

REGULATION ACQUISITION IN AIR TRANSPORT IN THE CRISIS SITUATIONS

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Abstract: Paper describes the ways of regulation, limitation and restriction of civil aviation traffic in routine and crisis situations in the Czech Republic.

Key words: civil aviation, traffic regulation, limitation and restriction

1. LEGISLATIVE DOCUMENTS FOR REGULATION ACQUISITION ON THE FIELD OF CIVIL AVIATION

Ministry of Transport (MoT) and Civil Aviation Authority (CAA) administer the state administration on the field of air transport in the Czech Republic. Authorized administration for gliders and parachutes make the Aero Club of Czech Republic, which has authorization from the MoT. The Slot Coordination Prague is a body responsible for allocation of the airport slots at Airport Prague Ruzyně. The following actual valid legal regulations are used for controlling of air transport in the Czech Republic:

- Act No. 49/1997, on Civil Aviation as subsequently amended,
- Decree of MoT No. 108/1997 implementing the Act No. 49/1997 as subsequently amended.

The Czech Republic is bounded by the international contracts and regulations (especially by Convention on International Civil Aviation ICAO and by standards and recommendations of ICAO), which are used for controlling of civil air transport.

Rights and duties of individual subject (public authorities, juridical and natural persons) in crisis states are regulated with Act No. 240/2000 on Crisis management. This act among others authorizes MoT to impose on airline operators and airport operators the duty to assure the transport requirements in the crisis states.

Above-mentioned legal regulations don't define difference between ordinary state and crisis state in the civil air transport by making regulations.

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2. CONDITIONS FOR REGULATION, LIMITATION AND RESTRICTION OF TRAFFIC

In the civil air transport the traffic can be regulated, limited or restricted on the following fields:

- aircraft operations,
- aviation staff,
- airports,
- using of airspace,
- air activities.

The **aircraft operation** is possible to limit or restrict in cases, where the aircraft doesn't fit requirements in the Act No. 49/1997 or in the international directives. In the airspace of Czech Republic is not allowed to operate the aircraft, which has no valid certificate of airworthiness, no certificate of registration or which hasn't technical or operation state according the safety requirements and environmental conservation requirements. The CAA decides about certificate of airworthiness. Before departure pilot can decide about actual ability of aircraft for flight. If there is some mistake, the aircraft cannot depart. Generally is possible to say, that neither in normal operation nor in crisis situation the aircraft cannot be operate, if it isn't able for flight according above-mentioned acts and rules.

Licensing of **air staff** is made by the CAA on the basis of compliance of requirements (professional qualifications, medical fitness and correctness). Persons, which don't fit these requirements, cannot fulfill the activities in the air traffic.

The **operation at the airports** can be regulated, limited or restricted in ordinary state on the ground of insufficient capacity, inadequate operation state and adverse weather conditions. It can be made also on the ground of emergency state, which can be the reason for declaration of crisis state – e.g. disaster, epidemic, accident, illegal acts and belligerency.

The MoT can apply for guaranty of transport capacity at the international airport the special treatment for slot allocation. The MoT can also encharge another subject with slot allocation according to Act No. 49/1997. The MoT can apply the regulation of check-in services from operating overload reasons.

The CAA can regulate the traffic at the airport (full or partial traffic) by reason of inadequate operation state. In case of adverse weather condition decides the operating organization at the airport about regulation, limitation or restriction of traffic.

For take-off and landing of aircraft is possible to use the places in public interest (emergency, air-born fire suppression), which are not the airports or places assigned for landing. The rules are defined in the Decree of MoT No. 108/1997.

Using of airspace of Czech Republic for flying can be limited or restricted above some areas by reason of state defence, security reasons or for environmental and health protection. The safety and continuity of flying in the airspace are managed by airway services.

Using of airspace for flying can limit or restrict:

- CAA in concert with MoT, if the duration of restriction or limitation not exceed three month,
- MoT in concert with Ministry of defence, if the duration of restriction or limitation exceed three month,
- Air traffic services unit, if the duration of restriction or limitation not exceed 24 hours.

The aircraft, which is in the part of airspace, where the traffic is limited or restricted, must this space immediately leave, otherwise it can be forced by reason of safety flying in the airspace.

In case of air activities MoT can limit the commercial air transport for the necessary time on the ground of public interests on another air activity (also in crisis states).

The airport operator and aircraft (airline) operator lie under an obligation to draw up a program for aviation security. In this program are declared the procedures to secure the civil aviation against illegal acts. The program is validated by CAA with the governmental agencies.

3. THE REALIZATION OF REGULATION ACTIONS IN THE AIR TRAFFIC

In the case of any regulation, limitation or restriction of operation in ordinary state or in crisis state at the airport or in the airspace is given out the NOTAM (Notice to Airmen). NOTAM is an announcement distributed by telecommunication facilities. It contains information about creating, states or changes of air facilities, hazards and services. The knowledge of these information is necessary for operators in the air traffic.

The NOTAM can be published by airport operator or by air traffic information service. The Air Navigation Services (ANS) is a government enterprise, which was created by decision of MoT. The State (MoT) can control through the ANS movements in the airspace and also can limit or restrict the operations in the airspace.

The aircrew must make the acquaintance of all available information about flight track, aerodrome of arrival, alternate aerodromes and all en-route alternate aerodromes. Any information of fixed character contain the aeronautical information publication (AIP), information of temporary character or which are limited in time contain NOTAMs. Present system of choosing of NOTAMs, which are valid for

certain track, allows transmitting the messages relevant only to selected areas, tracks or aerodromes.

The figure 1 shows example of NOTAM from airport Prag – Ruzyně (LKPR). The message contains in this NOTAM is: From 6:41 am, on 28th April 2006 to 8:00 pm, on 12th May, European summer time is closed taxiway A, runway 06/24 and taxiway G.

0604280641-0605122000 EST	LKPR	QMXLC	X0344/06
TWY A BTN RWY 06/24 A TWY G CLSD. DENNI A NOCNI ZNACENI			

Figure 1: Example of NOTAM

4. CONCLUSION

On the field of civil aviation are regulations, limitations or restrictions of operation contained in the Czech and also in international directives. In the air transport is the difference between arrangement in normal and crisis state minimal against situation in other kind of transport. Nor in the crisis state is not possible simplify conditions for certification of airworthiness, aircrew and airports. Regulation of operation in crisis states is possible though the standard procedures – air services. Difference is in the competence of authority to publish decision about regulation, limitation or restriction of operation. In the crisis states is the Stat represented by MoT.

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RESOURCES

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