsed by the CAA when taking the appropriate decision over an application for a construction permit within the scope of paragraph 1.

Article 5
Monitoring of compliance

All aerodrome operators shall regularly monitor and record all constructions within the boundaries of the defined Protective Zone in relation to their compliance with provisions of this Regulation and report the results to the CAA.

Article 6
Entry into force

This Regulation shall enter into force on 20 October 2010

Dritan Gjonbalaj
Director General