

The participation of Montenegro in the SES initiative of the European Union is based on the ECAA Agreement with the European Communities.

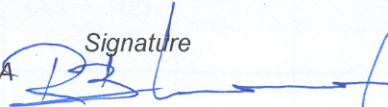
Further to Article 12 of the Framework Regulation (EC) No 549/2004 and to the formalised request of the Commission to EUROCONTROL dated 31 July 2008, Chapter 2 of **ME LCIP 2009-2013** fulfils Montenegro's obligation to report to the European Commission on SES implementation for the period from 1<sup>st</sup> July 2007 till 31<sup>st</sup> December 2008.

For Montenegro,

Name, title

Renato Brkanovic, Deputy Director of CAA

Signature



Date

17 March 2009

## Chapter 2 - Single European Sky Annual Report

### 2.1 NSA Establishment & Responsibilities

<b>Name of the NSA:</b>	CAA of Montenegro
<b>Legal Basis:</b>	Law on Air Transport, ratified ECAA Agreement
<b>Separation from ANSP:</b>	Institutional
<b>Relationship with CAA/DGCA:</b>	CAA is the nominated NSA. There is a Department of the CAA which is in charge of performing NSA function
<b>Specific inspections &amp; surveys delegated (or intended to be) to Recognised Organisations</b>	None
<b>Changes since previous Annual Report (AR):</b>	None

Areas of Responsibility (as per art. 2.1 (SP-R):	CIV	MIL	Additional Information		
ATS	Y	N/A	It is defined by the Law on Air Transport. .The responsibility is being set up.		
CNS	Y	N/A	same as above		
AIS	Y	N/A	same as above		
AFIS	Y	N/A	same as above		
MET	Y	N/A	same as above		
Areas of Responsibility (as per other art./reg.):	CIV	MIL	Additional Information	Notified to the EC	Date of correspondence
ATCO Licensing	Y	N/A	It is defined by the Law on Air Transport.The responsibility is being set up.	N	
Engineering & Tech. Staff	Y	N/A	same as above	N	
Access ANSPs accounts	Y	N/A	same as above	N	
Economic oversight	Y	Y/N	same as above	N	
Interoperability	Y	N/A	same as above	N	
Changes since previous AR:	None				

<b>Additional information:</b>	None
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## 2.2 ANSP Certification, Designation & Cross-Border ANS Provision

### 2.2.1 Certification

In accordance with the Law on Air Transport certification of ANSP will be performed by the CAA. The CAA is still in process of building its capacities, so the table below remains unpopulated.

Name of the ANSP	Services for which it has been Certified					Date of Certif.	Valid until	Derogation Granted	Conditions Attached
	ATS	AFIS	AIS	CNS	MET				
Name of the ANSP	Type of Derogations granted								

Changes since previous AR:	
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### 2.2.2 Designation

In accordance with the Law on Air Transport designation of ATS and MET providers will be performed by The Government of Montenegro. The ATS and MET, as well as the CNS and AIS, are currently provided by SMATSA (Serbia and Montenegro ATS Agency) – joint State of Montenegro and the Republic of Serbia ANSP, which has its principal place of operation in Serbia.

State authority responsible for Designation		The Government of Montenegro		
Type of Service	Name of the Service Provider / Airspace under its responsibility	Date of Desig.	Valid until	Conditions attached
ATS				
MET				
The State/ANSP received an offer of services from another certified ANSP having its principal place of operation in another Member State:				
Changes since previous AR:	None			

### 2.2.3 Arrangements for Cross-Border ANS provision

The following two tables present the cross-border provision of Air Navigation Services involving Montenegro, both for ATS and, separately for other ANS as foreseen in particular by the Service Provision Regulation in Preamble (13).

#### 2.2.3.1 Cross-Border provision of ATS

ATS Services provided TO:	Area(s)	Agreement with the State concerned on the supervision of the ATSP(s):	
None			
ATS Services provided FROM:	Area(s)	Agreement with the State concerned on the supervision of the ATSP(s):	
See paragraph above the Table in 2.2.2.	All	Y	

<b>Changes since previous AR:</b>	None
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### 2.2.3.2 Cross-Border provision of other ANS

<b>Cross-Border provision of other ANS than ATS</b>	Y
See paragraph above the Table in 2.2.2.	

## 2.3 Ongoing Compliance

<b>Name of the NSA:</b>	CAA of Montenegro	
<b>The NSA has produced an Inspection Programme (as per Art. 7 of SP-IR-CR):</b>		N
<b>Further to the certification of the ANSPs, the NSA has verified compliance with the Common Requirements in the following areas since the last Annual Report:</b>		
Organisational Structure and Management	N	
Safety Management System	N	
Operation Manuals	N	
Security Management System	N	
Policies for Recruitment and Training of Personnel	N	
Financial Audits	N	
Liability and Insurance Cover	N	
Contingency Plans	N	
Set up of a Quality Management System	N	
<b>Production of a Business Plan and an Annual Plan (including demonstration of economic and financial capacity):</b>	N	
<b>Provision of an Annual Report:</b>	N	

## 2.4 Consultation of stakeholders

<b>The State has implemented a formal consultation mechanism for the involvement of stakeholders in SES implementation:</b>		N
<b>Since the last Annual Report, the following stakeholders have been consulted on the following topics:</b>		
<b>ANSPs</b>	Y	Consultation is done by correspondence SSR Radar
<b>Airports</b>	Y	Consultation is done by correspondence Introduction of the night operations at Tivat Airport
<b>Airspace Users Representative Orgs.</b>	Y	Consultation is done by correspondence Route Charging
<b>Professional staff representative bodies</b>	Y	Consultation is done by correspondence Level 4 of ATCO language proficiency
<b>Manufacturing industry</b>	N	Consultation is done by correspondence
<b>Military</b>	Y	Consultation is done by correspondence Civil-Military cooperation
<b>Other</b>	N	Consultation is done by correspondence

## 2.5 ATCO Licensing

<b>Transposition of SP-D-ATCO</b>	N	Recently it was put in the extended version of Annex I of the ECAA Agreement, and will be implement in national
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		legislation.
<b>Communication to the EC of the national provisions enforced to comply with SP-D-ATCO</b>	N	Yet to be done
<b>Certified ATCO training providers (as per Art. 10):</b>	N	No training providers in Montenegro.
<b>Provisions of Art. 8 on 'Linguistic Requirements' implemented:</b>	N	
<b>Aside from the two articles specified above, progress of implementation of SP-D-ATCO:</b>		Tehnical preparation is ongoing (translation)
<b>Changes since previous AR:</b>	None	

## 2.6 Airspace

<b>Full implementation of the Airspace Regulation in the State foreseen for:</b>	TBD	
<b>Application of the airspace regulation to airspace under the responsibility of the State outside the ICAO EUR or AFI regions:</b>	N	
<b>Current division flight level between upper and lower airspace:</b>	FL 285	
<b>Intention to apply division flight level 285</b>	N/A	

The State has implemented airspace classification and access of flights operated under VFR above FL 195:		Y
The State has introduced additional rules with respect to access or operation of VFR flights above FL 195:		Y
There have been requests for TSA(s) (or equivalent) for GAT flying under VFR, as encompassed within the rules governing access for GAT VFR flights within this airspace:	Between FL 195 and FL 280	N
	FL 285 and above	N

<b>Changes since previous AR:</b>	None
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## 2.7 FABs

Montenegro does not participate in any of the FAB initiatives.

## 2.8 Interoperability

### 2.8.1 NSA's responsibilities

<b>Name of the NSA:</b>	CAA of Montenegro		
<b>The NSA has defined and allocated tasks and responsibilities in accordance with the IO-R:</b>	N		
<b>The NSA has developed Process Descriptions defining the supervision of compliance as defined in the IO-R:</b>			N
<b>These:</b>	- Address the definition of systems subject to verification according to ANNEX I:	N	
	- Specify the scope of the verification of the material provided by the ANSP:	N	
	- Define how to proceed in case of conformity:	N	
	- Define how to proceed in case of non-conformity:	N	

- Define 'templates' (e.g. for the declaration):	N
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## 2.8.2 Notified Bodies

It is under the consideration.

## 2.8.3 Verification of Compliance

This section covers the status of compliance of the State with regards to the IO-R and the associated Implementing Rules in place.

### 2.8.3.1 Regulation (EC) No 552/2004 on Interoperability

Montenegrin ATM System is linked into the System installed in Serbia. The verification pursuant to the Regulation (EC) No 552/2004 may be requested by Montenegro.

### 2.8.3.2 Regulation (EC) No 1032/2006 on Coordination and Transfer

Montenegrin ATM System communicates with the adjacent systems through Belgrade ACC. See Article 1 (3) of the Regulation.

### 2.8.3.3 Regulation (EC) No 633/2007 on flight message transfer protocol

Montenegrin ATM System is linked into the System installed in Serbia, so that the FLT message protocol is transmitted through it.

### 2.8.3.4 Regulation (EC) No 1033/2006 on procedures for flight plans in pre-flight phase

Although the legal basis is yet to be established, Montenegro ATS units do apply the provisions of this Regulation through the link with Belgrade ACC.

Has the NSA verified the compliance of the <u>ANSP(s)</u> with this Regulation?		N
Has the State taken any measures to ensure the compliance of the <u>Operators</u> with this Regulation?	N	The CAA/NSA plans to establish the measures.
Has the State taken any measures to ensure the compliance of the <u>IFPS</u> with this Regulation?	N	The CAA/NSA plans to establish the measures.
Has the ANSP used the "EUROCONTROL Specification for the Initial Flight Plan" as means to achieve compliance with the Regulation?	Y	Yet to be verified by the CAA/NSA.
Has the ANSP used the "EUROCONTROL Specification for ATS Data Exchange Presentation (ADEXP)" as means to achieve compliance with the Regulation?	N	Yet to be verified by the CAA/NSA.

### 2.8.3.5 Regulation (EC) No 1265/2007 on air-ground voice channel spacing

Is the ANSP(s) in compliance with this Regulation?	Y	SMATSA
Has the State communicated to the EC any exceptional circumstances preventing ANSPs to comply with Art. 3.3?	N	
Has the State communicated to the EC the lists of State aircraft that will not be equipped with 8.33 kHz radios, in order to benefit from the transitional arrangements?	N	
Has the State taken any measures to ensure the compliance of the <u>Operators</u> with this Regulation?	Y	Compliance of the Operators with this Regulation is a prerequisite for obtaining the Airworthiness certificate.
Has the State ascertained non-compliances with this regulation leading to corrective measures?	N	



## 2.9 Air Navigation Charging

### 2.9.1 Charging zones

#### 2.9.1.1 En-route Charging Zone(s)

En-route Charging Zone(s)	Nr	Description
Montenegro	1	Airspace of Montenegro

#### 2.9.1.2 Terminal Charging Zone(s)

Terminal Charging Zone(s)	Nr	Description
TMA Podgorica	1	Podgorica Airport
TMA Tivat	2	Tivat Airport

Decision by the State to:		Additional Information	Notified to the EC	Date of correspondence
Defer the application of Articles 9 and 11 to 15 for terminal	N/A	Being a member of the ECAA, a date of application still to be determined.		
Exempt ANS provided at Airports with less than 50.000 Commercial Movements per year from the application of the Regulation	N/A	Being a member of the ECAA, a date of application still to be determined.		
Exempt ANS provided at Airports with less than 150.000 Commercial Movements per year from the application of Art. 11 and 13 of the Regulation	N/A	Being a member of the ECAA, a date of application still to be determined.		
			Publication of final assessment	
Changes since previous AR:	None			

### 2.9.2 Appeal/Review Procedure

Description of the review / appeal procedure for the decisions taken pursuant to the Charging Regulation
Decision are made in accordance with Multilateral Agreement relating to Route Charges (CRCO, EUROCONTROL) and Financial Regulations applicable to the Route Charges System (April 2008)

### 2.9.3 Enforcement measures for the collection of air navigation charges

Enforcement measures applied for the collection of air navigation charges	N
All measures, recommendations and regulations required for membership in CRCO and EUROCONTROL are applied.	