

AVIATION REGULATION OF THE ESTONIAN DEFENCE FORCES

Regulation of the Minister of Defence

Passed 18 October 2019, entered into force 25 October 2019

This Regulation is established on the basis of subsection 7² (3) of the Aviation Act.

Chapter 1 General Provisions

§ 1. Scope and Area of Application

(1) This Regulation establishes the requirements for the organisation of military aviation by the Estonian Defence Forces, including requirements for aircraft, the operation of aircraft, aviation security, military aviation facilities, military aviation personnel, and the procedure for investigating aviation accidents and incidents involving the aircraft of the Estonian Defence Forces.

(2) This Regulation shall apply to all manned and unmanned aircraft entered into the Register of Military Aircraft.

(3) This Regulation shall also apply to the armed forces of the Member States of the North Atlantic Treaty Organisation (hereinafter 'NATO') and other foreign countries, unless otherwise provided by an international treaty or some other international agreement.

(4) This Regulation does not apply to temporary areas used for the take-off and landing of manned aircraft, unless otherwise specified in this Regulation.

(5) Additional organisational specific requirements to this Regulation may be established by the Commander of the Estonian Defence Forces or a duly authorised person.

§ 2. Terms and Definitions

The terms used in this Regulation shall be used in the following meaning:

- 1) 'military aviation' is one of the national defence duties performed by the Estonian Defence Forces;
- 2) 'military aircraft' is a state aircraft used by the Estonian Defence Forces primarily for the performance of national defence duties;
- 3) 'helicopter landing site' means either a marked or unmarked area, that is not heliport or helipad (hereinafter 'heliports') and which is designated for the take-off and landing of helicopters;
- 4) 'quality management system' means a set of measures that an organisation uses to identify its objectives and to designate the requisite processes and resources for achieving desired results;
- 5) 'flight task' means the objective and method established for the flight and the crew of a state aircraft;
- 6) 'safety management system' means a systemic set of measures for the purposes of ensuring safety, including organisational structure, accountability, policies and procedures;
- 7) 'operational air traffic' means air traffic by military aircraft and conducted in accordance with the requirements set forth in this Regulation;

- 8) 'operational flight plan' means a set of navigation, weather and aerodrome data, used for the purposes of planning and ensuring the safe flight of military aircraft;
- 9) 'standard operating procedure' means a document that establishes technical requirements for aircraft, and instructions for military aviation personnel to be applied in specific circumstances arising from the inherent risks associated with aviation.

§ 3. Classification of Aircraft

(1) Aircraft operated by the Estonian Defence Forces are classified as follows:

- 1) manned aircraft;
- 2) unmanned aircraft.

(2) The Estonian Defence Forces operate the following categories of unmanned aircraft:

- 1) Category I unmanned aircraft;
- 2) Category II unmanned aircraft;
- 3) Category III unmanned aircraft;

(3) An unmanned aircraft falls under Category I if it meets all of the following conditions:

- 1) its maximum take-off mass does not exceed 25 kilograms;
- 2) it is flown up to a height of 400 feet (120 metres) above the ground or a body of water, or up to a height of 164 feet (50 metres) from a fixed obstacle;
- 3) it is flown in a manner that the aircraft remains in the direct visual line of sight of the remote pilot, and the remote pilot is permitted to use an assistant to maintain eye contact with the aircraft;
- 4) its level of operating risk is low.

(4) An unmanned aircraft falls under Category II, if it meets all of the following conditions:

- 1) its maximum take-off mass does not exceed 150 kilograms;
- 2) it is flown, inter alia, also in controlled airspace but does not fly higher than Flight Level (FL) 195;
- 3) its level of operating risk is relatively high;
- 4) if necessary, a standard operating procedure shall be prepared before for the purposes of lowering the level of operating risk, and upon its approval, the operator shall be entitled to fly independently in accordance with the established standard operating procedure.

(5) An unmanned aircraft falls under Category III, if it meets all of the following conditions:

- 1) its maximum take-off mass exceeds 150 kilograms;
- 2) its level of operating risk is high;
- 3) it has been issued a valid airworthiness certificate.

(6) A device that has been designed based on an unmanned aircraft and carries munitions that cannot be completely removed from the device is not deemed an unmanned aircraft. Such device shall be handled in accordance with the requirements laid down in the regulation on the handling of weapons of Armed Forces established pursuant to subsection 3 (6) of the Weapons Act.

§ 4. Mandatory Registration of Aircraft in the Register of Military Aircraft

- (1) In order to operate an aircraft, it must be entered in the Register of Military Aircraft.
- (2) Unmanned aircraft used solely and exclusively as targets in the context of military training are not required to be entered in the Register of Military Aircraft.

§ 5. National Identification Insignia

- (1) All aircraft entered into the Register of Military Aircraft must bear national identification insignia.
- (2) The Estonian Air Force shall use the symbol designated in the regulation established pursuant to subsection 5 (1) of the Estonian Defence Forces Organisation Act as the national identification insignia.
- (3) With the exception of the Estonian Air Force, all other structural units of the Estonian Defence Forces, shall use the symbol designated in Annex 1 to this Regulation as the national identification insignia.

§ 6. Marking of Aircraft

- (1) All manned aircraft must bear the symbol specified in subsection 5 (2) of this Regulation and the registration number issued by the Register of Military Aircraft.
- (2) All unmanned aircraft must bear the symbol specified in subsection 5 (2) or (3) of this Regulation, along with a telephone number and, if necessary, other contact information, for the purposes of determining ownership and contacting the owner of the unmanned aircraft. The contact information may be removed, if necessary, during a flight missions conducted in the framework of national defence operations.

Chapter 2

Requirements for Aircraft and Aircraft Maintenance

Division 1

Requirements for Manned Aircraft

§ 7. Requirements for Manned Aircraft Introduced Into Service by the Estonian Defence Forces

All manned aircraft being introduced into service by the Estonian Defence Forces must be in compliance with EMAR 21 (“Certification of military aircraft and related products, parts and appliances, and design and production organisations”) issued by the European Defence Agency or with the technical requirements set out in Section A of Annex 1 to the Commission Regulation (EU) No 748/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.08.2012, pp 1–85, hereinafter ‘Commission Regulation (EU) No 748/2012’).

§ 8. Review of the Initial Airworthiness of Manned Aircraft Introduced Into Service

(1) When reviewing the initial airworthiness of new manned aircraft introduced into service for the first time, at least the following aircraft documentation and information must be verified:

- 1) statement of conformity, or a signed confirmation the undertaking or agency from whom the aircraft is acquired, confirming that the aircraft conforms to the design approved by a competent authority;
- 2) mass and balance report;
- 3) loading plan;
- 4) flight manual.

(2) The statement of conformity specified in clause (1) 1) must be issued in accordance with, either:

- 1) Commission Regulation (EU) No 748/2012 or EMAR 21 point 21.A.163(b);
- 2) Commission Regulation (EU) No 748/2012 or EMAR 21 point 21.A.130 together with a confirmation specified in EMAR 21 point 21.A.130(d).

(3) When reviewing the initial airworthiness of used aircraft, the competent authority must verify the Airworthiness Certificate issued in accordance with Annex I to Commission Regulation (EU) No 1321/2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, pp 1–194, hereinafter ‘Commission Regulation (EU) No 1321/2014’), or, if the aircraft is acquired or introduced into service from a Member State of the European Union, in accordance with EMAR M (“Continuing Airworthiness Requirements”) issued by the European Defence Agency.

(4) If the aircraft is acquired or introduced into service from outside the European Union, at least the following aircraft documentation and information must be reviewed in order to determine the initial airworthiness of the aircraft:

- 1) confirmation of airworthiness from a competent national authority of the country from where the aircraft is acquired;
- 2) mass and balance report;
- 3) loading plan;
- 4) flight manual;
- 5) other documentation and information pertaining to the aircraft’s manufacture, previous maintenance or reconstruction.

(5) After reviewing the documentation and information specified in subsection (4), the aircraft must also undergo a technical inspection in accordance with subsection 11 (4), in order to determine its initial airworthiness.

§ 9. Aircraft Airworthiness Review Board

(1) The verification of compliance with the requirements referred to in section 7 shall be performed in accordance with the procedure outlined in section 8 by the Airworthiness Review Board (hereinafter ‘ARB’), formed by the Commander of the Estonian Defence Forces or a duly authorised person.

(2) The ARB referred to in subsection (1) shall have at least five members, including at least one representative from the Estonian Ministry of Defence. The ARB's rules of procedure shall be established by the Commander of the Estonian Defence Forces or a duly authorised person.

§ 10. Airworthiness Certificate

Based on the decision of the ARB referred to in subsection 9 (1), aircraft shall be issued either an Airworthiness Certificate or a Restricted Airworthiness Certificate with a term of validity of up to one year. The certificate can be repeatedly extended for up to one year, after undergoing continuing airworthiness inspection.

§ 11. Maintaining Continuing Airworthiness of Manned Aircraft

(1) All manned aircraft must continuously be in compliance with the requirements laid down in EMAR M or Annex 1 to Commission Regulation (EU) No 1321/2014.

(2) The Estonian Defence Forces shall review the continuing airworthiness of their aircraft at least once per year.

(3) When reviewing the continuing airworthiness of an aircraft, the competent authority must review at least the following:

- 1) airframe, engine and propeller flight hours and the associated flight cycles have been properly recorded;
- 2) the flight manual is applicable to the aircraft configuration and reflects the latest revision status;
- 3) all maintenance due on the aircraft according to the approved maintenance programme has been carried out;
- 4) all known defects have been corrected, or, when applicable, carried forward in a controlled manner;
- 5) all valid airworthiness directives have been applied;
- 6) all modifications and repairs applied to the aircraft have been registered and are in compliance with Annex 1 to Commission Regulation (EU) No 748/2012 or EMAR M point M.A.304;
- 7) all installed parts and components, whose resource is indicated in calendar time, landings or cycles, have been properly marked and have not exceeded their resource limits provided for in the maintenance programme;
- 8) a requisite certificate of release to service has been issued for all maintenance works in accordance with Annex 1 to Commission Regulation (EU) No 1321/2014 or EMAR 145 ("Requirements for Maintenance Organisations") issued by the European Defence Agency;
- 9) the current mass and balance report reflects the configuration of the aircraft;
- 10) the aircraft complies with its type design;
- 11) if required, the most recent symmetry and alignment check report reflects the configuration of the aircraft.

(4) In addition to the requirements listed in subsection (3), the technical inspection must also review compliance with at least the following technical requirements in order to determine the continuing airworthiness of the aircraft:

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- 1) all required markings and labels are properly installed;
- 2) the aircraft complies with its approved flight manual;
- 3) the aircraft configuration complies with the approved documentation;
- 4) no defects found that should not be present;
- 5) no inconsistencies found between the aircraft, the results of the inspections outlined in subsection (3) and the results of other airworthiness checks.

§ 12. Mandatory Onboard Documentation and Information for Manned Aircraft

(1) All manned aircraft must carry on board at least the following documents:

- 1) certificate of registration;
- 2) Airworthiness Certificate;
- 3) aircraft logbook;
- 4) hold item list (HIL);
- 5) checklists, emergency and abnormal checklists;
- 6) minimum equipment list (MEL);
- 7) valid radio licence;
- 8) up-to-date aeronautical charts.

(2) In addition to the documents listed in subsection (1), all manned aircraft flights departing from the control zone or flight information zone must also carry on board at least the following documents:

- 1) passengers and cargo manifest;
- 2) aircraft flight manual;
- 3) if departing Estonian airspace, other required documents and information.

(3) The manifest referred to in clause (2) 1) is not required on board manned aircraft, if it is operating within a military training or military operations area, or if it cannot be disclosed for legal reasons. In such instances, the manifest must be preserved in accordance with the relevant procedures of the Estonian Defence Forces.

Division 2

Requirements for Unmanned Aircraft

§ 13. General Requirements for Unmanned Aircraft Introduced Into Service by the Estonian Defence Forces

All unmanned aircraft introduced into service by the Estonian Defence Forces must be in compliance with the following general requirements:

- 1) the principles laid down in the Product Conformity Act, the Electronic Communications Act, articles 12, 15 and 16 of Commission Delegated Regulation (EU) 2019/945 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (OJ L 152, 11.06.2019, pp 1–40), hereinafter ‘Commission Regulation 2019/945’), and article 10 of Commission Implementing Regulation (EU) 2019/947 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.06.2019, pp 45–71) for the purposes of ensuring the safety of the remote pilot, aircraft

maintenance personnel and third parties, as well as and their property, in the process of operating unmanned aircraft;

2) the aircraft must be equipped with a warning signal to indicate to the remote pilot the exhaustion of its power supply, enabling the remote pilot to safely land the unmanned aircraft, if the aircraft is no longer able to fly back;

3) the aircraft must be equipped with a system that is able to transmit to the remote pilot information regarding the location and altitude of the aircraft;

4) its manual or flight manual must be sufficiently detailed to allow proper operation of the unmanned aircraft;

5) if the aircraft has been placed to the market for all private persons, it must bear a CE-marking.

§ 14. Requirements for Category I Unmanned Aircraft Introduced Into Service by the Estonian Defence Forces

All Category I unmanned aircraft introduced into service by the Estonian Defence Forces must comply with the requirements prescribed in section 13, and their lights must be distinguishable from the navigation lights of manned aircraft and obstacle lighting.

§ 15. Requirements for Category II Unmanned Aircraft Introduced Into Service by the Estonian Defence Forces

(1) All fixed wing-type Category II unmanned aircraft that are flown outside segregated airspace must, in addition to requirements prescribed in section 13, be in compliance with the airworthiness requirements established by NATO standard “AEP-83 – Light Unmanned Aircraft Systems Airworthiness Requirements” (STANAG 4703).

(2) Requirements for Category II unmanned aircraft with vertical take-off capability, or unmanned aircraft that are operated in segregated airspace, are outlined in the designated standard operating procedures that incorporate at minimum the requirements laid down in subsection 1.

(3) In the event the Estonian Defence Forces should manufacture an unmanned aircraft or modify an already existing aircraft, it must be done in compliance with the requirements prescribed in subsection (1) or (2) for the purposes of ensuring its safe operation.

§ 16. Requirements for Category III Unmanned Aircraft Introduced Into Service by the Estonian Defence Forces

All Category III unmanned aircraft, introduced into service by the Estonian Defence Forces, and operated also outside segregated airspace, must be in compliance with the requirements prescribed in section 7. In addition to the requirement set forth in the previous sentence, all fixed wing-type unmanned aircraft must also be in compliance with the airworthiness requirements set out in NATO standard “AEP-4671 – Unmanned Aircraft Systems Airworthiness Requirements (USAR)” (STANAG 4671), whereas all vertical take-off unmanned aircraft must be in compliance with NATO standard “AEP-80 – Rotary Wing Unmanned Aerial Systems Airworthiness Requirements” (STANAG 4702).

§ 17. Reviewing Initial Airworthiness of Unmanned Aircraft Introduced Into Service

- (1) The initial airworthiness of unmanned aircraft shall be reviewed by the ARB specified in section 9, unless otherwise specified in this Regulation.
- (2) The review of initial airworthiness is not required for Category I unmanned aircraft.
- (3) The initial airworthiness of fixed wing-type Category II unmanned aircraft that are flown outside segregated airspace must be established in compliance with the requirements laid down in STANAG 4703.
- (4) The initial airworthiness of vertical take-off Category II unmanned aircraft that are to be operated outside segregated airspace must be established in accordance with the requirements prescribed in the standard operating procedures. The standard operating procedures for this category of unmanned aircraft must be prepared in accordance with the standard referred to in subsection (3).
- (5) Information on the initial airworthiness of a Category I and II unmanned aircraft, whose initial airworthiness is not reviewed by the ARB specified in section 9, must be submitted to the Register of Military Aircraft.
- (6) The initial airworthiness of Category III unmanned aircraft must be reviewed in accordance with the requirements for initial airworthiness of manned aircraft as prescribed in section 8, and specific requirements for Category III unmanned aircraft as set forth in section 16.

§ 18. Airworthiness Certificate for Unmanned Aircraft

Category II and III unmanned aircraft shall be issued an Airworthiness Certificate or a Restricted Airworthiness Certificate, with a maximum term of validity of one year, on the basis of the decision of the ARB specified in section 9. The certificate can be repeatedly extended for up to one year, after undergoing continuing airworthiness review.

§ 19. Review of Continuing Airworthiness of Unmanned Aircraft

- (1) The Estonian Defence Forces shall review the continuing airworthiness of unmanned aircraft at least once per year, unless otherwise prescribed by this Regulation.
- (2) The review of continuing airworthiness is not required for Category I unmanned aircraft.
- (3) The continuing airworthiness of Category II unmanned aircraft must be reviewed in accordance with the requirements prescribed in the standard operating procedures. The results of the review must be submitted to the Register of Military Aircraft. The standard operating procedures must be prepared by the structural unit tasked with organising flight operations in the Estonian Defence Forces.

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(4) All Category III unmanned aircraft must continuously meet the requirements laid down in section 11 and their continuing airworthiness shall be reviewed in accordance with the procedure outlined in subsections 11 (3) and (4).

(5) The ARB referred to in section 9 shall be entitled to conduct random inspections of the continuing airworthiness of unmanned aircraft whose initial airworthiness was not reviewed by the ARB, regardless of the category of the unmanned aircraft or which structural unit of the Estonian Defence Forces is in possession of the aircraft in question.

§ 20. Mandatory Documentation and Information Accompanied by an Unmanned Aircraft

(1) At minimum, the remote pilot must have with him/her the following documents related to the unmanned aircraft:

- 1) unmanned aircraft registration certificate;
- 2) aircraft logbook;
- 3) checklists, emergency and abnormal situation checklists;
- 4) unmanned aircraft flight manual.

(2) In addition to the documents listed in subsection (1), the remote pilot must have with him/her the following documents for Category II and III unmanned aircraft:

- 1) Airworthiness Certificate for unmanned aircraft;
- 2) minimum equipment list (MEL);
- 3) hold item list (HIL);
- 4) radio frequency permit;
- 5) cargo manifest;
- 6) if departing Estonian airspace, other required documents and information.

(3) The documents and information listed in subsections (1) and (2) may also be located with the subunit of the structural unit of the Estonian Defence Forces that is operating the unmanned aircraft as part of its duties.

(4) If the unmanned aircraft is not located in the same location as its remote pilot, the aircraft maintenance personnel or other persons who are responsible for the unmanned aircraft must be ensured access to documents related to its continuing airworthiness and maintenance.

Division 3 Aircraft Maintenance

§ 21. Maintenance of Manned Aircraft by the Estonian Defence Forces and by External Maintenance Organisation

(1) The Estonian Defence Forces unit responsible for a maintenance of the aircraft and its activities must be in compliance with the requirements set forth in EMAR M or EMAR 145 or Annex I or II to Commission Regulation (EU) No 1321/2014.

(2) If the Estonian Defence Forces uses an external manufacturer or maintenance organisation for performing aircraft maintenance services, the organisation and its activities must be in compliance with the requirements set forth in Commission Regulation (EU) No 748/2012 or Annex I or II to Commission Regulation (EU) No 1321/2014 or EMAR M or EMAR 145 or other equivalent requirements if the manufacturer or maintenance organisation is located outside the European Union.

§ 22. Maintenance of Unmanned Aircraft by the Estonian Defence Forces and by External Maintenance Organisation

(1) The maintenance of unmanned aircraft must be performed in accordance with the flight manual provided by the manufacturer.

(2) All Category I and II unmanned aircraft must have a maintenance logbook for logging all performed maintenance activities and the aircraft's flight hours.

(3) Category I and II unmanned aircraft may be maintained within the Estonian Defence Forces only by persons who have completed relevant training.

(4) If Category II unmanned aircraft are maintained outside the Estonian Defence Forces, the manufacturer or maintenance organisation providing the maintenance must be in compliance with at least the requirements set forth in clause 2.2 of Annex IX to Regulation (EU) 2018/1139 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.08.2018, pp 1–122).

(5) The Estonian Defence Forces unit responsible for maintenance for Category III unmanned aircraft and its activities, or the external manufacturer or maintenance organisation, must comply with the requirements set forth in section 21.

Chapter 3 Requirements for Aircraft Operation

§ 23. Flight Preparation

(1) A flight task must be issued prior to each flight.

(2) Prior flight, the pilot in-command and the remote pilot of an unmanned aircraft must verify that:

- 1) the aircraft is airworthy;
- 2) an operational flight plan has been prepared;
- 3) a flight plan has been submitted to the air traffic service unit in compliance with section 25;
- 4) the aircraft has undergone necessary maintenance, and all devices, instruments and equipment necessary for carrying out the flight mission are operational;

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- 5) the mass and balance of the aircraft are within permitted limits, and are expected to remain within those limits for the duration of the flight;
- 6) the manned aircraft is carrying on board all documents and information listed in section 12, or with the unmanned aircraft is accompanied by all the documents and information prescribed in section 20;
- 7) the goods and equipment on board the aircraft have been stowed and secured properly.

(3) If the goods mentioned in clause (2) 7) comprise hazardous materials, including ammunition or munitions, the stowing of cargo must be in compliance with the requirements set forth in the 1944 Convention on International Civil Aviation (hereinafter ‘the Chicago Convention’), except when an exemption has been applied for in accordance with section 60.

(4) In addition requirements outlined in subsection (2), a remote pilot must verify that the unmanned aircraft has sufficient energy to complete its flight mission.

§ 24. Aerodrome Selection

(1) The dimensions and features of the aerodrome, or another area selected for this activity (hereinafter referred to jointly as ‘aerodrome’), used for take-off and landing, must meet all relevant aircraft operation requirements.

(2) If the planned flight route goes beyond 500 nautical miles (927 kilometres) from the take-off aerodrome, the flight plan must indicate at least two alternate aerodromes:

- 1) alternate take-off aerodrome, for situations that preclude the return to the aerodrome of departure;
- 2) alternate destination aerodrome, for situations that preclude landing at the destination aerodrome.

(3) If the planned flight route is up to 500 nautical miles (927 kilometres) from the take-off aerodrome, the following elements must be indicated in the flight plan:

- 1) at least one alternate aerodrome, for situations when the forecast meteorological conditions at the destination aerodrome or take-off aerodrome do not meet the minimum requirements for landing an aircraft, or if the weather forecast at the destination aerodrome is unavailable, or if it is not possible to land at that location due to other reasons;
- 2) an alternate take-off aerodrome, located at a maximum distance of one flight hour from the original departure aerodrome and provided that the weather forecast permits landing at the planned alternate take-off aerodrome, if the weather conditions at the original departure aerodrome are not suitable for landing or if it is not possible to land at that location due to other reasons.

§ 25. Submission of Flight Plan to the Air Traffic Control Unit

(1) Pursuant to section 4 of the Annex to the Commission Implementing Regulation (EU) No 923/2012, laying down the common rules of the air and operational provisions regarding services and procedures in air navigation, and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, pp 1–66, hereinafter ‘Commission Regulation 923/2012’), the flight plan must be submitted to the air traffic control unit prior to each flight, unless otherwise specified in the flight task.

(2) If the flight task does not call for a flight plan to be submitted to the air traffic control unit, the pilot must coordinate the flight or a part thereof beforehand with the relevant Estonian Defence Forces unit, who shall forward relevant flight safety information to the air traffic control unit, unless agreed otherwise.

(3) There is no obligation to prepare a flight plan for Category I unmanned aircraft.

§ 26. Preparing an Operational Flight Plan

(1) An operational flight plan must be prepared for each flight. A flight plan may comprise several parts.

(2) All operational flight plans must include the following information:

- 1) aerodrome location indicator or, in the absence thereof, the designation of the aerodrome;
- 2) aircraft type and identification;
- 3) flight date;
- 4) name or name code of the pilot in-command of the aircraft;
- 5) departure aerodrome, including the actual time of departure;
- 6) destination aerodrome, including the actual time of arrival;
- 7) flight type;
- 8) navigation and flight time data, including waypoints, distances, times, planned flight levels and altitudes.

(3) Depending on the flight task, the following information must be indicated in the operational flight plan, in addition to the data listed in subsection (2):

- 1) flight speed;
- 2) estimated fuel quantity and operating time;
- 3) mass and balance calculations;
- 4) alternate aerodromes;
- 5) weather data;
- 6) minimum altitudes *en route* to the destination and alternate aerodrome;
- 7) minimum meteorological requirements at the destination and alternate aerodromes.

§ 27. Exemptions from Preparation of Operational Flight Plans

(1) Operational flight plans shall be prepared only if specifically required for flights under visual flight rules (hereinafter 'VFR') that use the same aerodrome for take-off and landing and the flight takes place in the flight information zone or control zone of that aerodrome, during military training and during military defence of the state.

(2) All structural units of the Estonian Defence Forces using category I and II unmanned aircraft in the performance of their duties must establish their own requirements for preparing operational flight plans in accordance with the requirements set forth in section 26 and taking into account the specific nature of the unit's duties.

(3) Operational flight plans are generally not required for Category I unmanned aircraft with take-off weight below five kilograms if the duration of the flight is less than 20 minutes.

§ 28. Pre-Flight Planning of Fuel Amount and Reserves

(1) All calculations of required fuel amount must be based on the relevant quantities indicated in the aircraft flight manual.

(2) In addition to the requirements laid down in subsection (1), the required fuel amount must also include reserve fuel. The calculation of reserve fuel amount must take into consideration the requirements set forth in section 56¹ of the Aviation Act.

(3) In addition to the requirements stipulated in subsection (1), the reserve fuel amount for helicopters must be sufficient to fly for:

- 1) 30 minutes;
- 2) 20 minutes if they are flying in an area with a sufficient number of suitable landing sites in case of an emergency.

§ 29. Aircraft Mass and Balance

(1) Prior to the flight, the crew must ensure that the mass and balance of the aircraft are within the limits indicated in the aircraft flight manual.

(2) The calculations of aircraft mass and balance must also take into consideration the restrictions established for aircraft take-off and landing at planned aerodromes.

§ 30. Aircraft Minimum Equipment

(1) The aircraft minimum equipment list (MEL) must be prepared based on the minimum equipment list provided by the aircraft manufacturer.

(2) The aircraft minimum equipment list must also include replacement equipment, if available, and if the use of it complies with the flight manual provided by the aircraft manufacturer.

(3) The aircraft is deemed fit for operation, if replacement equipment is available for inoperative MEL items and the crew observes the operating restrictions indicated in the minimum equipment list. The inoperative MEL item or other component must be repaired or replaced with a new one at the first available opportunity.

§ 31. Additional Equipment on Board Manned Aircraft

(1) All manned aircraft must have on board at least the following equipment and instruments:

- 1) first aid kit;
- 2) fire extinguisher;

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- 3) life jackets or other equivalent flotation devices, if flying over water at a distance of more than 50 nautical miles (93 kilometres) from the shore or shoreline;
- 4) a life raft with capacity to accommodate all passengers aboard the aircraft, and signal flares for distress signalling, if flying over water at distance of more than 100 nautical miles (185 kilometres) from the shore or shoreline;
- 5) survival suit, if flying over water during periods when water temperatures are below 12°C, and it would not be possible to reach land in the event of engine failure.

(2) In addition to items listed in subsection (1), all helicopters flying over water must be equipped with radio altimeters with adjustable altitude alert function.

§ 32. Onboard Oxygen

If the task requires flying at an altitude above 10,000 feet (3,000 metres), manned aircraft must be equipped with an oxygen system and sufficient oxygen reserves for the duration of the time required to complete the mission.

§ 33. Winter-time Pre-Flight Aircraft Maintenance

(1) Winter-time pre-flight maintenance is performed, if:

- 1) the aircraft is covered with rime, ice, snow or sleet;
- 2) the weather forecast predicts weather conditions that are likely to cause the accumulation of rime, frost, ice or snow on the aircraft during the flight.

(2) De-icing may be performed using only such de-icing substance that has been approved by the manufacturer, or de-icing substance that has been tested for aerodynamic suitability.

§ 34. Pre-Flight Inspection of Aircraft

(1) All flights must undergo pre-flight inspection before take-off.

(2) Pre-flight inspection is performed by the pilot. Pre-flight inspection of unmanned aircraft may be performed by certifying staff or person who has undergone relevant training.

(3) Pre-flight inspection data must be entered in the aircraft flight log.

§ 35. Aircraft Marshalling and Visual Signals

(1) Aerodrome traffic must be regulated in compliance with the marshalling signals specified in point SERA.3301 of Chapter 3 of Section 3 of Annex “Rules of the Air” to Commission Implementing Regulation (EU) No 923/2012 and in the NATO standard “AFSP-2 – Aircraft Marshalling Signals” (STANAG 3117).

(2) During the flight, visual communication shall be conducted in accordance the signals laid down in NATO standard “AFSP-4 – In-Flight Visual Signals” (STANAG 3379).

§ 36. Use of Afterburner

Afterburner may only be used in the following cases:

- 1) to ensure the safe operation of the aircraft;
- 2) during take-off, if necessary;
- 3) during military training;
- 4) during demonstration flights;
- 5) during identification flights.

Chapter 4

Rules of the Air for Military Aviation

Division 1

General Requirements

§ 37. Air Traffic Management for Military Aviation

(1) Military air traffic shall be conducted in accordance with rules for general air traffic (GAT) or operational air traffic (OAT).

(2) The operation of aircraft that follow GAT rules, as referred to in subsection 37 (1), shall be conducted in accordance with the requirements laid down in Commission Implementing Regulation (EU) No 923/2012 and the Estonian Aviation Act.

(3) The operation of aircraft that follow OAT rules, as referred to in subsection 37 (1), shall be conducted in accordance with the requirements laid down in Commission Implementing Regulation (EU) No 923/2012 in conjunction with the rules for operational air traffic laid down in this Regulation, ensuring that the operation of aircraft would pose the least possible threat to general aviation safety, persons, property or other aircraft.

(4) OAT rules shall apply to all flights conducted by aircraft operated by the Estonian Defence Forces, units tasked with providing air navigation services and operating aerodromes, as well as military aircraft of NATO member states and Estonia's other military cooperation partners, and aircraft operated under the auspices of NATO or the United Nations.

§ 38. Provision of Air Navigation Services

(1) The provision of air traffic services for military aviation shall be ensured by a certified air navigation service provider (ANSP) or by the air traffic service unit of the Estonian Defence Forces.

(2) The Estonian Defence Forces' air traffic service unit is entitled to provide non-certified air navigation services in the Estonian airspace mainly for the purposes of servicing the operational air traffic of military aviation.

(3) Certified air navigation service providers are entitled to provide air traffic services for the operational air traffic of military aviation if the applicable air traffic control procedures have been approved by the Estonian Defence Forces.

Division 2

Operational Air Traffic Rules

§ 39. Minimum Flight Altitude

(1) Flying below the minimum visual flight altitude is permitted only in cases required by the flight task. In such cases, manned aircraft must follow the low-level flying rules laid down in section 49.

(2) It is prohibited to fly Category III unmanned aircraft below the minimum flight altitude specified by the manufacturer.

§ 40. Maximum Flight Altitudes for Unmanned Aircraft

(1) Category I unmanned aircraft may be flown no higher than 400 feet (120 meters) above the ground or body of water.

(2) Category II unmanned aircraft may be flown no higher than FL195.

(3) The maximum flight altitude for Category III unmanned aircraft is the maximum altitude specified by the manufacturer.

§ 41. Dropping, Releasing or Spraying Objects and Substances from Aircraft

(1) Objects or substances may be dropped, released or sprayed from aircraft only in the following circumstances:

- 1) to ensure the safe operation of the aircraft;
- 2) military training;
- 3) rescue work.

(2) Objects or substances may be dropped, released or sprayed from aircraft only in specially designated sections of airspace or in uncontrolled airspace over a military training area, except in the case of the activity referred to in clause 41 (1) 1).

(3) In order to delineate an appropriate section of airspace for activities referred to in subsection 41 (2), the Estonian Defence Forces shall assess the safety of the operation and apply appropriate safety measures in order to avoid any unjustified threat to other users of airspace, the environment, as well as people on the ground or their property.

§ 42. Requirements for Demonstration Flight

All demonstration flights must be conducted in compliance with the airspace classification and instructions provided by the relevant air traffic services unit. The plan of the demonstration flight must be approved by the Estonian Defence Forces and, if necessary, also with the Estonian Civil Aviation Administration.

§ 43. Requirements for the Operation of Manned Formation Flights

(1) In the case of standard formation flights, each aircraft participating in a formation shall maintain a distance from the flight lead aircraft not exceeding one nautical mile (1,852 metres), both laterally and longitudinally, and 100 feet (30 meters) vertically.

(2) Non-standard formation flight is a formation flight that deviates from the standard formation distances provided in subsection 43 (1).

(3) In the case of non-standard formation flight, the maximum horizontal distance allowed between two aircraft in the formation shall be three nautical miles (5,600 meters) and the vertical distance 1,000 feet (300 metres), unless otherwise coordinated with the air traffic control unit.

(4) In the case several aircraft or formation flights join up into a single formation within controlled airspace, the aircraft pilots-in-command or flight leaders may assume responsibility for the safe operation of aircraft, releasing the air traffic control unit from the responsibility to maintain separation minima.

(5) The flight leader shall determine the time or distance intervals for the take-off or landing between individual aircraft or formations comprising the formation flight and shall be responsible for informing the air traffic service unit thereof. The air traffic service unit shall treat the formation as a single aircraft with regard to the formation's take-off and landing.

(6) Aircraft may be refuelled in the air. In such cases, the Estonian Defence Forces shall assess the safety of the operation and apply appropriate safety measures in order to avoid any unjustified threat to other users of airspace, the environment, as well as people on the ground or their property.

§ 44. Requirements for the Operation of Unmanned Formation Flight

(1) It is prohibited to use unmanned aircraft in formation flights specified in section 43.

(2) Unmanned aircraft may take part in formation flights provided that the flight comprises only unmanned aircraft that are specifically designed for that purpose.

(3) The requirement provided in subsection 43 (5) must be followed during the take-off and landing of formation flights comprising unmanned aircraft.

§ 45. Granting Priority to a Formation Flight

NB! Unofficial translation

Any aircraft flying alone must give way to formation flight and maintain a safe distance from the formation.

§ 46. Operation of Aircraft in Prohibited and Restricted Areas

(1) The operation of aircraft in prohibited and restricted areas shall, as a general rule, be conducted in accordance with the conditions established in that particular prohibited or restricted area.

(2) The operation of aircraft in a prohibited or restricted area is permitted only during military defence of the state or during military training, latter subject to approval from the Estonian Civil Aviation Administration.

§ 47. Use of Aircraft Lights

(1) All taxiing and flying aircraft shall activate their navigation lights, as well as anti-collision lights during night-time and during day-time low-level flights, except in cases when:

- 1) they would interfere with, or are likely to interfere with, the satisfactory performance of the mission;
- 2) they would interfere with, or are likely to interfere with, the external observation of the aircraft;
- 3) it is required by the flight task.

(2) In the case of exceptions provided in subsection 47 (1), the pilot-in-command of the aircraft must give prior notification to the appropriate unit of the Estonian Defence Forces.

§ 48. Night Visual Flight Rules

(1) VFR flights are permitted at night only if the following conditions are met:

- 1) mandatory submission of a flight plan, if the flight departs from an aerodrome and is operated without any being monitored by an appropriate unit of the Estonian Defence Forces;
- 2) monitoring radio communication with the relevant air traffic service unit throughout the flight, except when flying in airspace segregated for the Estonian Defence Forces;
- 3) compliance with the minimum meteorological conditions for VFR flights, i.e. the ground must be visible to the pilot at all times, and the aircraft must be flown at a speed that would allow for adequate monitoring of surrounding air traffic and possible obstacles for the purposes of avoiding collisions;
- 4) when flying with night vision devices, the minimum meteorological conditions for day-time VFR flights must be met.

(2) When flying Category II unmanned aircraft at night, the minimum meteorological conditions specified in clause 48 (1) 4) must be met.

§ 49. Low-Level Flight Rules

(1) The minimum flight altitude for low-level flight is determined by the flight task, but it shall not exceed 2,000 feet (600 metres) above the ground or water.

NB! Unofficial translation

(2) When planning low-level flights, the following requirements must be taken into account:

- 1) densely populated areas should be avoided, if possible;
- 2) the minimum flight altitude above densely populated areas must be 500 feet (152 metres);
- 3) flights below the minimum flight altitude flown over densely populated areas must be approved in advance by the Estonian Defence Forces and, if necessary, by the Estonian Civil Aviation Administration;
- 4) at all stages of the flight, it must be possible to make an emergency landing at a safe distance from densely populated areas.

(3) Low-level flight route planning must be based on up-to-date route maps, taking into account proposed flight altitudes or, alternatively, the planned route or area must be checked in advance, but not earlier than seven days before the low-level flight is scheduled to take place. Both of these requirements must be met when planning low-level night flights.

(4) When planning low-level flights, the aircraft pilot must indicate on the route map any obstacles that fall within:

- 1) the radius of 4.32 nautical miles (8,000 metres) of the route line for jet and propeller-driven aircraft;
- 2) the radius of 2.7 nautical miles (5,000 metres) of the route line for helicopters.

§ 50. Special VFR Flights in the Control Zone

(1) The air traffic control unit of the Estonian Defence Forces may authorise a special VFR flight in the control zone if the visibility in the control zone is at least 1,500 metres. For helicopters, the visibility must be at least 800 metres.

(2) The authorisation obtained from the air traffic control unit of the Estonian Defence Forces must ensure the dispersion of flights, except in cases where the aircraft is operating in accordance with the operational air traffic rules and the pilot-in-command of the aircraft assumes responsibility for the safe operation of the aircraft.

§ 51. Operation of Unmanned Aircraft under Instrument Flight Rules

The operation of Category III unmanned aircraft shall comply with instrument flight rules (IFR) laid down in clauses SERA.5015, SERA.5020 and SERA.5025 of the Annex to Commission Implementing Regulation (EU) No 923/2012.

§ 52. Exceptions to Speed Limits

(1) The indicated airspeed limit for flights below FL100 shall be 250 knots, except in the following circumstances:

- 1) due to aircraft technical or safety related reasons;
- 2) if it is prescribed otherwise in the flight task;
- 3) for training flights in segregated airspace;
- 4) upon instructions from of the air traffic control unit.

(2) In the case of exceptions listed in subsection 52 (1) all flights below FL100 shall not exceed the airspeed of 550 knots indicated or 0.9 M, depending on which one is attained first.

§ 53. Requirements for Aircraft Communications and Secondary Surveillance Radar Transponder

(1) For flights conducted under operational air traffic rules, the pilot is required to:

- 1) establish two-way radio communication with the air traffic control unit in accordance with the airspace class requirements set out in clause SERA.6001 of the Annex to Commission Implementing Regulation (EU) No 923/2012 or with an appropriate unit of the Estonian Defence Forces that is tasked with transmitting the requisite flight information to the air traffic control unit in order to ensure flight safety, unless otherwise agreed;
- 2) if possible, maintain monitoring of emergency air-ground voice communications on VHF or UHF radio frequencies 121.5 MHz or 243 MHz.

(2) In the event of radio communications interference, the pilot-in-command of the aircraft must proceed in accordance with the rules laid down in Annexes 2 and 10 to the Chicago Convention.

(3) In the case of a standard formation flight, the flight leader shall transmit the secondary surveillance radar transponder code or the aircraft participating in the formation shall transmit their codes in accordance with the instructions received from the air traffic control unit.

§ 54. Use of an Airborne Collision Avoidance System

(1) If the aircraft is equipped with a traffic hazard warning and collision avoidance system, it must be activated on all aircraft flying outside the airspace segregated for the Estonian Defence Forces.

(2) In the case of a standard formation flight where all participating aircraft are equipped with an airborne collision avoidance system (ACAS), only the formation leader may activate the secondary surveillance radar transponder.

Chapter 5 Carriage of Passengers and Cargo

§ 55. Passenger Transport via Air Terminal

(1) As a general rule, in order to board an aircraft that is not an unmanned aircraft, passengers must go through an air terminal, where they shall undergo a pre-flight security check.

(2) Before being cleared for boarding, all passengers must be checked in for the flight. This requires the performance of at least the following operations or actions:

- 1) as a general rule, if the check-in takes place at the aerodrome, the passengers shall be checked-in at the air terminal;
- 2) a passenger manifest must be prepared, listing at least the first name and the surname of each passenger;

NB! Unofficial translation

- 3) this passenger manifest shall be made available, inter alia, to air terminal staff.
- (3) The crew manifest shall be prepared if required by regulations in force at the departure aerodrome.
- (4) If passengers are being transported outside the Schengen Area or if they are arriving from outside the Schengen Area, the Estonian Police and Border Guard Board shall be engaged, if necessary.
- (5) The boarding of passengers, including standing by in the waiting area, and disembarking shall take place in accordance with established procedures at the air terminal.
- (6) Aboard the aircraft, passengers are required to comply with the instructions given by the flight crew. Passengers must be briefed about the flight safety requirements, including how to act in the event of an emergency.

§ 56. Passenger Transport without Using an Air Terminal

- (1) If passengers board an aircraft that is not an unmanned aircraft, without going through an air terminal:
 - 1) a passenger manifest must be prepared, listing at least the first name and the surname of each passenger;
 - 2) this passenger manifest shall be made available, inter alia, to the structural unit of Estonian Defence Forces from where the flight is departing;
 - 3) passengers must be demonstrated how to safely approach and leave from the aircraft;
 - 4) passengers must be briefed about flight safety requirements, including how to act in the event of an emergency;
 - 5) prior to start-up, the crew shall ensure that there are no unauthorized persons in close proximity to the aircraft.
- (2) The pilot-in-command shall be responsible for conducting the pre-flight security check.

§ 57. General Requirements for the Carriage of Goods

- (1) The carriage of goods shall be conducted in accordance with the Chicago Convention and relevant NATO standards, taking into account the exemptions laid down in this Regulation.
- (2) Annex 2 to this Regulation lays down the exemptions from the requirements set out in subsection 57 (1) for cases when the Estonian Defence Forces should authorise the carriage of passengers or cargo on the same aircraft or in the same aircraft compartment. In such cases, the Estonian Defence Forces must ensure the safety of the operation of the aircraft, flight crew and passengers.
- (3) The exemption referred to in subsection 57 (2) may only be requested in case of the following events:
 - 1) military training;
 - 2) national defence operation;
 - 3) participation in international military cooperation.

§ 58. Carriage of Cargo by Unmanned Aircraft

- (1) As a general rule, unmanned aircraft are permitted to carry cargo that do not fall under the category of dangerous goods as specified in the Chicago Convention.
- (2) All cargo carried by unmanned aircraft must be equipped with a GPS tracking system.
- (3) As a general rule, weapons, ammunition and munitions may be carried by unmanned aircraft only within the boundaries of a military training area.

§ 59. Requesting an Exemption for the Carriage of Passengers

- (1) If the carriage of passengers or the carriage of passengers together with cargo aboard the same aircraft requires an exemption to allow the passenger to board the aircraft, this exemption must be requested from the structural unit of the Estonian Defence Forces:
 - 1) that has possession of the aircraft belonging to the Estonian Defence Forces;
 - 2) that is tasked with providing logistical support and support services to the Estonian Defence Forces, if the aircraft used for the flight in question is not owned by or is not in the possession of the Estonian Defence Forces.
- (2) The request for this type of exemption must be submitted in a format that can be reproduced in writing, and it must contain at least the following information:
 - 1) the passenger's first name and surname, as well as their personal identification code or date of birth;
 - 2) the purpose of the trip;
 - 3) aircraft data, including its registration number;
 - 4) the flight number, if known;
 - 5) the applicant's first name and surname, as well as their rank and the designation of their structural unit.
- (3) The written approval to grant the exemption must include at least the following information:
 - 1) the passenger's first name and surname, as well as their personal identification code or date of birth;
 - 2) the purpose of the trip;
 - 3) aircraft data, including its registration number;
 - 4) the flight number, if known;
 - 5) the date of validity of the exemption;
 - 6) the first name and surname, as well as the rank of the person who granted the exemption.
- (4) The refusal to grant an exemption does not have to be justified.

§ 60. Requesting an Exemption for the Carriage of Cargo

NB! Unofficial translation

(1) If the carriage of cargo requires applying an exemption, the request must be submitted to the structural unit responsible for the organisation of aviation activities in the Estonian Defence Forces.

(2) The application for this type of exemption must be submitted in a format that can be reproduced in writing, and it must contain at least the following information:

- 1) the identification number and classification of the dangerous substance or article in accordance with the United Nations Recommendations on the Transport of Dangerous Goods;
- 2) the full name of the goods;
- 3) description and quantity of the packaging, including the net quantity of explosives per package;
- 4) sender's information;
- 5) recipient's information;
- 6) aircraft data, including its registration number;
- 7) the flight number, if known;
- 8) the purpose of the flight in accordance with subsection 57 (3);
- 9) the applicant's first name and surname, as well as their rank and the designation of their structural unit.

(3) The written approval to grant an exemption must include at least the following information:

- 1) the identification number and classification of the dangerous substance or article in accordance with the United Nations Recommendations on the Transport of Dangerous Goods;
- 2) the full name of the goods;
- 3) description and quantity of the packaging, including the net quantity of explosives per package;
- 4) sender's information;
- 5) recipient's information;
- 6) aircraft data, including its registration number;
- 7) the flight number, if known;
- 8) the date of validity of the exemption;
- 9) the first name and surname, as well as the rank of the person who granted the exemption.

(4) If the exemption is applied for the carriage of passengers and cargo on the same aircraft, the written approval to grant an exemption specified in subsection 60 (3) must also include the information specified in clauses 59 (3) 1) and 2).

(5) The refusal to grant an exemption does not have to be justified.

Chapter 6 Aviation Security Requirements

§ 61. Application of Aviation Security Requirements

(1) The aviation security requirements, including pre-flight security checks, laid down in this Chapter apply only to the aerodromes, heliports, and unmanned aircraft control centres operated by the Estonian Defence Forces.

(2) All certified aerodromes or heliports that are used primarily for civil aviation shall be subject to the aviation security regulations established at that aerodrome or heliport unless such aerodrome or a part thereof or the heliport is reserved exclusively for the Estonian Defence Forces. In the latter case, the aerodrome or a part thereof, or the heliport in question, shall be subject to the aviation security requirements laid down in this Regulation.

§ 62. General Requirements for Aviation Security

(1) Aviation security shall be organised in accordance with the requirements for Estonian Defence Forces' security areas as laid down in the Estonian Defence Forces Organisation Act, and the requirements laid down in this Regulation.

(2) Aviation security requirements apply to:

- 1) aerodromes, including air terminals;
- 2) heliports;
- 3) unmanned aircraft control centres;
- 4) departing flights;
- 5) incoming flights, unless the aviation security requirements at the departure aerodrome are equivalent to those stipulated in the Aviation Act or this Regulation;
- 6) persons who are working or are present within the territory of the aerodrome.

(3) The aviation security requirements applicable in the cases listed in clauses 62 (2) 1) to 5) may be subject to exemptions based on security threat assessments.

(4) If necessitated by security concerns, persons and their belongings as well as cargo shall be inspected upon entry into the territory of the Estonian Defence Forces.

(5) The area of an aerodrome or heliport area must be isolated from the rest of the areas if required by security concerns or for other reasons.

(6) No cargo shall be loaded on an aircraft before undergoing pre-flight security check, or if the owner of the cargo has not applied required security measures or confirmed the application of such measures, or if the pilot in-command has not taken responsibility for the cargo.

(7) The Estonian Defence Forces' structural unit that is tasked with the organisation of aviation security in the area of government of the Estonian Ministry of Defence must prepare a list of substances and articles that are prohibited from being brought into the territory of an aerodrome or heliport or taken aboard aircraft in luggage.

§ 63. Aviation Security at Air Terminals

(1) Air terminals shall be subject to the measures established for Estonian Defence Forces security areas as stipulated in the Estonian Defence Forces Organisation Act. In the event that the Estonian Defence Forces Organisation Act does not provide for necessary measures, appropriate measures shall be applied in accordance with equivalent requirements set forth in the Aviation Act, Regulation

(EC) No 300/2008 of the European Parliament and of the Council on common rules in the field of civil aviation security and repeals Regulation (EC) No 2320/2002 (OJ L 97, 09.04. 2008, pp. 72-84), or in the European Commission Implementing Regulation (EU) No 2015/1998 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 299, 14.11.2015, pp. 1-142), or requirements laid down in this Regulation.

(2) As a general rule, pre-flight inspections shall not be performed for baggage that comprises weapons or other special equipment belonging to servicemen of the Estonian Defence Forces.

(3) Exemptions are allowed for the inclusion of prohibited substances and articles in baggage aboard an aircraft, if the substance or article is needed for completing the flight task or the task assigned to the serviceman who is a passenger aboard the aircraft.

§ 64. Aviation Security at Unmanned Aircraft Control Centres

(1) Appropriate security measures shall be applied at Unmanned Aircraft Control Centres, in order to protect the control centre:

- 1) against physical threats or sabotage;
- 2) against threats to communications systems and other cyber threats.

(2) If two or more control centres have been scheduled to operate an unmanned flight, all of the control centres involved must be secured for the entire duration of the flight of the unmanned aircraft.

§ 65. In-flight Security Measures

During the flight, any passenger representing a potential hazard shall be subject to appropriate security measures.

§ 66. Mandatory Aviation Security Rules and Guidelines

(1) The Estonian Defence Forces' structural unit that is tasked with the organisation of aviation security in the area of government of the Estonian Ministry of Defence, must prepare aviation security rules that describe the methods and procedures for operating aerodromes, air terminals, heliports and unmanned aircraft control centres.

(2) The aviation security rules must cover, inter alia, provisions for internal quality control regarding the oversight related to these methods and procedures.

(3) The structural unit whose duties include the operation of unmanned aircraft, must prepare aviation security guidelines for its unit in accordance with the aviation security rules referred to in subsection 66 (1).

(4) The aviation security rules document shall be submitted to the Estonian Ministry of Defence and, if necessary, to the Estonian Civil Aviation Administration.

Chapter 7

Requirements for Military Aviation Facilities

§ 67. Application of Requirements for Military Aviation Facilities

(1) This Chapter shall apply to the aerodromes, heliports and any other areas that are in the possession of the Estonian Defence Forces, as well as to areas selected for the operation of Estonian Defence Forces aircraft, unless otherwise specified in this Regulation.

(2) The requirements laid down in this Chapter shall not apply to mobile surveillance equipment.

§ 68. General Requirements for Military Aviation Facilities

(1) Aerodromes and heliports of the Estonian Defence Forces cannot be used for the operation of commercial air transport, except for the operation of civil aircraft in the possession of the Estonian Defence Forces and the Estonian Defence League, for emergency landing of aircraft or if expressly authorised by the Commander of the Estonian Defence Forces or duly authorised person.

(2) The Estonian Defence Forces must ensure that aerodromes, parts thereof or heliports are not used by aircraft for which the aerodrome, parts thereof or heliport, or their rules of operation are not suitable under normal circumstances, except in the event of emergency landings or other reasons that shall be determined on a case-by-case basis.

(3) The structural unit of the Estonian Defence Forces on whose territory the aerodrome, heliport or helicopter landing site is located, must designate a unit that shall be responsible for the maintenance of the aerodrome, heliport or helicopter landing site, and provide the necessary resources.

(4) The structural unit of the Estonian Defence Forces on whose territory the aerodrome, heliport or helicopter landing site is located, must take into account the safe operation of the aerodrome, heliport or helicopter landing site located on its territory when planning construction and landscaping on its premises.

§ 69. Construction and Maintenance of Heliports and Helicopter landing sites

(1) The areas used for the take-off and landing of helicopters shall be divided as follows:

- 1) heliports and helipads (hereinafter 'heliports');
- 2) helicopter landing sites.

(2) The construction of heliports must take guidance from the requirements laid down in the regulation established pursuant to subsection 36 (2) of the Aviation Act or relevant NATO standards.

(3) The choice of location of helicopter landing sites, including temporary helicopter landing sites, must ensure the safety of landing and take-off, and that the aircraft remains within a safe distance from obstacles surrounding the helicopter landing site.

NB! Unofficial translation

(4) If necessary, the construction, operation and maintenance of helicopter landing sites, including temporary helicopter landing sites, shall take guidance from the requirements of relevant NATO standards.

(5) All helicopter landing sites must have a fact sheet describing, at minimum, the coordinates of the helicopter landing site and the nearest obstacles, and an appended map of the surrounding area. The fact sheet must be available both at the Estonian Defence Forces structural unit on whose territory the helicopter landing site is located, as well as at the structural unit responsible for the organisation of aviation activities in the Estonian Defence Forces.

§ 70. Requirements for Aerodrome Movement Areas

(1) The aerodrome areas designated for the landing, take-off, taxiing and parking of aircraft (hereinafter referred to together as 'movement area') must meet at least the following conditions:

- 1) the dimensions and characteristics of the parts of the movement area, including its bearing strength and surface characteristics, are suitable for the aircraft using it;
- 2) water shall be drained from the movement area to avoid the accumulation of stagnant water that might endanger the operation of aircraft;
- 3) the slope and slope changes of the movement area do not endanger the operation of aircraft;
- 4) there are no obstructions in the movement area that might endanger the operation of the aircraft;
- 5) if there are multiple landing and take-off areas, they must be designed in a manner that their utilisation does not pose excessive risk to aircraft operations.

(2) Areas designated for the taxiing or parking of aircraft must take into account the requirements set forth in clauses 70 (1) 1) to 4), including the locations within those areas that are designated for support equipment and devices.

(3) Appropriate measures must be implemented for aerodrome movement areas for the purposes of preventing access for unauthorised persons and vehicles, as well as animals who might endanger aircraft during operation.

(4) In addition to the requirements laid down in subsections 70 (1) to (3), the design and construction of aerodromes must take guidance from the technical requirements set out in Annex 14 to the Chicago Convention or in the relevant NATO standards.

§ 71. Development of Flight Procedures

(1) Flight procedures must be established at aerodromes and heliports for the purposes of safeguarding an aircraft that is approaching to land or taking off from an aerodrome or heliport in order to ensure the appropriate distance from obstacles located in the vicinity of the aerodrome or the heliport.

(2) The flight procedures referred to in subsection 71 (1) comprise visual and instrument flight procedures.

NB! Unofficial translation

(3) The development of flight procedures must take guidance from the following documents:

- 1) International Civil Aviation Organization Document No. 8168, Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) Volume II – Construction of Visual and Instrument Flight Procedures;
- 2) “NATO Supplement to ICAO Doc 8168 – OPS/611, Volume II, For the Preparation of Instrument Approach and Departure Procedures – AATCP-1” (STANAG 3759);
- 3) NATO Standard “Aerodrome and Heliport ATS Procedures – AATMP-06” (STANAG 3297).

(4) If the development of flight procedures deviates from the requirements set forth in subsection 71 (3), those parts of the flight procedure that deviate from the requirements set forth in subsection (3) must undergo risk analysis to ensure continued flight safety.

(5) All flight procedures, with the exception of those developed for use in national defence operations or for use in the framework of international military operations, shall be published on the web page of the Estonian Defence Forces.

(6) If an organisation or agency other than the Estonian Defence Forces develops the flight procedures for an aerodrome operated by the Estonian Defence Forces, these procedures shall be subject to approval by the Estonian Defence Forces.

(7) Visual and instrument flight procedures must be reviewed and, if necessary, updated if:

- 1) there are any changes in any of the underlying criteria used for the development of flight procedures;
- 2) an obstacle that may hinder the application of existing procedures is constructed or installed within the immediate vicinity of the aerodrome;
- 3) five years have elapsed since the procedures were developed or last reviewed.

§ 72. Requirements for the Safe Operation of Aerodrome and Heliport Navigation and Surveillance Equipment

(1) The Estonian Defence Forces must ensure that aerodrome or heliport safety related equipment functions properly and shall not, in case of failure, constitute an unacceptable risk to aviation safety. To that end, the Estonian Defence Forces shall establish appropriate safeguards.

(2) Devices and their electrical power supply systems must be designed in a manner that in case of failure the user is not provided with irrelevant, misleading or incomplete information and essential services are not disrupted.

(3) Radiation sources or mobile or permanently installed objects must not interfere with or impair the operation of aeronautical communications, navigation or surveillance systems.

§ 73. Requirements for the Safe Operation of Aerodromes and Heliports

(1) The Estonian Defence Forces must ensure the safe operation of aircraft in the Estonian Defence Forces’ aerodromes or heliports. This must include, among other things, at least:

- 1) the implementation of a system for reporting occurrences;
- 2) if necessary, marking obstacles located in the vicinity of the aerodrome or heliport and equipping them with obstacle lights that emit, inter alia, also infrared light;
- 3) preparation of an emergency plan for the aerodrome or heliport;
- 4) ensuring adequate maintenance of the movement area, as well as and other relevant areas, and the existence of relevant operating procedures;
- 5) ensuring the existence of a quality and safety management systems.

(2) All aerodromes and heliports must ensure the availability of rescue and fire-fighting services corresponding to the aircraft using the aerodrome or heliport, that must, in the event of an incident or accident, respond with the required speed, as well as appropriate personnel, equipment and fire-fighting equipment corresponding to the nature of the incident or accident.

§ 74. Aerodrome and Heliport Maintenance Requirements

(1) Maintenance manuals must be prepared for aerodrome or heliport facilities in order to properly maintain those facilities and to ensure flight safety.

(2) The maintenance of aerodromes and heliports must include, among other things, the inspection of the entire surface of the movement area, including covering materials, bordering areas and storm water drainage systems, as well as regular assessment of their condition.

(3) In order to meet the requirements specified in subsection 74 (2):

- 1) the entire surface of the movement area must be cleaned in order to prevent or eliminate loose objects and other items that could damage aircraft or the operation of their systems;
- 2) the possibility for hazardous damage occurring in the movement area must be minimised;
- 3) if the runway friction coefficient falls below the minimum level, the friction of the runway or a part thereof must be improved;
- 4) other necessary measures shall be taken as situation requires.

§ 75. Mandatory Aerodrome and Heliport Manuals

(1) All aerodromes and heliports must prepare an operating manual. The manual must be prepared in accordance with the requirements for the manual's content as stipulated in the regulation issued on the basis of subsection 35¹ (2) of the Aviation Act.

(2) A copy of the aerodrome and heliport manual or a part thereof must be located:

- 1) at the aerodrome or heliport;
- 2) with the relevant unit of the Estonian Defence Forces responsible for aerodromes and heliports;
- 3) with the Estonian Civil Aviation Administration;
- 4) at the Estonian Ministry of Defence.

(3) These aerodrome and heliport manuals must be updated as necessary.

Requirements for Military Aviation Personnel

§ 76. Requirements for Certifying Staff

All certifying staff must comply with the requirements set out in EMAR 66 ("Military Aircraft Maintenance Licencing") issued by the European Defence Agency or with the requirements set out in Annex III to Commission Regulation (EU) No 1321/2014.

§ 77. Requirements for Air Traffic Safety Electronics Personnel

Air Traffic Safety Electronics Personnel (ATSEP) must comply with the requirements set out in:

- 1) NATO Standard "NATO minimum requirements for personnel providing air traffic management (ATM) and air navigation services (ANS) in NATO-led Operations – AATMP-46" (STANAG 7204);
- 2) European Commission Implementing Regulation (EU) 2017/373 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (OJ L 62, 08.03.2017, pp. 1–126).

§ 78. Requirements for Pilots of Manned Aircraft

(1) The pilots of manned aircraft must comply with at least one of the following requirements:

- 1) they must hold at least a commercial pilot licence (CPL) in accordance with the regulation established pursuant to subsection 24 (2) of the Aviation Act, and corresponding to the type of aircraft that the pilot operates;
- 2) completed an accredited military aviation pilot training programme at an educational institution providing military education, which must be, at a minimum, equivalent, to commercial pilot training;
- 3) they fulfil the requirements laid down in Commission Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, pp. 1–193), which are equivalent to the requirements set out in clause 1.

(2) In addition to the requirements set out in subsection 78 (1), the pilot must have completed aircraft type rating training.

§ 79. Additional Requirements for Pilots of Manned Aircraft

(1) Pilots of manned aircraft who work as flight instructors or a flight examiners must hold a commercial pilot licence (CPL) in accordance with the regulation established pursuant to subsection 24 (2) of the Aviation Act, corresponding to the type of aircraft that the pilot operates, or they must have completed an accredited military pilot training programme at an educational institution providing military education, which must be, at a minimum, equivalent to commercial pilot training.

(2) In addition to the requirements set out in subsection 79 (1), the pilot must have completed type rating training.

(3) The pilot may apply for an instrument rating for manned aircraft in accordance with the regulation established pursuant to subsection 24 (2) of the Aviation Act.

§ 80. Requirements for other Aircrew Members on Manned Aircraft

(1) Other aircrew members on manned aircraft must have completed appropriate training.

(2) The specific requirements for the knowledge and skills of other aircrew members on manned aircraft, such as operator-observers, flight engineers, navigators and jumpmasters, shall be established by the Commander of the Estonian Defence Forces or a duly authorised person.

§ 81. Requirements for Remote Pilots

(1) The knowledge and skills of remote pilots must be in compliance with the requirements set out in NATO Standard "Minimum Training Requirements for Unmanned Aircraft Systems (UAS) Operators and Pilots – ATP-3.3.8.1" (STANAG 4670), including with the type of unmanned aircraft that the remote pilot operates.

(2) For operating Category I unmanned aircraft, the remote pilot must have completed at least a one-day training course in accordance with the requirements for qualification level I as set out in STANAG 4670 that are sufficient for the technical limitations of unmanned aircraft laid down in subsection 3 (3).

(3) For operating Category II unmanned aircraft, the knowledge and skills of remote pilots must be in compliance with qualification level I, II or III as specified in STANAG 4670, depending on the type of unmanned aircraft the remote pilot shall operate.

(4) For operating Category III unmanned aircraft, the remote pilot must, in addition to the requirements set forth in subsection 81 (1), also hold a commercial pilot licence (CPL) as specified in section 78, or they must, at a minimum, meet the requirements of qualification level IV as specified in STANAG 4670. If the pilot holds a commercial pilot licence, they must also have completed appropriate type rating training.

(5) Remote pilots with higher qualification levels are permitted to operate unmanned aircraft with lower qualification level requirements. In such cases, remote pilots must complete only the appropriate type rating training required for that specific type of unmanned aircraft.

§ 82. Requirements for Crew Members of Unmanned Aircraft

All crew members of unmanned aircraft must have completed appropriate training covering the operation or maintenance of the type of unmanned aircraft for which they are a crew member.

§ 83. Requirements for Air Traffic Controllers

Air traffic controllers must comply with the requirements laid down in Commission Regulation (EU) No 2015/340 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011 (OJ L 63, 06.03.2015, pp. 1–122).

§ 84. Requirements for Flight Procedures Designers

Flight procedures designers must comply with the requirements laid down in subsection 57⁴ (3) of the Aviation Act and they must have completed on-job training in an organisation that develops military flight procedures.

§ 85. Requirements for Fighter Controllers and Senior Fighter Controllers

(1) The skills and knowledge of fighter controllers must comply with the requirements set forth in the NATO standard "NATO Qualifications for Fixed Wing Above Water Warfare/Aerospace Surveillance and Control System (AAW/ASACS) Aircraft Controllers - ATP-3.3.5.2" (STANAG 1183), and the document "BALNET Minimum Requirements for Weapons Section Personnel".

(2) The skills and knowledge of senior fighter controllers must, at a minimum, comply with the requirements laid down in the document "BALNET Minimum Requirements for Weapons Section Personnel".

§ 86. Requirements for Joint Terminal Attack Controllers

All Joint Terminal Attack Controllers (JTAC) must have completed NATO accredited JTAC training curriculum at a military education institution, and their skills and knowledge must meet the requirements set forth in NATO Standard "Joint Terminal Attack Controller Program - ATP-3.3.2.2" (STANAG 3797).

§ 87. Requirements for Air-to-Ground Range Control Officers

All air-to-ground range control officers must have requisite aviation knowledge and skills, such as those of a pilot, air traffic controller or fighter controller, and they must have completed training for air-to-ground range control officers.

§ 88. Recognition of Professional Qualifications Acquired Abroad

(1) The Estonian Defence Forces may recognise the professional qualifications of certifying staff if they have completed their training at a military education institution accredited by a NATO member state or by a country with whom Estonia engages in military cooperation, or at an educational institution providing civil aviation training outside the European Union, provided that the professional qualifications acquired are equivalent to the requirements set forth in section 76.

NB! Unofficial translation

(2) The recognition of the professional qualifications acquired abroad by pilots, including flight instructors and flight examiners, shall be done in accordance with the Aviation Act if the pilot has studied at an educational institution providing civil aviation education. The Estonian Defence Forces may also recognise the suitability of completed type rating training.

(3) The Estonian Defence Forces may recognise the professional qualifications acquired abroad by pilots, including flight instructors and flight examiners, if the training of the pilot, flight instructor and flight examiner was completed at a military education institution with a curriculum accredited by a NATO member state or by a country with whom Estonia engages in military cooperation, and which is, at a minimum, equivalent to commercial pilot training.

(4) The Estonian Defence Forces may recognise the professional qualifications acquired abroad by remote pilots if the completed curriculum is at least equivalent to the requirements set forth in STANAG 4670.

(5) The Estonian Defence Forces may recognise the professional qualifications acquired abroad by joint terminal attack controllers (JTAC) if they have completed NATO accredited JTAC training curriculum at a military education institution.

§ 89. Training Requirements for Remote Pilots

(1) The training of unmanned aircraft pilots and crew members must take guidance from the requirements laid down in STANAG 4670. In the case of Category I unmanned aircraft remote pilot training, the qualification requirements may forego those that are not necessary for remote pilots operating Category I unmanned aircraft, taking into consideration the technical limitations set forth in subsection 3 (3).

(2) The Estonian Defence Forces shall keep a record on the qualification levels of remote pilots. The procedure for keeping records shall be established by the structural unit that is tasked with organising aviation activities in the Estonian Defence Forces.

§ 90. Health Requirements for Military Aviation Personnel

(1) The health status of military aviation personnel must comply with the requirements laid down in the Aviation Act, Military Service Act or other legislation.

(2) The health status of persons specified in sections 78, 79 and 83 and that of navigators shall be assessed in accordance with the relevant health requirements laid down for those positions in the Aviation Act.

(3) The health status of remote pilots operating Category III unmanned aircraft shall be assessed in accordance with the health requirements laid down in the Aviation Act for air traffic controllers. If the remote pilot holds a commercial pilot licence, his/her health shall be assessed based on the requirements established for pilots.

(4) The health status of all other military aviation personnel, who have not been referred to in subsections 90 (2) and (3), and who are in active service, shall be assessed pursuant to the requirements set forth in the Military Service Act.

Chapter 9

Procedures for Investigating Aviation Accidents and Incidents Involving Military Aircraft of the Estonian Defence Forces

§ 91. Implementation of a Quality and Safety Management Systems

(1) The Estonian Defence Forces shall implement a quality and safety management systems for the purposes of reducing aviation accidents and incidents.

(2) To facilitate the implementation of this quality or safety management system, the Estonian Defence Forces shall prepare supplementary instructions that shall require mandatory compliance.

§ 92. The Objective of Investigations into Aviation Occurrences

(1) The objective of investigations into aviation accidents and incidents is to improve aviation safety, prevent accidents/mishaps and dangerous situations, and reduce the damage resulting from accidents.

(2) Investigations into aviation occurrences are not aimed at apportioning blame or liability.

§ 93. The Object of Investigation and Investigation Procedure

(1) The investigation boards referred to in sections 94 and 95 shall investigate occurrences listed in subsection 47 (1) of the Aviation Act and involving on-board weapons systems within the scope specified in this Regulation if such occurrences involve only manned and unmanned aircraft that were in the possession of the Estonian Defence Forces or foreign armed forces.

(2) The investigation of aviation accidents and incidents involving aircraft of the Estonian Defence Forces must be conducted in accordance with the relevant regulations set forth in the Aviation Act, and take into account the exceptions specified in NATO Standard “Safety Investigation and Reporting of Accidents/Incidents Involving Military Aircraft, Missiles, and/or UASs – AFSP-1.3” (STANAG 3531).

(3) If one of the parties involved in an aviation occurrence is not an aircraft, a member of the Estonian Defence Forces or a member of foreign armed forces or their aircraft, the investigation shall be conducted by the Estonian Safety Investigation Bureau under the Ministry of Economic Affairs and Communications.

§ 94. Investigation Board of the Estonian Defence Forces

(1) The Investigation Board of the Estonian Defence Forces (hereinafter ‘EDF Investigation Board’) shall investigate all aviation occurrences.

(2) The EDF Investigation Board is tasked with determining, independently of the parties involved in the aviation accident or incident, the circumstances which led to an occurrence. The EDF Investigation Board must, as far as it is practicable and reasonable, put forward safety recommendations in order to reduce the likelihood of similar incidents occurring in the future.

(3) The EDF Investigation Board is a temporary board of inquiry operating under the structural unit of the Estonian Defence Forces that is tasked with organising aviation activities within the Estonian Defence Forces. The EDF Investigation Board shall operate under that unit also in the event that the aviation occurrence under investigation is of inter-structural unit nature.

(4) The person appointed as the head the EDF Investigation Board must possess professional expertise in the field of military aviation and knowledge about aviation safety. The other members of the EDF Investigation Board must have sufficient expertise in areas relevant to the investigation.

(5) Persons in reserve, who have relevant expertise in the area of military aviation, may also be appointed to serve on the EDF Investigation Board upon his/her consent.

(6) If the EDF Investigation Board is investigating an inter-structural unit aviation occurrence, at least one person from the structural unit that is involved in the aviation occurrence under investigation shall be appointed to serve on the EDF Investigation Board.

(7) The EDF Investigation Board is entitled to engage external experts from outside the Estonian Defence Forces.

(8) The EDF Investigation Board shall be formed and its rules of procedure approved by the Commander of the Estonian Defence Forces or a duly authorised person.

§ 95. Investigation Board of the Estonian Ministry of Defence

(1) The Investigation Board of the Estonian Ministry of Defence (hereinafter ‘MoD Investigation Board’) is tasked with conducting, independently of the parties involved in the aviation accident or incident, additional investigation into the circumstances that created the dangerous situation and led to the occurrence.

(2) The MoD Investigation Board may initiate additional investigation in the event of the following aviation occurrences:

- 1) an occurrence that has resulted in injury or death;
- 2) an occurrence involving a member of foreign armed forces or their aircraft;
- 3) an occurrence resulting in irreversible damage to manned aircraft or to category III unmanned aircraft;
- 4) an occurrence involving the handling of weapons, ammunition or munitions;
- 5) an occurrence requiring a resolution at the strategic level or the reallocation of resources;
- 6) an occurrence that is under increased public attention.

(3) The MoD Investigation Board is a standing committee comprising at least five members. The MoD Investigation Board shall include a Chair, a Vice-Chair, at least three other members, two alternates and a secretary. The members of the MoD Investigation Board, including the Chair and the Vice-Chair, must have either legal, aeronautical, military aviation or technical expertise or sufficient expertise in areas relevant to the investigation. The Minister of Defence shall appoint the members of the MoD Investigation Board.

(4) Employees of the Estonian Defence Forces with relevant aeronautical expertise may also be appointed to the MoD Investigation Board.

(5) The MoD Investigation Board is entitled to engage other external experts in its work.

§ 96. Report of the Investigation Board

(1) The Investigation Boards of the Estonian Defence Forces and the Ministry of Defence must both prepare an investigation report outlining the course and results of their investigations.

(2) The investigation report must include a section listing the recommendations on how to reduce the recurrence of similar occurrences in the future.

(3) The MoD Investigation Board may include in its report, in addition to recommendations, also precepts to the Estonian Defence Forces.

(4) In the event that the Ministry of Defence has independently initiated an investigation of an aviation occurrence, the EDF Investigation Board must disclose all information relevant to the investigation and submit its own investigation report to the MoD Investigation Board.

(5) The Investigation Boards referred to in sections 94 and 95 are entitled to prepare a joint report on aviation accidents and incidents listed in subsection 93 (1).

§ 97. Compliance with Recommendations and Precepts

(1) The recommendations and precepts included in the reports referred to in section 96 require mandatory compliance.

(2) The Estonian Defence Forces shall submit a report on compliance with the recommendations and precepts prescribed by the MoD Investigation Board within a reasonable time period, but not later than one year.

Chapter 10 Implementing Provisions

§ 98. Implementation of Requirements

NB! Unofficial translation

- (1) The requirements for unmanned aircraft laid down in Commission Regulation (EU) 2019/945, as set out in subsection 13 (1), shall apply from 1 July 2020.
- (2) The requirements laid down in section 76 for aircraft certifying staff shall apply from 1 October 2020.
- (3) The requirement laid down in subsection 77 (2) for air traffic safety electronics personnel shall apply from 2 January 2020.
- (4) The requirement laid down in subsection 78 (1) for pilots shall apply from 1 October 2020.
- (5) The requirements laid down in section 81 for remote pilots and the requirement set forth in subsection 89 (2) shall apply from 1 October 2020.

(signed digitally)

Jüri Luik

Minister of Defence

(signed digitally)

Kristjan Prikk

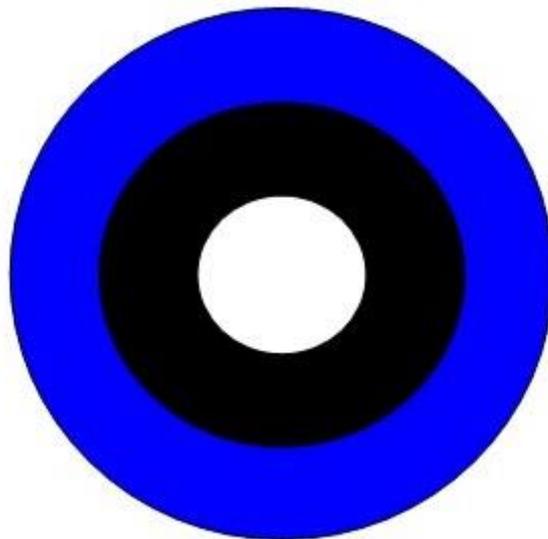
Permanent Secretary of Ministry of Defence

Annex 1. Symbol to be carried on Military Aircraft

Annex 2. Determining the Acceptability of Combined Passengers and Cargo Transport

Symbol to be applied to on Military Aircraft

With the exception of the Estonian Air Force, all other structural units of the Estonian Defence Forces shall apply the following symbol on military aircraft as the national identification insignia.



Determining the Acceptability of Combined Passengers and Cargo Transport

	Category 1 Passengers	Category 2 Passengers	Cargo Group A	Cargo Group B	Cargo Group C	Cargo Group D
Category 1 Passengers	—	—	—	—	O	O
Category 2 Passengers	O*	—	O*	O*	X	X
Cargo Group A	—	O*	—	—	—	—
Cargo Group B	—	O*	—	—	O	O
Cargo Group C	O	X	—	—	—	O
Cargo Group D	O	X	—	—	O	—

Meanings of symbols used in the table:

- no restrictions on carriage
- O permitted only in special circumstances, subject to approval
- O* Category 2 Passengers who have been issued a special permit for boarding military aircraft (includes travel aboard aircraft carrying Category 1 Passengers and Cargo Groups A and B)
- X the carriage of passengers and the indicated class of goods on the same aircraft is prohibited

Notes:

- Category 1 Passengers include, for example, servicemen, members of foreign armed forces, active members of the Estonian Defence League performing military duties, employees of the Estonian Defence Forces or the Estonian Defence League, officials of the Ministry of Defence or the Estonian Foreign Intelligence Service performing national defence duties.
- Category 2 Passengers covers all other persons who do not fall under Category 1, for example, officials from other ministries or governmental agencies performing national defence duties, family members of servicemen, journalists, the President of the Republic of Estonia, and members of the Government of the Republic.
- Cargo Group A comprises goods that are not deemed dangerous goods. Cargo Group A may also include weapons and special equipment that do not fall under Cargo Groups B–D (regular goods).
- Cargo Group B comprises dangerous goods that are permitted, under the Chicago the Convention, to be carried aboard the same aircraft with passengers.
- Cargo Group C comprises dangerous goods that are prohibited, under the Chicago the Convention, from carriage aboard the same aircraft with passengers.
- Cargo Group D comprises dangerous goods that are prohibited, under the Chicago the Convention, from carriage aboard aircraft, except in exceptional circumstances subject to exemption.