Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

21 July 2008 [shall come into force on 25 July 2008].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 481

Adopted 10 July 2007

**Procedures for the Utilisation of the Airspace of the Republic of Latvia in Relation to Certain Activities**

*Issued pursuant to*

*Section 40, Paragraph two and Section 117 of the law On Aviation*

**I. General Provisions**

1. The Regulation prescribes the procedures by which natural persons and legal person shall receive a permit to use the airspace of the Republic of Latvia and the procedures by which it shall be used (hereinafter – the airspace):

1.1. for flights of aircraft, except passenger, baggage, cargo and postal air services;

1.2. for activities connected with light, radio and all types of electromagnetic radiation, which may cause threats to the safety of the flights of aircraft and other material objects;

1.3. activities related to the rising, moving or lowering of material objects within the airspace;

1.4. for firing and use of explosives that could endanger the safety of the flight of aircraft or other material objects;

1.5. for military aircraft flights.

2. *Valsts aģentūra “Civilās aviācijas aģentūra”* [State agency Civil Aviation Agency] (hereinafter – the Civil Aviation Agency) shall issue permits for:

2.1. the aircraft flights referred to in Sub-paragraph 1.1 of this Regulation;

2.2. activities related to light radiation, which may cause threats to the safety of the flights of aircraft and other material objects;

2.3. activities related to the rising, moving or lowering of material objects within the airspace;

2.4. for firing and use of explosives that could endanger the safety of the flight of aircraft or other material objects.

3. *Valsts akciju sabiedrība “Elektronisko sakaru direkcija”* [State joint stock company Electronic Communications Office] (hereinafter – the Electronic Communications Office) in accordance with the laws and regulations governing the issuance of permits for the use of radio frequency shall issue permits for activities connected with radio and all types of electromagnetic radiation which may cause threats to the safety of the flight of aircraft and material objects. The Electronic Communications Office shall issue a permit only after it has received a resolution from the Civil Aviation Agency that the relevant activities will not cause any threats to the security and safety of aviation.

4. If in accordance with the national or international legal acts regarding aircraft flights the permit is not necessary for the relevant flight, the pilot-in-command shall submit a flight plan to *valsts akciju sabiedrība “Latvijas gaisa satiksme”* [State joint stock company Air Traffic of Latvia] (hereinafter – the Air Traffic of Latvia) not later than 30 minutes before the start of the flight, if a border crossing is not intended, and one hour before the start of the flight, if a border crossing is intended, without prejudice to the relevant national and international legal acts. If in accordance with national or international legal acts the permit is not necessary for the performance of the activities referred to in Sub-paragraphs 1.2, 1.3 and 1.4 of this Regulation, the performer of the activity shall submit a brief summary regarding the planned activities to the Civil Aviation Agency prior to the planned activity, without prejudice to the relevant national and international legal acts. The instruction of the Cabinet shall determine the procedures for co-operation (including the procedures for obtaining a permit, without prejudice to the national or international legal acts regarding the use of airspace) between the Civil Aviation Agency and the National Armed Forces in respect of the action of the National Armed Forces in the utilisation of the airspace referred to in Paragraph 1 of this Regulation.

**II. Flights of Aircraft, Except for Passenger, Baggage, Cargo and Postal Air Services**

5. When using airspace for civil aviation aircraft non-commercial voyages, recreational, corporative or sports flights, the pilot-in-command shall submit the flight plan to the Air Traffic of Latvia:

5.1. not later than 30 minutes before the start of the flight, if the flight is intended within the controlled airspace or within the range of 15 km along the border of the Republic of Latvia and the Russian Federation, along the border of the Republic of Latvia and the Republic of Belarus or along the outer edge of the territorial sea of the Republic of Latvia and if a border crossing is not intended during the flight;

5.2. not later than an hour before the start of the flight, if a border crossing is intended.

[*21 July 2008*]

6. [21 July 2008]

7. In order to receive a permit for aircraft flights for aerial work, the aircraft operator shall submit a submission to the Civil Aviation Agency at least 30 working days prior to the commencement of works. The request shall specify the following information:

7.1. the name of the aircraft operator, legal address, uniform registration number and the document which attests the right to perform the activity applied for;

7.2. the type of aerial work, planned area of flight, the height required for performance of works (in feet), the date and time of commencement and termination of works expressed as Universal Time Co-ordinated (UTC);

7.3. the aircraft type intended for performance of work, aircraft’s state and registration mark, as well as the given name and surname (name) of the owner;

7.4. the given name and surname (name) of the contracting entity and contractor (including the aircraft operator), address of the place of residence or legal address, uniform registration number or personal identity number, date of issue and number of aerial work certificate of the aircraft operator, date of issue and number of licence for the right to perform aerial work;

7.5. the type of aerial surveying and aerial photography applied for and justification for performing them (for example, a copy of the contract);

7.6. the given name, surname of all aircrew members (including substitutes), number and term of validity of civil aviation personnel licence;

7.7. the aircraft type intended for performing aerial surveying and aerial photography, aircraft’s state and registration mark, aircraft’s colour and marking, the given name and surname (name), place of residence or legal address, uniform registration number or personal identity number of the aircraft’s owner;

7.8. the method of aerial surveying and aerial photography (description, specification);

7.9. the name, model of apparatus to be used for aerial surveying and aerial photography (installation, devices, equipment), name of the manufacturer and description of technical capabilities, the type and resolution of obtained materials (products);

7.10. the user of the materials (products) obtained as a result of aerial surveying and aerial photography;

7.11. the region of aerial surveying and aerial photography (indicate the geographic coordinates of four points describing this region with a precision of 5’’ (five seconds) and the area of the respective region (in square kilometres));

7.12. the height (in feet) required for performing aerial surveying and aerial photography, date and time of commencement and termination of works (expressed as a Coordinated Universal Time (UTC)), aerodrome or landing area from which flights will be performed, and flight route.

[*21 July 2008*]

8. If in performing aerial work the rights or interests of the third persons are affected without substantiation, the submitter shall append to the submission the document which approves that the performance of the referred to works has been coordinated with these persons.

9. If the information indicated in the submission is incomplete or imprecise, the Civil Aviation Agency shall request the submitter in writing within two working days after the receipt of the submission to submit precise information.

10. If a submitter fails to submit clarified information within five working days after receipt of the request referred to in Paragraph 9 of this Regulation, the Civil Aviation Agency shall take a decision to refuse the issue a permit and notify the submitter thereof.

10.1 The Civil Aviation Agency shall, immediately after receipt of information referred to in Paragraphs 7 and 8 of this Regulation, send the information referred to in Sub-paragraphs 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, and 7.12 of this Regulation to the Ministry of Defence. The Ministry of Defence shall, within 15 working days after receipt of information, take a decision to coordinate or not coordinate aerial surveying and aerial photography.

[*21 July 2008*]

10.2 The Ministry of Defence shall not coordinate aerial surveying and aerial photography:

10.21. if it endangers national security;

10.22. if the submitter or contractor (including the aircraft operator and aircrew members) has previously violated the laws and regulations of the Republic of Latvia related to the use of airspace and therefore there are reasonable doubts that the performance of the abovementioned activities may endanger national security.

[*21 July 2008*]

10.3 If the Ministry of Defence coordinates aerial surveying and aerial photography, it shall immediately send the decision to the Civil Aviation Agency.

[*21 July 2008*]

11. If the abovementioned activities do not endanger civil aviation security or safety, the Civil Aviation Agency has received the information referred to in Paragraphs 7, 8, and 9 of this Regulation, and the Ministry of Defence has taken the positive decision referred to in Paragraph 10.1 of this Regulation, the Civil Aviation Agency shall, within three working days, issue the permit to perform the relevant activities.

[*21 July 2008*]

12. Following the issue of the permit referred to in Paragraph 11 of this Regulation, the Civil Aviation Agency shall notify the Air Traffic of Latvia of information referred to in Sub-paragraphs 7.2 and 7.3 of this Regulation and shall send to the Air Operations Centre of the Air Forces of the National Armed Forces the copies of such permits by which the aircraft operator has been granted the right to perform aerial surveying and aerial photography.

[*21 July 2008*]

13. Prior to the commencement of the aircraft flights for aerial work, the pilot-in-command shall submit the flight plan to the Air Traffic of Latvia at least 30 minutes before the start of the flight where the number of the permit issued by the Civil Aviation Agency shall be indicated.

**III. Activities Connected with Light Radiation**

14. In order to receive a permit for activities connected with light radiation which may cause threats to the safety of the flights of aircraft and other material objects, a submitter shall submit a request to the Civil Aviation Agency at least five working days before the commencement thereof. The request shall specify the following information:

14.1. the given name, surname (firm name), personal identity number (uniform registration number), the address of the place of residence (legal address);

14.2. the type of activities and place of performance (region), date and time of commencement and termination of activity, expressed as Coordinated Universal Time (UTC);

14.3. the power of the ray of light, radiation angle in the horizontal and vertical plane;

14.4. the technical characteristics and the name of the manufacturer of the light radiation equipment.

15. If in performing a certain activity the rights or interests of the third persons are affected without substantiation, the submitter shall append to the request the document which approves that the performance of the abovementioned activity has been coordinated with these persons.

16. If the intended activities do not endanger the security or safety of civil aviation, the Civil Aviation Agency shall, within three working days after receipt of the documents referred to in Paragraphs 14 and 15 of this Regulation, issue a permit for performance of the relevant activities.

17. The Civil Aviation Agency shall notify the Air Traffic of Latvia of the information referred to in Sub-paragraphs 14.2. and 14.3 of this Regulation after the issue of the permit referred to in Paragraph 16 of this Regulation.

**IV. Rising, Moving or Lowering of Material Objects in the Airspace**

18. In order to receive a permit for activities connected with the rising, moving or landing of material objects in the airspace, within a time period shorter than 90 days, a submitter shall submit a request to the Civil Aviation Agency at least 10 working days prior to the commencement of the abovementioned activities. The request shall specify the following information:

18.1. the given name, surname (firm name), personal identity number (uniform registration number), the address of the place of residence (legal address) of the submitter;

18.2. the type of activities and place of performance (region), the height (in feet), date and time of commencement and termination of the activity, expressed as Coordinated Universal Time (UTC);

18.3. the technical characteristics of the object intended for raising, moving or lowering in the airspace.

19. If in performing a certain activities the rights or interests of the third persons are affected without substantiation, the submitter shall append to the request the document which approves that the performance of the abovementioned activities has been coordinated with these persons.

20. If the intended activities do not endanger the safety or security of civil aviation, the Civil Aviation Agency shall issue a permit for performance of the relevant activities within five working days after receipt of the documents referred to in Paragraphs 18 and 19 of this Regulation.

21. After the issue of the permit referred to in Paragraph 20 of this Regulation the Civil Aviation Agency shall entrust to the Air Traffic of Latvia the development of the short-term restriction on the use of the airspace necessary for the performance of the relevant activity within three working days, the approval thereof in the Civil Aviation Agency and issuance of a notification regarding introduction of any air navigation equipment, service and conditions, changes therein or the information regarding danger (hereinafter – NOTAM notification). NOTAM notification shall be sent using electronic communications resources. The relevant activities for raising, moving or lowering of material objects in the airspace shall be commenced not earlier than seven days after the sending of the NOTAM notification.

22. If the raising, moving or lowering of material objects is intended to be performed within a time period which exceeds 90 days, a submitter shall propose the change of the airspace structure in accordance with the intended activities in accordance with the laws and regulations regarding the airspace structure and procedures for the change thereof. In such case the raising, moving or landing of material objects shall be performed in accordance with the exploitation procedures for the airspace structure element.

**V. Firing and Use of Explosives that could Endanger the Safety of the Flight of Aircraft or Other Material Objects**

23. Any firing or use of explosives is prohibited in the aircraft take off and landing sectors of the aerodrome zones.

24. In order to receive a permit for firing or use of explosives within a time period shorter than 90 days, a submitter shall submit a request to the Civil Aviation Agency not later than 20 working days prior to the commencement of theabovementioned activities. The request shall specify the following information:

24.1. the given name, surname (firm name), personal identity number (uniform registration number), the address of the place of residence (legal address) of the submitter;

24.2. a document attesting the submitter’s right to fire or to use explosives;

24.3. the type of firing or use of explosives, the place of performance (region), date and time of commencement and termination of activity expressed as Coordinated Universal Time (UTC);

24.4. the maximum height in feet and radius of the danger area caused by explosion;

24.5. the maximum height and range of the firing;

24.6. the type of firearm used for firing.

25. If in performing certain activities the rights or interests of the third persons are affected without substantiation, the submitter shall append to the request the document which approves that the performance of the abovementioned activities has been coordinated with these persons.

26. The Civil Aviation Agency shall, within three working days after receipt of the documents referred to in Paragraphs 24 and 25 of this Regulation, send copies thereof to the Ministry of Defence for providing opinion.

27. The Ministry of Defence shall examine the copies of documents within five working days and submit a resolution to the Civil Aviation Agency regarding the compliance of the planned activities with the State protection interests.

28. If the intended activities do not endanger security and safety of civil aviation, the Civil Aviation Agency shall, within five working days after receipt of the positive resolution referred to in Paragraph 27 of this Regulation, issue a permit for performance of the abovementioned activities.

29. After the issue of the permit referred to in Paragraph 28 of this Regulation the Civil Aviation Agency shall entrust to the Air Traffic of Latvia the development of the short-term restriction on the use of the airspace necessary for the performance of the relevant activity, the approval thereof in the Civil Aviation Agency and issuance of the NOTAM notification.

30. A submitter shall commence the firing works not earlier than seven days after the issue of the NOTAM notification.

31. If the firing or use of explosive is intended to be performed within a time period which exceeds 90 days, a submitter shall propose the change of the airspace structure in accordance with the intended activities in accordance with the laws and regulations regarding the airspace structure and procedures for the change thereof. In such case the firing or use of explosives shall be performed in accordance with the exploitation procedures for the airspace structure element.

Prime Minister A. Kalvītis

Minister for Transport A.Šlesers