LAW OF GEORGIA

AIR CODE OF GEORGIA

Section I

General Provisions

Chapter I – Basic Provisions

Article 1 – Definition of terms

a) Aerodrome – a defined area of land or water surface (including any buildings, structures and installations) intended to be used either wholly or in part for the arrival, surface movement or departure of aircraft;

b) (Deleted – 22.12.17, N1818);

c) Airport – an enterprise, which carries out receipt of aircraft, baggage, cargo and/or mail, carries out their service, procession and launches aircrafts, and for this purpose, has an aerodrome, air terminal, and other above-ground structures, installations, and maintenance personnel;

d) Terminal control area – a portion of airspace with lateral and vertical dimensions above an airport and its surrounding territory, which also includes soil and water surfaces underneath;

e) Airline Transport Pilot – a pilot holding an Airline Transport Pilot licence and authorised to act as pilot in command or as a second pilot on any plane or helicopter;

f) Centre of aviation medicine – a legal person established in accordance with the legislation of Georgia which carries out medical activities in accordance with the set procedures and which is authorised to ensure medical examination of aviation specialists and issue appropriate medical certificates on the basis of a certificate issued by the Legal Entity under Public Law called the Civil Aviation Agency within the system of the Ministry of Economy and Sustainable Development of Georgia;

g) Expert of aviation medicine – a person with higher education who holds a state certificate confirming his/her right to engage in independent medical practice, and who has additionally attended aviation medicine training and passed higher education courses in the aviation medicine, and who carries out medical examination for the purpose of issuing a medical certificate of an aviation specialist;

h) Flight crew – specially trained flight crew members, holding certificates for operation for a specific type of aircraft and its equipment in flight;

i) Operator's Certificate – a certificate that confirms capability of an aircraft operator to carry out safe exploitation of aircraft. Operator's Certificate shall not be required from physical and legal persons who carry out aircraft exploitation for their personal use;

j) Inspection (inspection check) – assessment of conformity of civil aviation activities, including flight safety and/or aviation security, with the requirements established under the legislation of Georgia, as well as under international agreements and treaties, and carried out by an authorised person (Flight Safety Inspector, SAFA – Inspector) of the Legal Entity under Public Law (LEPL) called Civil Aviation Agency within the Ministry of Economy and Sustainable Development of Georgia, by checking documents, actual conditions on the ground and on board of an aircraft;

k) Commercial flight (commercial transportation) – an aircraft flight involving carriage of passengers, baggage, cargo and/or mail for remuneration or hire;

l) Air transportation certificate – a document certifying the right of an aircraft operator to carry out commercial carriage of passengers and transportation of baggage, cargo and/or mail;

l^1) Meteorological information – a meteorological report, results of observation or analysis, forecast or any other information which reflects real or expected meteorological conditions;

m) Licence recognition – an action where a State recognises a licence issued by another State as having equal value to the one issued by it;

n) Piloting (operation) – manipulating the flight controls of an aircraft during flight;

o) Legal acts of the Agency – legal acts issued by a Director of the Legal Entity under Public Law (LEPL) called Civil Aviation Agency within the Ministry of Economy and Sustainable Development of Georgia;

p) Aviation personnel – a special staff of an aviation enterprise, institution or organisation; it consists of appropriately trained aviation specialists, who are licenced to operate flights and provide services;

q) (Deleted – 22.12.17, N1818);

r) Aviation employees – skilled workers of civil aviation, whose activities serve to achieve the objectives of Civil Aviation;

s) International Airport – an airport that renders international air transportation services and where border, sanitary and quarantine, and customs control is exercised.

t) Civil aviation – aviation, which, according to application purposes, is divided into air transport and general aviation;

t^1) Air transport aviation – civil aviation designed for carrying out air transportation;

t^2) General aviation – civil aviation not designed for air transportation and which involves carrying out of works related to aviation;

u) Flight duty period – the period of time that starts from the moment the flight crew is being instructed by an aircraft operator to appear for the fulfilment of duties and/or to proceed with the fulfilment of duties and which shall end immediately after completion of relevant duties;

v) (Deleted – 22.12.17, N1818);

w) Flight mission – a document of an established format that contains the necessary data about the crew, aircraft, and the purpose of the flight;

x) Flight crew member – a certified crew member who carries out duties imposed by an air carrier or by a pilot-in-command for ensuring safety of passengers and who does not participate in the operation of aircraft;

y) Flight work – work carried out by the flight crew to carry out the flight mission.

z) Territory of Georgia – the land area under its sovereignty and the territorial waters of the Black Sea adjacent to it.

z^1) Air space of Georgia' – space above the territory of Georgia;

z^2) State Aviation – aviation used in military, police, state security and customs services;

z^3) 'Air traffic' – all aircraft in the air and those moving in the manoeuvring area of an aerodrome;

z^4) (Deleted – 22.12.17, N1818);

z^5) Air vehicles' – airplanes, helicopters, airships, gliders, air balloons, rescue parachutes, and other vehicles intended for flight;

z^6) Airspace supervising state – a state that is responsible for air navigation in airspace;

z^7) Air traffic service route – a route designed for channelling the flow of traffic and for the provision of air traffic services;

z^8) Aircraft – any machine supported for flight in the atmosphere as a result of interaction with the air, with the exception of interactions with the air reflected from the Earth's surface. Aircraft includes: airplanes, helicopters, gliders, and other machines;

z^9) National aircraft – an aircraft registered in an appropriate state register of Georgia;

z^{10}) Aircraft crew – persons (flight crew and flight crew members) who are responsible for aircraft operation and performance of specific service duties when carrying out a flight mission;

z^{11}) Pilot in command' – a pilot responsible for aircraft operation and safety during flight time;

z^{12}) A special flight in the civil aviation of Georgia – a flight reserved for the transportation of top public officials;

z^{13}) Aircraft type – division of aircraft on the basis of their main characteristics, for example: airplanes, helicopters, gliders, free-

flying balloons, and other machines;

z[14]) Aerial work – use of aircraft for serving such industries as: agriculture, construction, topographic surveys, patrolling, search, rescue, etc.;

z[15]) Flight plan – appropriate information submitted to an air traffic authority on the aircraft's expected flight or portion of it;

z[16]) Ramp-to-ramp time (flight time) – for airplanes and other aircraft – the total time from the moment an aircraft moves for purposes of flight, until it comes to rest at the point of landing; for helicopters – the total time from the moment the main rotor of the helicopter starts to rotate until the time when the helicopter stops to work and the main rotor stops to rotate;

z[17]) Flight Safety Inspector – a person authorised by the Legal Entity under Private Law (LEPL) called the Civil Aviation Agency within the Ministry of Economy and Sustainable Development of Georgia to carry out inspections;

z[18]) Airworthiness Certificate – a document that attests that the aircraft is airworthy;

z[19]) Prohibited area – an area of airspace of defined dimensions above the land areas or territorial waters of a State within which the flight of aircraft is prohibited;

z[20]) Danger area – an airspace of defined dimensions above the land areas or territorial waters of a State within which activities dangerous to the flight of aircraft may be carried out at specific times;

z[21]) Restricted area – airspace of defined dimensions above the land areas or territorial waters of a State within which the flight of aircraft is restricted in accordance with certain conditions;

z[22]) Charter – a contract under which one party (lessor) transfers, for a specified price, the entire capacity or part of the capacity of one or more aircraft to the another party (the lessee) for one or more flights to transport passengers, baggage and/or cargo or for other purposes;

z[23]) (Deleted – 22.12.17, N1818);

z[24]) EASA – European Aviation Safety Agency;

z[25]) SAFA – Safety Assessment of Foreign Aircraft (ramp inspections) programme;

z[26]) SAFA Inspector – a person authorised by the Civil Aviation Agency, a legal entity under public law (LEPL) within the Ministry of Economy and Sustainable Development of Georgia to carry out inspections of foreign aircraft according to SAFA;

z[27]) Aeronautical information – information obtained as a result of collecting and analysing aeronautical data;

z[28]) Aeronautical information publication – a publication issued in the name of Georgia containing information of a lasting character which is essential for the provision of safe flights;

z[29]) Unified aeronautical information package – a material and/or electronic package which includes: an aeronautical information publication (including amendments and provisional amendments therein); NOTAM (a notice of airmen concerning the service, procedures, hazards, and on conditions of aeronautical facilities, their change and commissioning) and preflight information bulletins; circular (additional) information and a list of applicable NOTAM.

Z[30]) The European Air Traffic Management Master Plan of the Single European Sky – the plan approved by a decision 2009/320/EC of the Council of the European Union, relating to the development of air traffic management system of the new generation of Europe within the framework of the European Air Traffic Management (ATM) research (SESAR) project;

Z[31]) Air traffic management – a combination of air-based and land-based functions (air traffic service, airspace management and air traffic flow management), which is necessary for safe and efficient conduct of flights by an aircraft being in any stage of flight, by providing technical facilities and continuous services;

Z[31]) Air traffic flow management – a type (function) of air navigation service, which aims to manage air traffic flows in order to have safe, regulated and rapid air traffic for ensuring the maximum use of capacity of air traffic surveillance service, and the compatibility of air traffic flow with the capacity announced by an air navigation service enterprise;

Z[32]) Airspace design – development and implementation of optimised aircraft route network, sectorisation related to the network, optimised airspace structures, and the procedures for air traffic management;

Z) Airspace management – a type (function) of air navigation service which aims to use maximum airspace on the basis of optimum time allocation, and on the basis of gradual allocation of airspace, for short-term necessity, for different category airspace users;

Z[34]) Aeronautical data – aeronautical facts, concepts and instructions, which are expressed in the established form, for the purposes of their communication, interpretation or handling;

Z[35]) ICAO – International Civil Aviation Organisation.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 3806 of 12 November 2010- LHGI, No 66, 3.12.2010, Art. 414

Law of Georgia No 5963 of 27 March 2012 – website, 12.4.2012

Law of Georgia No 6385 of 5 June 2012 – website, 19.6.2012

Law of Georgia No 136 of 21 December 2012 – website, 30.12.2012

Law of Georgia No 3954 of 8 July 2015 – website, 15.7.2015

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 2 – Purpose of the Code

1. The aim of the Code is to:

a) legally regulate the activities of Georgian aviation;

b) determine unified standards of safety of aviation activities and aviation security;

c) contribute to the stable development of air transportation, and to the free implementation of cargo and luggage shipment, conveyance of passengers and other related services;

d) improve air navigation services and ensure the safety, regularity and effectiveness of air navigation;

f) ensure the protection of the rights of Georgian air space users.

2. Georgia, as a Contracting State to the 1944 Chicago Convention on International Civil Aviation, shall be obliged to ensure timely harmonisation of Georgian legislation with the requirements of this Convention, its annexes and amendments within the period prescribed in the relevant documents.

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 3 – Scope

The Air Code of Georgia shall apply to:

1. All air-vehicles ('aircraft') within the territory of Georgia, regardless of their form of ownership, departmental affiliation and nationality;

2. All legal and natural persons engaged in aviation activities within the territory of Georgia;

3. Georgian aircraft during their stay in a foreign State, unless otherwise provided in the laws of that State;

4. All legal and natural persons whose activities may affect the flight of an aircraft.

Article 4 – Legislation on the use of Georgian airspace

1. The use of Georgian airspace shall be regulated by this Code and other legislative acts adopted under the Code.

2. The procedure for using the airspace shall be determined under the legislation of Georgia, international instruments, and international agreements.

Article 5 – Sovereignty of Georgia over its airspace

1. Georgia shall have complete and exclusive sovereignty over the airspace above its territory.

2. The territory of Georgia is the land area under its sovereignty and the territorial waters of the Black Sea adjacent to it.

3. The airspace of Georgia is the space above the land areas and the territorial waters of the Black Sea adjacent to it.

Article 6 – Use of Aviation in Georgia

1. Georgian aviation is divided into civil aviation and state aviation.

2. Georgian aircraft are used for:

a) carrying passengers, baggage, cargo and mail;

b) performing specific aerial works;

c) providing medical assistance to the population and taking sanitary measures;

d) implementing search-and-rescue, as well as emergency rescue activities;

e) carrying out experimental and research works;

f) conducting educational, sporting, cultural-educational, exhibition, and trade events and developing technical creativity;

g) meeting the needs of legal and natural persons;

h) ensuring national security and defence capacity;

i) police and customs control purposes;

j) implementing other activities and services, if they do not contradict the legislation of Georgia.

Law of Georgia No 3806 of 12 November 2010 – LHGI, No 66, 3.12.2010, Art. 414

Law of Georgia No 5963 of 27 March 2012 – website, 12.4.2012

Law of Georgia No 3954 of 8 July 2015 – website, 15.7.2015

Article 7 – Ownership rights to aviation facilities

Aviation facilities in Georgia may be owned by the State, legal or natural persons (including foreign states), except for air traffic service routes, domestic airways, aircraft flight control systems, air traffic management and control facilities, and runways of special importance in Georgia, which are state property in Georgia, and the list of which shall be approved by the Ministry of Economy and Sustainable Development of Georgia.

Law of Georgia No 5300 of 11 July 2007 – LHGI, No 31, 3.8.2007, Art. 352

Law of Georgia No 1909 of 3 November 2009 – LHGI, No 35, 19.11.2009, Art. 21

Law of Georgia No 3749 of 26 October 2010 – LHGI, No 62, 5.11.2010, Art. 389

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 7^1. Measuring units used for civil aviation activities

For civil aviation activities within the airspace of Georgia, the measuring units provided for by Annex 5 of the Chicago Convention of 1944 on International Civil Aviation shall be used. Procedures for the use of measuring units of civil aviation activities shall be approved on the basis of a normative act of the legal entity under public law called the Civil Aviation Agency, operating within the Ministry of Economy and Sustainable Development of Georgia.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Chapter II – State Supervision and Regulation of Aviation Activity

Article 8 – State supervisory and regulatory bodies for aviation activities and their powers

1. State policy in the field of civil aviation shall be implemented by the Ministry of Economy and Sustainable Development of Georgia.

2. The Legal Entity under Public Law (LEPL) – Civil Aviation Agency within the Ministry of Economy and Sustainable Development of Georgia ('the Agency') shall implement, within the scope of its authority, state supervision and regulation of civil aviation activities. 3. The Ministry of Defence of Georgia shall implement state supervision and regulation of aviation activities.

The authority of these bodies shall be determined by this Code and other legislative acts of Georgia.

4. The powers of the agencies, natural and legal persons that are involved in the process of carrying out special flights in the civil aviation of Georgia, and the procedures related to the performance of these special flights shall be determined by a legal act approved by the Government of Georgia in accordance with the Law of Georgia on State Secrets.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 2267 of 4 December 2009 – LHGI, No 45, 21.12.2009, Art. 336

Law of Georgia No 3749 of 26 October 2010 – LHGI, No 62, 5.11.2010, Art. 389

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 136 of 21 December 2012 – website, 30.12.2012

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Article 8^1 – Inspection of civil aviation activities

1. A flight safety inspector and/or a SAFA inspector shall inspect civil aviation activities.

2. A flight safety inspector/a SAFA inspector shall be independent in his/her activities and act under the legislation of Georgia, treaties and international agreements of Georgia.

3. A flight safety inspector may, at any time, freely access aviation enterprises and the buildings and structures in their possession the duty of which is to ensure flight safety and aviation security. The inspector shall also have access to aircraft that are registered in the State Register of Civil Aircraft as well as to aircraft that carry out their activities in the territory of Georgia, and request any document and information related to aircraft flight safety, operation and maintenance, and aviation security, also check the procedures and technical equipment ensuring flight safety and aviation security, to interview any person for the purpose of evaluating the fulfilment of flight safety and aviation security requirements and the appropriate procedures.

3^1. The Agency shall ensure remuneration of the minimum hours worked by a flight safety inspector in a relevant aviation enterprise for maintaining qualification defined by the normative act of the Agency.

4. A SAFA inspector may, at any time, freely access aircraft registered in state aircraft registers of other countries and request any document or information related to aircraft flight safety.

5. During inspections, a flight safety inspector/a SAFA inspector shall be authorised to stop the flight of the aircraft, as well as to suspend the further exercise by any person of his/her rights granted under a certificate (licence) or any other aviation document, if the inspector detects a defect that poses a threat to flight safety or security of civil aviation.

6. Legal and natural persons that are being inspected shall be obliged to assist a flight safety inspector/SAFA inspector in the performance of his/her official duties and provide him/her with any document and information related to flight safety, operation and maintenance of aircraft and aviation security.

7. The agency shall ensure the functional independence of a flight safety inspector/a SAFA inspector during the inspection.

8. Inspection procedures and powers of a flight safety inspector/SAFA inspector shall be determined under a normative act of the Agency.

9. The Agency may refrain from disclosing information on flight safety and/or aviation security acquired during inspection and supervision if disclosure of such information may adversely affect the flight safety or aviation security as provided for by Annex No 19 to the 1944 Chicago Convention on International Civil Aviation.

Law of Georgia No 6385 of 5 June 2012 – website, 19.6.2012

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 8^2 – Aviation safety programme, safety management system

1. An aviation safety programme is a set of rules and measures intended to raise the level of flight safety in the country.

2. An aviation safety programme shall be approved by the Government of Georgia in accordance with the requirements of treaties and international agreements of Georgia.

3. A safety management system is a systematic approach to flight safety management, which includes mandatory organisational structure, hierarchy of persons responsible for flight safety, guiding principles and procedures.

4. General rules for safety management system developed in accordance with the requirements of treaties and international agreements of Georgia shall be approved by the Agency.

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Article 8^3 – Aviation accident and notification procedures

1. An aviation accident is an aviation occurrence, a serious incident or an incident, as well as a malfunction of an aircraft and/or its system, failure of systems and facilities used in air navigation services or other unusual circumstances that affected or could have affected flight safety.

2. Aviation accident notification procedures shall be approved by the Agency.

3. The Agency shall be obliged to collect information on aviation accidents, ensure personal data privacy of the supplier of this information, organise, analyse, and process these reports, create and maintain a database of reports, exchange report data with other national aviation authorities and international aviation organisations, and determine measures for raising flight safety levels.

4. The aim of aviation accident reports is to take preventive measures rather than to establish somebody's guilt or liability for the occurrence.

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Article 9 – Normative acts on aviation activities

1. Aviation regulatory bodies, within the scope of their authority, under this Code and other legislative acts of Georgia, shall issue mandatory rules, orders, instructions, circulars and other normative and individual acts for all owners and users of aviation facilities, for regulating aviation activities and the matters related to production, repair, construction and operation of aviation facilities and for conducting immediate aviation security measures.

1^1. In addition to the acts referred to in the first paragraph of this article, civil aviation activities shall be governed by the manuals,

guiding materials and procedures approved under the regulations and directives adopted by international aviation organisations and the EU.

2. Draft normative acts of other ministries and agencies, which envisage explosions, shooting, construction of high-rise buildings and equipment, installation of power lines, creation of radio interference and performance of other works that may endanger air traffic safety, shall be agreed with the aviation regulatory authorities.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 6093 of 26 April 2012 – website, 10.5.2012

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 9^1- Legal acts of the Agency

1. The Director of the Agency shall issue normative and individual administrative acts in the cases and within the scope determined by this Law, other legal acts and the international agreements and treaties of Georgia.

1^1. As an exception, the Director of the Agency may, taking into account flight safety and/or aviation security requirements, deviate from the normative acts applicable in civil aviation, in the cases and within the scope prescribed by respective normative acts.

2. The legal acts of the Agency may be appealed only in the courts in accordance with the procedures determined by the legislation of Georgia.

3. In the case of filing a lawsuit in court an appropriate legal act of the Agency shall be suspended, except for the legal acts issued due to the violation of the requirements of the 1944 Chicago Convention on International Civil Aviation, Annexes to the Convention and/or other normative acts applicable in the field of civil aviation that have or may have endangered flight safety and/or aviation security.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 9^2 – Safety instructions

1. Safety instructions is a document issued (verbally or in writing) or recognised by the Agency that shall be issued/recognised in the cases where it is confirmed that the flight and/or public safety are endangered, and if such document is aimed to restore aviation safety.

2. Safety instructions shall be sent in writing to respective legal or natural persons, which include at least the following information:

a) description of danger;

b) a legal or natural person to whom the safety instructions apply;

c) a list of actions to be taken (including those to be taken immediately, where necessary) and justification of the need of taking such actions;

d) time frames for the implementation of actions to be taken;

e) date of entry into force of the safety instructions.

3. In the case of urgent necessity, where an immediate action is required, safety instructions shall be verbal, taking into account information referred to in paragraph 2 of this article. Safety instructions shall be executed in writing within the reasonable time frames.

4. A legal or natural person, to whom the safety instructions apply, shall follow the safety instructions within the determined time frame.

5. The Agency shall supervise the compliance with the issued/recognised safety instructions.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Chapter III – Airspace and Air Navigation Service

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 10 – Airspace of Georgia and the use of airspace

1. Air vehicles shall have the right to use the airspace of Georgia during international and local flights, in accordance with bilateral and/or unilateral agreements signed with the State of Georgia, also cargo carriers registered in Georgia and aircrafts registered with the State Registry of Civil Aircrafts of Georgia shall use the airspace of Georgia during local flights, in accordance with the legislation of Georgia.

[2. If the use of the airspace of Georgia is related to gunnery and artillery firing, shot-firing or other similar actions, the use of the airspace of Georgia shall be carried out on the basis of the compliance with aircraft flight safety conditions.

3. Procedures for safe gunnery and artillery firing, shot-firing or other similar actions within the airspace of Georgia shall be developed by the Ministry of Internal Affairs of Georgia and the Agency, and shall be approved by the Government of Georgia. ***(Shall become effective from 1 January 2019)***].

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 10^1 – (Deleted)

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 10^2 – (Deleted)

Law of Georgia No 1900 of 27 December 2013 – website, 30.12.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 11 – Air navigation service

For the purposes of ensuring safety, regularity and effectiveness of air navigation, the air navigation service rendered for air traffic shall include the following:

a) organisation of air navigation, which involves:

a.a) air traffic service;

a.b) airspace organisation;

a.c) air traffic flow organisation;

b) aviation communication, navigation and radar service;

c) aviation meteorological service;

d) air navigation information service;

e) search and rescue service.

2. The services referred to in paragraph 1 of this article, or a part of the mentioned services shall be performed by an air navigation service enterprise certified by the Agency in the airspace of Georgia or in the part thereof, also within the air space on top of the high seas, where air traffic is ensured by Georgia, and on the civil airdromes.

3. Procedures for the certification of an air navigation service enterprise shall be approved by the Agency on the basis of a

normative act.

4. The Agency shall designate a certified air navigation service enterprise as a person carrying out air navigation services.

5. An air navigation service enterprise shall ensure the rendering of air navigation services in accordance with the legislation of Georgia, taking into account requirements of the ICAO Global Air Navigation Plan, and the European Air Traffic Management Master Plan of the Single European Sky.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 12 – Air traffic service

1. Air traffic service includes the following:

a) flight information service (FIS) (including airdrome flight information service, airdrome information automated service)

b) alerting service

c) consultancy service in the field of air traffic

d) control service in the field of air traffic (regional control service, approach control service, airdrome control service).

2. The Agency shall approve procedures for air traffic service on the basis of a normative act.

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 13 – Air navigation service engineering

1. Air navigation service engineering implies operation of technology/systems related to the services referred to in Article 11(1) of this Code.

2. An air navigation service enterprise shall ensure capacity, reliability, continuity and integrity of technology/systems related to the services referred to in Article 11(1) of this Code.

3. An air navigation service enterprise shall use only those technology/systems related to air navigation service, which have been acknowledged by the Agency in advance.

4. The Agency shall approve procedures for air navigation service engineering on the basis of a normative act.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 14 – Aviation meteorological service

1. Aviation meteorological services includes the provision of meteorological information to aircraft operators, flight crew members, air traffic service authorities, authorities involved in search and rescue operations, airports, and other users of Georgian airspace.

2. Rendering of aviation meteorological services shall be ensured by the Agency.

3. Technical regulations on the procedures for ensuring meteorological services for civil aviation of Georgia shall be approved by the Government of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 15 – Providing aeronautical information

1. Aeronautical data and aeronautical information involves information on Georgian airspace and the airspace above the high sea, where air traffic service is provided by Georgia.

2. An air navigation service enterprise shall receive, sort out, unify, edit (without changing the content), store and publish and disseminate in the set format aeronautical data and aeronautical information from aeronautical data and aeronautical information providers.

3. Providers of air navigation data and air navigation information and the rights and duties of such providers, and the procedures for providing air navigation data and air navigation information shall be approved by the Government of Georgia.

4. An integrated package of aeronautical information shall be published by an air navigation service enterprise in the name of the State of Georgia, and it shall be available for all.

5. Procedures for air navigation information service shall be approved by the Agency on the basis of a normative act.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 16 – Georgian airspace structure and airspace classification

1. The structure and classification of Georgian airspace and the airspace over the high sea where air traffic services are ensured by Georgia, shall be developed by the Agency in agreement with the Ministry of Defence of Georgia.

2. Taking into account the requirements specified in paragraph 1 of this article, the Agency shall determine:

a) flight information areas

b) control areas

c) control zones

d) key control areas

e) airdrome movement zones

f) flight information zones

g) flight restricted areas

h) danger areas

i) prohibited areas, and other areas taking into account the interests of the State.

3. Flight restricted areas, danger areas, prohibited areas, and other areas provided for by paragraph 2 of this article shall be determined temporarily. The term of the relevant area shall not exceed the term of existence of conditions that caused the necessity of determining such area.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 17 – Flexible use of airspace

1. Taking into account state interests (including national defence capability), for the facilitation of air traffic and airspace organisation, the Flexible Use of Airspace (FUA) concept, developed by the European Organisation for the Safety of Air Navigation (EUROCONTROL), and an airspace management concept applicable in member countries of the European Civil Aviation Conference, shall be used.

[2. Airspace shall be organised on the basis of creating a unified civil and military airspace committee and a group of organisation of airspace by civil aviation regulation authorities of the State, and by public authorities for regulating state aviation, and on the basis of their close coordination on the strategic, tactical and pre-tactical levels. ***(Shall become effective from 1 September 2018)***].

3. Procedures for flexible use of airspace of Georgia shall be developed by the Ministry of Defence of Georgia and the Agency, and shall be approved by the Government of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 1900 of 27 December 2013 – website, 30.12.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 18 – Georgian airspace design

[1. Design of air traffic service routes, minimum flight heights and of other elements essential for safe air traffic services within the Georgian airspace shall be developed by an air navigation enterprise certified by the Agency, taking into account airspace organisation and air traffic flow organisation ***(Shall become effective from 1 September 2018)***].

2. Taking into account the requirements specified by this article and Article 16 of this Code, the rule on the structure and design o the Georgian airspace, on which classification of the Georgian airspace is based, shall be developed by the Agency, and approved by the Government of Georgia on the basis of a normative act.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 19 – Provision of aeronautical information of Georgia

1. For ensuring aeronautical safety, its stability and efficiency the service with aeronautical information of Georgia shall be provided by an air navigation service enterprise. .

2. Aeronautical data and aeronautical information includes information on airspace and airspace above the open sea of Georgia, where air navigation is provided by Georgia.

3. An air navigation service enterprise shall receive, sort out, unify, edit (without changing the content), store and publish and disseminate in the set format aeronautical data and aeronautical information from aeronautical data and aeronautical information providers.

4. Aeronautical data and aeronautical information providers, their rights and obligations and the procedures for the provision of aeronautical data and aeronautical information shall be determined by the Government of Georgia.

5. A unified aeronautical information package shall be published in the name of Georgia and shall be available for all.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

[Article 19 – Flight procedure design service

1. For civil aerodromes within the Georgian airspace, flight (instrument and/or visual flight operations) procedure design service, which include flight procedures design, documentation, verification, gradual revision and updating, shall be carried out by an air navigation service enterprise certified by the Agency in accordance with the rules of flight procedures design.

2. Flight procedures shall be approved by the Agency before they are followed.

3. The rule on the flight procedure design shall be approved by the Agency on the basis of a normative act. (***Shall become effective from 1 September 2018***)].

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 20 – Aviation maps

[1. Georgian civil aviation maps shall be made up, and their availability and regular updating shall be ensured by an air navigation service enterprise certified by the Agency. (***Shall become effective from 1 June 2018***)]

2. Upon the request of the contracting state of the 1944 Chicago Convention on International Civil Aviation, Georgia shall ensure availability of information with regard to its own territory, which is essential for the fulfilment of the requirements provided for by Annex 4 of the Convention.

3. Procedures for making up aviation maps shall be approved by the Agency on the basis of a normative act.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 20^1 – Search and rescue services

1. Search and rescue services include the monitoring of state of emergency, provision of communication, coordination of activities, search and rescue, rendering of medical aid, evacuation for medical purposes using public and private resources, including aviation, marine and other facilities.

2. Search and rescue services shall be carried out by the Georgian aviation forces and facilities, as well as with the support of the land and marine search and rescue teams.

3. A procedure for delivering search and rescue services, the structures rendering those services, and their rights and obligations shall be determined by the aviation search and rescue response plan, which shall be approved by the Government of Georgia.

4. Emergency rescue services in the territory of an aerodrome and adjacent areas shall be rendered by an emergency rescue team o the aerodrome. Expenses related to rendering such services shall be incurred by an aircraft operator /air carrier.

5. Search and rescue services shall be financed from the State Budget of Georgia.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 20^2 – Access of foreign search and rescue team of a foreign state to the territory of Georgia

1. Under agreements concluded between Georgia and foreign states, search and rescue teams of foreign states and the technical means in their ownership shall be granted access to the territory of Georgia, including owners of distressed aircraft/aircraft operators and/or the representatives of those states where the distressed aircraft is registered.

2. In the absence of an appropriate agreement with Georgia, a permit granting access to foreign search and rescue teams, and the technical means in their ownership, to the territory of Georgia, including owners of distressed aircraft/ aircraft operators, and/or the representatives of those states where the distressed aircraft is registered, shall be issued by the Government of Georgia.

3. Search and rescue operations of passengers of the endangered aircraft in the airspace above the open sea where air traffic services are ensured by Georgia, shall be performed by the search and rescue teams of Georgia, or by the unified forces of Georgia and a foreign state, based on their mutual agreement.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 20^3 – Supervision over air navigation services

1. Supervision over air navigation services include:

a) certification, inspection and continuous monitoring of air navigation services;

b) recognition of the technical facilities/systems associated with the maintenance of air navigation services;

c) supervision over changes to be made in an enterprise delivering air navigation services, and agreement with respect to the safety/quality management system and documents relating to it, etc.

2. The Agency shall perform the supervision provided for by paragraph one of this article in the manner prescribed by this Code, treaties of Georgia and procedures developed on the basis of the treaties.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 20^4 – Air navigation service charges

1. Principles and methodology for developing and calculating an air navigation service charges shall be determined by the order of the Minister of Economy and Sustainable Development of Georgia.

2. The following shall be exempt from air navigation service charges:

a) state aircraft

b) aircraft flight performed for rendering search and rescue services aimed to rescue persons, state and private property during martial law, emergency situation, natural calamities, disaster, and accidents;

c) an aircraft exempted based on and within a treaty of Georgia/flight of the aircraft.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Section II

Aircrafts, Aviation Personnel, Aerodromes and Airports

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Chapter IV – Aircraft

Article 21 – Classification of aircraft

1. Aircraft are divided into civil, state and experimental aircraft.

2. Aircraft that are registered in the Civil Aircraft State Register shall be referred to as civil aircraft.

3. Aircraft that are used for military, customs or police purposes and are included in the State Aircraft Register shall belong to state aircraft.

3. Aircraft that are used for military, police, and state security and customs purposes and are included in the State Aircraft Register shall belong to state aircraft.

4. An aircraft shall be regarded as experimental if it is used for performing flights for testing, experimental design or scientific-research purposes.

Law of Georgia No 1900 of 27 December 2013 – website, 30.12.2013

Law of Georgia No 3954 of 8 July 2015 – website, 15.7.2015

Article 21[1] – Unmanned aircraft systems and unarmed aircraft

1. Unmanned aircraft system is a combination of unmanned aircraft and the elements related to their operation.

2. An unmanned aircraft is a flight vehicle with no pilot on board.

3. The rules of registration and flight of unmanned aircraft as well as the rules of operation, use and restriction of unmanned aircraft systems and unmanned aircraft shall be determined by a normative act of the Agency.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 22 – Registration of aircraft

1. All airworthy aircraft shall complete mandatory state registration and obtain an appropriate certificate ('the Certificate').

2. Civil aircraft shall be registered in the Civil Aircraft State Register.

3. The aircraft holding airworthiness certificates shall be registered in the Civil Aircraft State Register.

4. The rules for civil aircraft registration, recording and removal from the State Register shall be established by the Agency, which shall maintain the Register based on these rules.

5. (Deleted).

6. State aircraft shall be registered in the State Register of State Aircraft.

7. The Ministry of Defence of Georgia shall maintain the Register of State Aircraft and establish rules for registration, recording and removal from the Register of State Aircraft.

8. (Deleted – 26.4.2012, No 6093).

9. Experimental aircraft shall not be registered in a state register. They shall be recorded in the organisations where experimental-design or scientific-research flights are carried out.

10. Non-production aircraft weighing not more than a thousand kilograms shall be subject to mandatory registration with the appropriate aviation sport authorities.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 6093 of 26 April 2012 – website, 10.5.2012

Article 23 – Removing aircraft from a state register

1. Aircraft shall be removed from a state register if:

a) an aircraft is retired because it has become unairworthy;

b) an aircraft is sold to a foreign state or to its legal or natural persons;

c) a leased aircraft is returned to a foreign state or to its legal or natural persons;

d) an aircraft is declared missing;

e) an aircraft that has been transferred to a foreign state or to its legal or natural persons for temporary use may also be removed from a Georgian state register if the contracting parties agree to do so.

2. If an aircraft is removed from a Georgian state register, its registration certificate shall become invalid.

Article 24 – Aircraft nationality

1. An aircraft that is registered in the appropriate state register of Georgian aircraft shall be regarded as having Georgian nationality.

2. An aircraft may not be registered in more than one State.

3. A dispute about the nationality of an aircraft may be resolved by agreement between the interested States or through an international arbitration court.

Article 25 – Right to operate an aircraft

1. An aircraft shall be operated after its compliance with the national flight standards is established and confirmed by an appropriate certificate.

1^1. In order to ensure safe flights, an agreement may be concluded between the Agency and a competent authority of another state to share functions, duties and responsibility for compliance with international standards with respect to the operation of an aircraft, in accordance with the requirements of Article 83 bis of the 1944 Chicago Convention on International Civil Aviation.

2. Georgian state aircraft shall be operated by the Ministry of Defence of Georgia in a prescribed manner.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 6385 of 5 June 2012 – website, 19.6.2012

Article 26 – Documents necessary for operating an aircraft

1. Civilian aircraft shall not be permitted to fly unless the following documents are available:

a) a state registration certificate

b) an airworthiness certificate

c) a license for using on-board radio equipment, if the aircraft is equipped with radio equipment

d) a log book

e) a certificate held by each member of the crew

f) during passenger carriage – a list of their names, indicating departure and destination points

g) during cargo shipment – manifest and detailed cargo declarations.

2. The Agency may additionally develop and publish a list of documents and forms that must be kept on board an aircraft according to the purpose and goals of the flight.

3. The Agency may allow an exception to the above list when developing standard requirements for an aircraft with not more than 1 000 kilograms of structural weight.

4. State and experimental aircraft shall keep on board those documents that are prescribed in the normative acts drafted by their owners.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 27 – Aircraft identification marking

1. Aircraft registration and nationality marks shall be assigned to a civil aircraft upon entering it into a state register. The marks

shall be placed on the outer surface of the aircraft in a prescribed manner.

2. In addition to registration and nationality marks, an aircraft may be marked with symbols, emblems and inscriptions in accordance with the terms prescribed by aircraft state registration rules of Georgia.

3. The rules for marking Georgian civilian aircraft with nationality or other marks shall be established by the Agency.

4. The rules for marking Georgian state aircraft with nationality or other marks shall be established by the Ministry of Defence of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 28 – Radio Call Signs

Radio Call signs will be granted to Georgian aircraft that have a radio communication device.

Chapter V – Aviation Personnel

Article 29 – Aviation personnel

A list of aviation personnel specialities shall be determined by:

a) the Agency – for civil aviation personnel;

b) the Ministry of Defence of Georgia – for state aviation personnel.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 29^1 – Special clothes and uniforms for civil aviation personnel

1. Engineering personnel of the air traffic service shall wear special clothes. Air traffic controllers and aeronautical information service officers shall wear uniforms.

2. The design of uniforms and special clothes for aviation personnel, considering the list of aviation personnel specialities, shall be approved by the Agency.

Law of Georgia No 5337 of 24 November 2011 – website, 5.12.2011

Article 30 – Issuing certificates to aviation personnel

1. Aviation personnel may fly and render services based on a licence (certificate) issued or recognised under the legislation of Georgia.

2. Aviation rules shall be developed by:

a) the Agency, in the field of civil aviation;

b) the Ministry of Defence of Georgia, in the field of state aviation.

3. When performing their duties, aviation personnel shall carry a certificate that conforms to the above rules.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 31 – Aviation personnel training

Aviation personnel training shall be carried out in educational institutions that hold appropriate certificates.

Law of Georgia No 6385 of 5 June 2012 – website, 19.6.2012

Article 32 – Recognition of licences (certificates) issued by foreign states to aviation personnel

A licence (certificate) issued by a foreign state to aviation personnel may be recognised as valid in the territory of Georgia if there is an interstate agreement on mutual recognition of aviation personnel certificates.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Article 33 – Aircraft crew

1. An aircraft crew consists of a pilot-in-command, flight crew members, and service personnel.

2. Aircraft crew members who are citizens of Georgia shall be obliged to know the state language.

3. Civil aircraft crew may not fly with a reduced flight crew, except for special cases caused by martial law.

4. Minimum crew of the aircraft shall be determined based on a flight operations manual for a particular type of aircraft.

5. During experimental flights, the number of an experimental aircraft crew shall be determined by the aircraft makers.

Article 34 – Nationality of crew members

1. Georgian state and civil aircraft crew members shall be citizens of Georgia. Exceptions to this requirement may be permitted in compliance with the legislation of Georgia.

2. This rule shall also be applicable during the operation of foreign aircraft by legal persons of Georgia.

Article 35 – Pilot-in-command

1. A pilot-in-command is a pilot responsible for operation and safety of an aircraft during flight.

2. A pilot-in-command shall have a pilot's certificate, as well as training and experience necessary for independent operation of a specific type of aircraft and management of the crew according to aviation rules.

3. During a flight, the orders of a pilot-in-command shall be binding on all persons on board.

4. In cases of a forced landing of an aircraft, its pilot-in-command shall manage the actions of all persons on board until the arrival of representatives of appropriate public authorities.

5. An inspector who is a crew member and is qualified as a pilot-instructor and takes the place of a pilot shall be authorised to act as a pilot-in-command.

Article 36 – Authority of a pilot-in-command

1. Authority of a pilot-in-command of civil aviation aircraft shall be defined by Tokyo Convention of 14 September 1963 on Offences and Certain Other Acts Committed on Board Aircraft, this Code and normative acts of the Agency.

2. When performing official duties, a pilot-in-command of a civil aircraft shall be authorised to:

a) make a final decision on take-off, flight, landing, as well as on flight termination and landing on alternate aerodromes or outside an aerodrome;

b) in the case of an obvious flight risk, make decisions on jettisoning fuel, dropping cargo, mail and baggage while flying;

c) within his/her competence, issue commands to all persons on board during the flight;

d) take all necessary measures to ensure the safety of aircraft, persons on board aircraft and of their property and to maintain order on board aircraft, including measures, namely handcuffing (using a plastic handcuffs, etc.) against those persons who do not obey his/her commands and whose actions endanger aircraft, persons on board aircraft or their property or who breaks order on board aircraft. The pilot-in-command shall be authorised to hand over these persons to proper authorities after landing at the nearest aerodrome;

e) change the flight route, cross the state border and land on an aerodrome of a foreign country if there is a real threat to safe flight, human life and health, which is caused by a wrongful interference with civil aviation activities;

f) act as an authorised representative of an aircraft operator, enter into contracts in its name, taking into account the terms for flight safety, preservation of an aircraft, passenger's life and health protection;

g) during flights in extreme circumstances deviate from flight rules and requirements of normative acts regulating the crew operations in order to ensure safety of human life;

h) disobey commands and instructions of an air-traffic controller, if the pilot-in-command considers that performing the orders may endanger the flight. He/she shall be obliged to notify the air traffic controller about it.

2. The rights of a pilot-in-command of a state aircraft shall be determined by the Ministry of Defence of Georgia.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Chapter VI – Aerodromes and Airports

Article 37 – Aerodrome and airport classification

According to departmental subordination, aerodromes shall be divided into civil aviation, state aviation, and experimental aviation aerodromes.

Article 38 – Construction and reconstruction of aerodromes and airports

1. Research-exploration works, aerodrome design, construction and reconstruction shall be performed in compliance with the legislation of Georgia.

2. The area for construction and reconstruction of aerodromes and airports shall be allocated in compliance with the legislation of Georgia.

Article 39 – Certification of airports and aerodromes and putting them into operation

1. An aerodrome may start operation after completing state registration and receiving a certificate of suitability for air operations.

2. Certification rules for civil aviation aerodromes (airports) shall be developed and issued by the Agency.

3. State aviation aerodromes shall be put into operation under procedures drafted by the Ministry of Defence of Georgia and approved by the Government of Georgia.

4. (Deleted).

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Article 40 – Aerodrome registration

1. Georgian aerodromes shall be required to complete state registration. After state registration of the aerodromes, the data on the aerodromes shall be entered into the aeronautical information publication.

2. An aerodrome shall be removed from the Register if it is closed down or taken out of service.

3. Civil aviation aerodromes shall be registered by the Agency; state aerodromes shall be registered by the Ministry of Defence of Georgia.

4. From the day of removal from the State Register the registration certificate of an aerodrome shall lose validity, and the owner shall lose the right to use the aerodrome. In addition, the aerodrome data shall be removed from the aeronautical information publication.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 41 – Land use and construction of facilities within an aerodrome area

1. When constructing or using land plots, buildings, installations, communications, power lines and other facilities within the area of an aerodrome, the holders of those facilities shall be obliged to receive approval on the construction and use of those facilities from the person carrying out exploitation of an aerodrome, and conduct relevant works according to standards determined by the legislation of Georgia.

2. Legal and natural persons who violate the rules for land use and for constructing facilities within an aerodrome area, shall be obligated, at the request of the person carrying out exploitation of an aerodrome, to bring land use conditions and the newly constructed facilities in line with the established standards or to demolish the facilities at their own expense.

3. Civil aerodrome areas of Georgia shall be determined by the Agency.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 42 – Marking buildings, installations and other facilities within an aerodrome area

1. Owners of buildings, installations, communication and power lines, radio equipment and other facilities shall be obliged to place day and night signs and devices on them at their own expense within the aerodrome area.

2. It shall be prohibited to place in an aerodrome area any signs and devices similar to the aerodrome signs and devices, as well as the use of laser radiation devices which may disorient a pilot and hinder the safe flight

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 43 – Airport connection with the cities and populated areas

1. Airports shall have both transport links and postal, telephone, telegraph, and other types of connections with the nearest cities and populated areas.

2. Appropriate state authorities shall ensure maintenance, operation and uninterrupted traffic flow on access roads to airports.

Article 43^1 – Regulation of the movement of vehicles and pedestrians in the territory of a civil airdrome of Georgia

1. Procedures for the movement of vehicles and pedestrians in the territory of a civil airdrome of Georgia shall be approved by the

Agency on the basis of a normative act.

2. Any person driving a vehicle in the territory of a civil airdrome of Georgia shall be obliged to follow the traffic rules established by the entity operating the airdrome.

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Section III

Aircraft Flight Fundamentals

Chapter VII – Aircraft Flights

Article 44 – Flight rules

1. Flight of aircrafts in the airspace of Georgia (except for areas under Article 16(2)(g)(i) of this Code) shall be conducted in accordance with flight rules determined by the Agency, which include flight plans, and rules for instrument and visual flights, priority rights to flight, and other matters related to flight operations.

2. Flight of aircrafts in the restricted areas, danger areas, and in other temporary areas for flights, shall be conducted in the manner prescribed by the legislation of Georgia, in compliance with civil aircraft flight safety rules.

3. In the airspace above the high sea, where air traffic service is provided by Georgia, flights of civil aircrafts, without exclusion, shall be conducted in accordance with the requirements of Annex 2 of the 1944 Chicago Convention on International Civil Aviation.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 45 – Flight clearance in Georgian airspace

An aircraft that has state registration and identification marks, is properly prepared and carries on board all documents determined by aviation supervision and regulatory bodies, shall be cleared to fly in Georgian airspace. The said authorities may allow an exception to this rule for experimental aircraft and aircraft that do not require state registration.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Article 46 – Flight plan, control permit, flight mission

1. Flight of aircrafts in the airspace of Georgia shall be conducted on the basis of a flight plan, in accordance with the control permit. The control permit is an instruction issued for an aircraft by a body conducting air traffic control services, based on which aircraft operation conditions are determined. Flight of state aircrafts shall be conducted on the basis of the consent of an appropriate service of the Ministry of Defence of Georgia.

2. The flight plan shall be submitted to an air navigation service enterprise.

3. The basic document that specifies the purpose of the flight, objective and route, is a flight mission signed by an authorised official.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 850 of 23 December 2008- LHGI, No 40, 29.12.2008, Art. 276

Law of Georgia No 3749 of 26 October 2010- LHGI, No 62, 5.11.2010, Art. 389

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 47 – Reducing the adverse environmental impact of aircraft during flights

1. The right to use the airspace of Georgia shall be granted to those civil aircraft that meet the requirements of the legislation of Georgia on noise and engine pollutant emissions.

2. Aerodrome owners, operators and aircraft crew shall be obliged to reduce aircraft noise to a minimum on the earth's surface and during aircraft operation in the airspace.

3. Relevant authorities may demand that airport owners limit minimum altitude of aircraft during take-off and landing phases, restrict flights at certain times during the day or night and change flight paths.

4. Aircraft shall be allowed to fly at supersonic speed in the airspace of Georgia at an altitude that excludes its negative impact on the environment. Civil aircraft flying in the airspace of Georgia shall be prohibited to break the sound barrier.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Article 48 – Flight over populated areas; demonstration flight

1. Flights over populated areas shall be allowed at a height that allows the aircraft in case of a failure to land outside the populated area. The only exception to this rule shall be the cases where the aerodrome runway layout does not allow aircraft to land or take off without flying over the densely populated place.

2. The Ministry of Defence shall establish rules for flying over populated areas.

3. Permits for demonstration flights over populated areas shall be issued by the Agency in agreement with local self-government authorities.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 49 – Intruding aircraft

An aircraft that enters the airspace of Georgia without permission or violates other rules of using airspace, shall be deemed to be an intruding aircraft, and may be forced to land if the warning is disregarded. Upon receipt of the appropriate order the violating aircraft shall be obliged to land at a specified place.

[Article 49 – Violation of flight rules, interception of an aircraft

1. In the case of the violation of the airspace of Georgia, a pilot-in-command of an aircraft shall, immediately after receiving appropriate instructions from an air traffic service authority, ensure the landing of the aircraft on the specified area. In the case of the non-fulfilment of the mentioned instructions, it may be necessary to intercept (compulsory landing of the aircraft) an aircraft.

2. Interception of an aircraft in the airspace of Georgia shall be conducted only in the cases of extreme necessity, in accordance with the requirements of Article 3 bis of the 1944 Chicago Convention on International Civil Aviation.

3. Rules for interception of an aircraft shall be developed by the Ministry of Defence of Georgia and the Agency, and shall be approved by the Government of Georgia. (***Shall become effective from 1 January 2019***)]

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 50 – Aircraft radio communication and the use of phraseology when conducting flight and rendering air traffic services

1. An aircraft crew, or a pilot if the crew consists of a single person, equipped with radio communication devices, shall be obliged to ensure continuous listening to radio signals and set radio communication with air traffic service entity on the established aviation frequencies of radio communication.

2. The rules for aircraft radio communication and for the use of phraseology shall be developed by the Ministry of Defence of Georgia and the Agency, and shall be approved by the Government of Georgia.

3. Radio communication between an air traffic service entity and the crew of an aircraft in the airspace of Georgia (except for area under Article 16(2)(g)(i) of this Code, also except for the case provided for by paragraph 4 of this article) shall be conducted in the English language – the working language of ICAO.

4. If an aircraft is in the inflight emergency situation, when human life and health is in danger, for ensuring the safety of passengers' lives and security of their property, radio communication may, as exclusion, be conducted in the Georgian language, or in another working language of ICAO, on the condition that the language is known by persons rendering air traffic services and those who conduct radio communication – a pilot and a controller.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 51 – Standard working time and flight hours

1. The standard working time and flight hours for civil aviation shall be determined by the administration of the aviation enterprise concerned in accordance with the relevant normative acts of the Agency and the labour legislation of Georgia, in agreement with the management of flight units and flight personnel.

2. The working time and flight hours prescribed by the relevant normative acts and the labour legislation of Georgia may not be exceeded.

3. The standard working time and flight hours for state aviation shall be determined by the Ministry of Defence of Georgia.

Law of Georgia No 6385 of 5 June 2012 – website, 19.6.2012

Chapter VIII – International Flight

Article 52 – International flight

1. Scheduled international air services (transportation) of civil aircraft across the state border of Georgia shall be performed in compliance with the requirements of international treaties of Georgia and Article 6 (Scheduled air services) of the Chicago Convention on International Civil Aviation signed in 1944. The Government of Georgia shall establish the Procedure for Granting (appointing) the Status of a Scheduled International Air Service Provider to an Air Carrier Registered in Georgia for Providing Scheduled International Air Services, for Allocating Flight Frequencies to the Appointed Air Carriers and for Recognising Air Carriers Appointed by Foreign States.

2. The rules for irregular international flights in the airspace of Georgia shall be established by the Government of Georgia in accordance with international standards.

3. In the case of address by a foreign country through diplomatic channels, the procedures for granting authority to conduct flights in the airspace of Georgia shall be developed by the Ministry of Foreign Affairs of Georgia, and shall be approved by the Government of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 2177 of 1 December 2009- LHGI, No 42, 10.12.2009, Art. 309

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 53 – Application of rules related to passports, to crossing customs border of Georgia and other rules

The rules related to passports, sanitation, quarantine, entry-exit, property import-export, transit traffic in the territory of Georgia, also rules prescribed by the Tax Code of Georgia for crossing the customs border of Georgia and other rules shall apply to aircraft, crews and passengers (including their property) on board an aircraft who enter or exit Georgia (including transit through Georgia).

Law of Georgia No 3806 of 12 November 2010- LHGI, No 66, 3.12.2010, Art. 414

Law of Georgia No 5963 of 27 March 2012 – website, 12.4.2012

Article 54 – International flights and service delivery

Aircraft, aviation personnel and airports shall have the right to perform international flights and render services on the basis of a permit (certificate, licence) issued by the Agency.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 55 – Recognising foreign civil aircraft documents as valid in the territory of Georgia

1. Documents on board a foreign civil aircraft shall be valid in the territory of Georgia if they comply with the standards established by ICAO.

2. If a foreign civilian aircraft lands in the territory of Georgia, the documents referred to in the first paragraph of this article shall be examined by the Agency.

3. The Agency shall ensure that certificates of competency and certificates of airworthiness and/or aircraft radio station licences issued by the State of an aircraft operator under an agreement signed by other contracting States of the 1944 Chicago Convention on International Civil Aviation within the framework of Article 83 bis of this Convention.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Chapter IX – Certification and Licensing

Article 56 – Certification in civil aviation

1. Aviation enterprises that provide air transportation and aerial works, aviation maintenance services, aerodromes, airports, aircraft, their engines, ground and aviation equipment, air navigation service (except for search and rescue services) enterprises, civil aviation education establishments, aviation medicine centres, experts of aviation medicine, aviation personnel, aviation fuelling enterprises and their maintenance personnel, other legal and natural persons whose activities are directly related to civil aviation safety and aviation security, shall be subject to certification. A certificate shall evidence compliance with flight safety and aviation security requirements.

2. Certification rules for civil aviation shall be established and certification shall be performed by the Agency in compliance with the 1944 Chicago Convention on International Civil Aviation and its Annexes, and the legislation of Georgia.

3. (Deleted – 22.12.17, N1818).

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 6385 of 5 June 2012 – website, 19.6.2012

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 57 – Suspending, changing or revoking certificates or restricting rights granted under such certificates

1. The Agency may examine and, taking into account state interests and flight safety and aviation security requirements, suspend, change or revoke an issued certificate or restrict the rights granted under such certificate as prescribed for by the normative acts of the Agency.

2. The certificate holder may appeal this decision in compliance with the legislation of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 58 – Violation of certificate requirements

1. Certificate requirements shall be considered to be violated if:

a) a natural person performs aviation activities without an appropriate certificate;

b) a legal or natural person uses a civil aircraft that does not have an airworthiness certificate or violates the terms of the certificate;

c) a legal or natural person allows an aviation employee who does not have an appropriate certificate to provide aircraft services, as well as to perform operational or commercial activities;

d) a legal or natural person carries out transportation without an appropriate certificate or violates the terms of the certificate;

e) a legal or natural person uses an aircraft for commercial purposes, in violation of the certificate requirements or other standards provided for in this Code;

f) an aviation enterprise holding a certificate does not observe any of the terms or limitations under the certificate;

g) a legal or natural person operates, without a certificate or in violation of the standards and terms of the certificate, an airport that provides services to a carrier;

h) a legal or natural person holding an appropriate certificate sells or offers for sale aviation fuel or lubricants the quality of which is not consistent with the standards established in Georgia;

i) a legal or natural person gives the Agency false information to obtain a certificate.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 58 – Commercial air transport operations

1. An operator of an aircraft registered in Georgia shall be entitled to carry out air transportation of passengers, baggage, cargo and/or mail for commercial purposes if the operator holds the air transportation certificate.

2. In accordance with the procedure determined by the legislation of Georgia, the air transportation certificate may be awarded to a legal person registered in Georgia, which mainly operates in Georgia and 50% or more of the voting shares or stocks of which are owned or controlled by the citizens of Georgia and/or legal persons established in Georgia and/or by the State, and:

a) its basic activities include commercial air transport operations, which are carried out by the operator individually or in addition to other activities;

b) it holds a valid Operator's Certificate issued by the Agency;

c) it has sufficient financial resources to cover current and future financial liabilities of the airline within two years from the commencement of operation of the aircraft, excluding the income earned from the operation of the aircraft for the first three months;

d) its head, who has an authority to make decisions, does not have bad business reputation, which includes previous conviction for serious crime, grave crime or economic crime or for an action that caused insolvency of an enterprise during the period when he/she was heading that enterprise.

3. The compliance of activities of the holder of the air transportation certificate with paragraph 2 of this Article shall be permanently supervised by the Agency, which is authorised to require from the aviation enterprise to submit appropriate information.

4. This Article shall not apply to the aviation enterprises that carry out air transport operations by means of ultralight aircraft or flight vehicles with no engine, or that carry out training and local flights.

5. The procedure for awarding the air transportation certificate shall be approved by the Agency as provided for by this Article.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 59 – Aerial work permits

1. Irregular international air transportation or aerial works shall be carried out on the basis of irregular international air transportation permits or aerial work permits respectively issued by the Agency.2. (Deleted – 11.12.2015, N4620).

3. The Agency shall issue:

a) irregular international air transportation permits;

b) aerial work permits.

4. The Agency shall issue permits under the Law of Georgia on Licenses and Permits.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 2177 of 1 December 2009- LHGI, No 42, 10.12.2009, Art. 309

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 60 – Reimbursing expenses related to the licensing and certification

Expenses related to the licensing and certification shall be reimbursed by those legal and natural persons that are interested in obtaining a license or certificate.

Section IV

Chapter X – Air Transportation Terms

Article 61 – (Deleted)

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Article 62 – Air transportation and flight service tariff

Air transportation and flight service tariffs shall be established under the legislation of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Article 63 – Contract of carriage

1. Under a contract of passenger carriage, a carrier shall undertake to deliver passengers to their place of destination, and if a passenger checks in baggage – to deliver the baggage to the place of destination and hand it over to a duly authorised person. A passenger shall undertake to pay travel fees, and if a passenger checks in baggage – a baggage carriage fee as well.

2. Under a contract of cargo carriage, a carrier shall undertake to deliver the entrusted goods to the place of destination and hand them over to a duly authorised person, and a sender shall undertake to pay the prescribed fee for the transportation of cargo.

Article 64 – Charter

1. According to a charter, one party (lessor) transfers, for a specific remuneration, the entire capacity or part of one or more aircraft to the other party (the lessee) for one or more flights to carry passengers, baggage and cargo or for other purposes.

2. The charter contract shall contain: the names of the parties, the aircraft type, the purpose of leasing, the number of transported passengers and cargo (baggage and mail), amount of rent, the starting point and time of the flight, the place of destination.

Article 65 – Special air transportation carried out for the aircraft owner's needs

Special air transportation for the aircraft owner's needs shall be allowed:

a) on civil aircraft – without a permit;

b) on state and experimental aircraft – in accordance with internal rules and flight safety requirements.

Law of Georgia No 2177 of 1 December 2009- LHGI, No 42, 10.12.2009, Art. 309

Article 66 – Transportation documents

A contract of carriage of passengers, cargo and mail shall be evidenced by a passenger ticket, a baggage check, an air waybill or postal waybill, respectively. The basic requirements for the form and content of those documents shall be established by the Agency based on the sample forms and standards under international agreements and treaties of Georgia.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 67 – Termination (dissolution) of a contract of carriage on the carrier's own initiative

Apart from the cases specified in the Civil Code of Georgia, a carrier may terminate (dissolve) a contract of carriage, if it is necessary:

1) for ensuring flight safety;

2) for preventing the violation of requirements of the legislative normative acts of the State where take-off, landing or overflight is performed.

Article 68 – Termination of a contract of carriage on a passenger's initiative

1. A passenger may refuse to fly and recover the amount paid for the transportation if he/she notifies the carrier within the time limits established under the relevant rules.

2. In case of a delayed notification, a passenger may recover part of the money paid for the transportation. The remaining amount, which is a flight charge and which must not exceed 25% of the one-way ticket cost, shall be deducted.

Article 69 – Receipt of cargo at the place of destination

1. A carrier shall be obliged to notify the consignee on arrival of the cargo.

2. A consignee shall be obliged to accept and collect the cargo. He/she may refuse to accept damaged or spoiled goods if it is determined that it is impossible to use all or part of it for intended purposes.

Article 70 – Delay or failure to receive cargo by a consignee

1. If a consignee does not claim the cargo delivered to his/her address or refuses to accept the cargo within the time limits established under the transportation rules, the carrier shall be entitled to notify the consignor and keep the cargo at the sender's expense and under the sender's responsibility.

2. If within the time limits established under legislation a consignee does not accept the cargo delivered at its address, and the consignor does not guarantee its disposal, such cargo shall be subject to sale in a prescribed manner.

3. Inspection and registration of the cargo shall be carried out by the Legal Entity under Public Law (LEPL) – the Revenue Service within the Ministry of Finance of Georgia in the manner prescribed by the legislation of Georgia.

Law of Georgia No 3806 of 12 November 2010- LHGI, No 66, 3.12.2010, Art. 414

Article 71 – Carriage of dangerous goods

The list of explosives, weapons, ammunition, as well as poisonous, inflammable, radioactive and other hazardous substances and articles, and their carriage rules shall be determined by the Agency in compliance with the requirements of the 1944 Chicago Convention on International Civil Aviation. The Agency, based on Annex 18 to this Convention (Safe Transportation of Dangerous Goods by Air), shall also exempt dangerous goods from the ban on civil air transportation.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 71^1 – Obligation to provide data on passengers

Air carriers defined under the ordinance of the Government of Georgia shall provide preliminary data of passengers and data of records on the names of passengers to the Legal Entity under Public Law – the Operative-Technical Agency of Georgia within the State Security Service of Georgia. A list of these data and the procedure and conditions for providing, processing, storing, issuing, depersonalising and destroying them shall be determined by an ordinance of the Government of Georgia.

Law of Georgia No 1678 of 7 December 2017 – website, 14.12.2017

Chapter XI – Aerial Works

Article 72 – Aerial works and rules for conducting aerial works

1. Aerial works are the works (excluding transportation) performed by an aircraft at the client's request.

2. Aerial works shall be performed by aircraft operators that hold a permit for carrying out a specific aerial work.

3. Aerial works shall be performed on the basis of an agreement between the client and the operator.

4. Mandatory requirements for aerial works shall be defined by the Agency considering the client's interests and flight safety.

5. In exceptional cases (lack of aircraft with proper cargo-carrying capacity or equipped with a special device, etc. in the civil aviation of Georgia) both Georgian and foreign aircraft shall be allowed to perform aerial works. Each time such works are conducted the Agency shall issue an appropriate permit.

6. Relevant public authorities of Georgia shall be authorised to establish the conditions under which the performance of aerial works are restricted or prohibited over a certain area, due to special environmental restrictions or presence of people and vehicles on that territory.

The client shall be responsible for obtaining approval from these authorities for conducting aerial works.

7. (Deleted).

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Article 73 – Aerial work contract

1. Under an aerial work contract one party (the executor) undertakes to perform aerial works for the other party (the client) by one or more aircraft in compliance with the contractual time frames, volume, and conditions. The client shall be obliged to submit to the executor contractual volume of aerial works within the established time frames.

2. The agreement shall also provide for:

a) the rules for using and maintaining aerodromes, landing grounds and equipment;

b) the creation of appropriate housing and living conditions for the crew;

c) other conditions for ensuring aerial work performance, taking into account their peculiarities.

Article 74 – Aerial works tariff

When concluding an aerial works contract, the client and the executor may establish a contractual tariff, in compliance with the requirements of the legislation of Georgia.

Chapter XII – Property Responsibility during Transportation by Air and during Aerial Works

Article 75 – General terms for property responsibility of a holder of an a certificate for carriage by air

1. During international and national air transportation responsibility of a carrier holding a certificate for carriage by air shall be determined by the Montreal Convention of 28 May 1999 on the Unification of Certain Rules for International Carriage by Air, other treaties of Georgia, this Code, the Civil Code of Georgia and by the normative acts of the Agency.

2. During the death of a passenger and/or injury of a passenger, the delay in the transportation of passengers and/or baggage, or when baggage is lost, damaged or destructed, responsibilities of the holder of a certificate for carriage by air shall be defined by the normative acts of the Agency.

3. A carrier shall be exempt from responsibility to perform appropriate obligations if it fails to perform or improperly performs the assumed obligations due to force majeure.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 76 – Liability for damage to a crew member's health

1. If during a flight mission a Georgian aircraft crew member is injured or his/her health is otherwise damaged, the carrier shall be obliged to compensate the victim for the income that was not received by the victim as a result of loss or reduction in capacity to work, excluding a disability pension related to injury, if the carrier fails to prove that the injury was caused by deliberate actions o the victim.

2. If a Georgian aircraft crew member dies during a flight mission, disabled persons dependent on him/her or persons who have the right, as of the day of his/her death, to receive means of subsistence, as well as a child of the deceased born after his/her death, shall be reimbursed for that portion of the income that they were receiving or were entitled to receive during the lifetime of the deceased person.

3. Provisions of this article shall also apply to a foreign aircraft operated by a Georgian operator under a rental (leasing) agreement or other legal basis.

Article 77 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 78 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 79 – Liability of a carrier in the case of complete or partial loss, damage or delayed carriage of mail

In the case of complete or partial loss, damage or delayed carriage of mail caused by a carrier, the carrier shall be held accountable before the customer ordering those services under the Universal Postal Union acts and the legislation of Georgia.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 80 – Responsibility for damage inflicted during aerial works

Liability for damages inflicted during aerial works shall lie on operators of aircraft and/or holders of a certificate for carriage by air under the procedures defined by the legislation of Georgia.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 81 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 82 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 83 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 84 – (Deleted)

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 85 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 86 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 87 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 88 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 89 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 90 – Limitation period and court hearings of transportation-related cases

Limitation period and air transportation-related lawsuits may be brought before the relevant courts under the procedures determined by the legislation of Georgia.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 91 – (Deleted)

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 92 – Limitation period and court hearings of aerial work-related claims

Limitation periods and rules for filing of a claim related to aerial works shall be determined by the legislation of Georgia.

Chapter XIII – Civil Liability Insurance

Article 93 – The scope of civil liability and its insurance obligation

1. When using Georgian airspace, an aircraft operator and/or holder of a certificate for carriage by air shall be obliged to insure its civil liability against the possible loss that may be suffered by a, passenger, consignor or consignee of baggage, cargo or mail or by a third party.

2. The procedures for the insurance of civil liability of an aircraft operator and/or holder of a certificate for carriage by air shall be approved by the normative act of the Agency.

3. For the purposes of this article, an aircraft operator may be a natural or legal person that is in control of an aircraft or controls aircraft operation without holding a certificate for carriage by air and/or an operator's certificate.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 94 – (Deleted)

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 95 – Insurance of liability related to aerial works

An aircraft operator shall be obliged to insure its liability for the purpose of compensation of possible damage related to the aerial works in accordance with the normative act of the Agency.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Section V

Civil Aviation Safety

Chapter XIV – Ensuring Civil Aviation Security

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 96 – Unlawful acts

For the purposes of this Code an unlawful act is an action committed against civil aviation by one or more persons as provided for by the Criminal Code of Georgia.

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 97 – Aviation security

1. Aviation security means the protection of civil aviation from unlawful acts, which is achieved by the complex of activities and the combination of human and material resources.

2. Georgia, as a member of the International Civil Aviation Organisation (ICAO), shall be obliged to comply with the Tokyo International Convention of 14 September 1963 on Offences and Certain Other Acts Committed On Board Aircraft, the International Convention of Hague of 16 December 1970 for the Suppression of Unlawful Seizure of Aircraft, the International Convention of Montreal of 23 September 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971, Convention on the Marking of Plastic Explosives for the Purpose of Detection done at Montreal on 1 March 1991 and other international agreements, and take the measures in order to implement the recommended practice. .

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 98 – Supervision over aviation security

1. The State Programme for Safeguarding Civil Aviation against Acts of Unlawful Interference is a set of measures for the protection of civil aviation from unlawful acts, the purpose of which is to ensure the efficiency of aviation security of aviation enterprises registered in Georgia, as well as of foreign aviation enterprises carrying out civil aviation activities in the territory of Georgia in accordance with the international standards, recommended practice and by using appropriate procedures in the area of civil aviation in order to perform safe flights.

2. The State Programme for Safeguarding Civil Aviation against Acts of Unlawful Interference shall be approved by the Government of Georgia.

3. The state Programme for Aviation Security Quality Control in the Area of Civil Aviation is a combination of rules and measures for ensuring quality control of aviation security, the purpose of which is to guarantee high level of aviation security in the State.

4. The state Programme for Aviation Security Quality Control in the Area of Civil Aviation shall be approved by the Government of Georgia

5. The Programme of Training in the Matters of Civil Aviation Security shall regulate the issues of recruitment and training of the aviation security personnel involved in civil aviation activities, as well as the issues of training of persons who need training in the area of aviation security for performing their official duties.

6. The curriculum of training in civil aviation security matters shall be prepared and approved by the Agency.

7. The Agency shall carry out supervision in the area of civil aviation security and shall control the quality of aviation security of persons ensuring the operation of aerodromes, operators of the aircraft (air carriers) registered in Georgia, as well as the legal persons registered in Georgia and the legal persons carrying out their activities in Georgia that are responsible for various aspects of ensuring aviation security.

8. For checking the compliance with the requirements established by normative acts in the area of civil aviation security, when performing official duties, a flight security inspector shall be also entitled, in addition to the rights granted under Article 8^1 of this Code, to bring necessary equipment, including radio communication devices, photo, video and audio devices as well as items that are banned for aircraft carriage, namely fake firearms and explosives, to the protected controlled zones of the airport with restricted access. .

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Chapter XV – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 99 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 100 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 101 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 102 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 103 – (Deleted)

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 104 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 105 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 106 – (Deleted)

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 107 – (Deleted)

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Article 108 – (Deleted)

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 1818 of 22 December 2017 – website, 11.1.2018

Chapter XVI – Aviation Accident and Incident Investigation

Article 109 – Aviation accidents, incidents and the purpose of official investigation

1. An aviation accident in the case of a manned aircraft is an occurrence associated with the aircraft operation that takes place between the time a person boards the aircraft in order to fly until all such persons have disembarked, and in the case of an unmanned aircraft – takes place from the moment when aircraft is ready to start moving for the purpose of flight until it comes to rest at the end of the flight and the primary propulsion system is shut down, provided that:

a) a person is fatally or seriously injured:

a.a) as a result of being in the aircraft;

a.b) as a result of direct contact with any part of the aircraft (including those parts which have become separated from the aircraft);

a.c) as a result of direct exposure to jet blast.

Note: when injuries are from natural causes or self-inflicted, or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew, shall not be considered as aviation accidents;

b) an aircraft sustains damage or structural failure, which:

b.a) adversely affects the structural strength, performance or flight characteristics of the aircraft;

b.b) whould normally require major repair or replacement of the damaged parts, except for engine failure or damage, which is limited to the engine (including cowlings and accessories), propellers, wing tips, antennas, sensors, blades, tires, brake gear, wheels, fairings, panels, landing gear doors, wind screens, the aircraft skin (such as small dents or holes), the main rotor blades, the tail rotor blades, landing gear as well as to minor damages caused by hail or birdstrike (including holes in radar antenna cowls);

c) the aircraft is missing or completely inaccessible.

2. An incident is an occurrence related to the operation of an aircraft (excluding aviation accidents) that affects or could affect the safety of aircraft operation.

3. An incident is serious where there are circumstances indicating that during aircraft operation there was a high probability of an aviation accident, and which, in the case of a manned aircraft, takes place between the time any person boards the aircraft in order to fly until all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until it comes to rest at the end of the flight and the primary propulsion system is shut down.

4. An official investigation shall be conducted in the manner prescribed by the legislation of Georgia in aviation accidents and incidents that took place in the territory of Georgia.

5. An official investigation of aviation accidents and incidents is intended to prevent aviation accidents and incidents in the future. An official investigation is not intended to determine someone's guilt or his/her responsibility for the occurrence of the aviation accident or incident.

Law of Georgia No 6435 of 12 June 2013 – website, 25.6.2012

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Article 110 – Investigation of aviation accidents and incidents

1. An official investigation of civil aviation accidents and serious incidents shall be conducted by the Civil Aviation and Maritime Transport Accident Incident Investigation Bureau of the Ministry of Economy and Sustainable Development of Georgia ('the Investigation Bureau') independently from judicial and administrative proceedings being carried out with regard to and without the interference into such judicial and administrative proceedings.

1^1. The Investigation Bureau shall be independent from any agency responsible for airworthiness, certification, flight operations, maintenance, licencing, control of air traffic and operation of aerodromes and from any person whose interests and/or objectives

may contradict the objectives of the Investigation Bureau and/or affect its impartiality.

1^2. The Head of the Investigation Bureau (an authorised investigator) shall be impartial in the investigation process, shall not be guided by the instructions of any agency and/or other persons and shall have unlimited authority, within his/her competence, to have the right of free access to and/or control the aviation enterprises located in the territory of Georgia at any place in the territory of Georgia where an aviation accident or incident has occurred and/or where the aircraft parts and/or recorders, evidence, documents, including audio and video records of air traffic services are placed. The Head of the Investigation Bureau (an authorised investigator) shall also have the right to interview the witnesses of aviation accidents or incidents, require any materials related to the investigation from appropriate bodies and take any other actions necessary for the investigation under the procedures determined by legislation.

1^3. For ensuring security, the Head of the Investigation Bureau (an authorised investigator) shall be responsible to protect information obtained as a result of investigation of an aviation accident or an incident, in order to prevent disclosure of such information for the purposes other than the investigation of the aviation accident or incident. Information obtained as a result of investigation may be disclosed only in the cases determined by the legislation of Georgia based on an appropriate decision of respective law enforcement bodies

2. A civil aviation incident where there is no high probability of an aviation accident or serious incident shall be investigated by the aircraft operator and/or the aviation enterprise concerned, and if requested, shall submit the inquiry report to the Agency and the Ministry of Economy and Sustainable Development of Georgia.

3. An official enquiry into aviation accidents and incidents occurring in the Georgian State Aviation (including serious incidents) shall be carried out by the Commission of the Ministry of Defence of Georgia.

4. Experimental aviation accidents and incidents shall be investigated by the relevant departmental commission.

5. When investigating an aviation accident or incident that concerns various agencies, the Government of Georgia may set up an interagency commission.

6. The right to investigate foreign civil aviation aircraft accidents and serious incidents shall be transferred, in whole or in part, by mutual agreement, to the concerned State or appropriate international organisation.

7. If a civil aviation aircraft accident and serious incident occurs, notification shall be sent to the States that registered, operated, designed or manufactured the aircraft and that are entitled to appoint authorised representatives in order to participate in the investigation.

8. Upon the occurrence of an accident or a serious incident on a civil aviation aircraft, a notification thereof shall also be sent to the ICAO, if the maximum mass of the aircraft exceeds 2 250 kg or if it is a turbojet.

Law of Georgia No 3185 of 25 May 2006 – LHGI, No 17, 30.5.2006, Art. 130

Law of Georgia No 4597 of 30 March 2007 – LHGI, No 11, 10.4.2007, Art. 101

Law of Georgia No 4217 of 22 February 2011 – website, 10.3.2011

Law of Georgia No 6435 of 12 June 2013 – website, 25.6.2012

Law of Georgia No 822 of 12 July 2013 – website, 6.8.2013

Law of Georgia No 1038 of 6 September 2013 – website, 23.9.2013

Law of Georgia No 4620 of 11 December 2015 – website, 23.12.2015

Article 111 – Safe custody of evidence

1. An aircraft, its components, the remaining debris of the aviation accident, on-board and ground recorders, all documents on the ground relating to aircraft maintenance, operation, and its flight support, shall be considered to be evidence of the aviation accident and shall be kept in safe custody until they are transferred to the investigating commission.

2. Persons found guilty for intentional damage or destruction of material evidence shall be punished under the legislation of Georgia.

Article 112 – Participation of other legal persons in an aviation accident and incident investigation

The relevant public authorities, legal persons and military agencies shall be obliged to secure the aviation accident (incident) site and create favourable conditions for the work of the Commission.

Article 113 – Funding of an aviation accident and incident investigation, and elimination of their consequences

1. Expenses related to the elimination of consequences caused by aviation accidents and incidents, as well as to their official investigation shall be reimbursed from the State Budget of Georgia.

2. (Deleted – 12.6.2012, No 6435).

Law of Georgia No 6435 of 12 June 2013 – website, 25.6.2012

Chapter XVII – Responsibility for Violating Aviation Legislation

Article 114 – Liability for acts of unlawful interference

Liability for acts of unlawful interference shall be defined by the legislation of Georgia.

Article 115 – Responsibility of civil aviation employees for disciplinary offences

Civil aviation employees committing disciplinary offences shall be held liable in compliance with the labour legislation of Georgia.

President of Georgia Eduard Shevardnadze

Tbilisi

29 October 1996

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