

Government of Romania



MINISTRY OF TRANSPORT, CONSTRUCTIONS AND TOURISM

DIRECTORATE GENERAL OF CIVIL AVIATION

Bucharest ___/___/___
Nr. ___/___

Mr. Daniel CALLEJA
Director / Directorate F – Air Transport
Directorate General Energy and Transport

Dear Mr. Calleja,

Please find attached the answers to the questions stipulated in the Discussion Paper sent to us by your letter with the reference TREN F1/MN/Ig D (2007) 321545.

Sincerely yours,

DIRECTOR GENERAL

Cătălin Radu

Q1:

The Regulation 785/2004 did not have any impact on the insurance policy of Romanian air carriers, licensed in accordance with Regulation (CE) no. 2407/92.

Usually the insurance policies stipulate a combined single limit which cover the liability of air carriers in respect of passengers, cargo, baggages and third parties. This combined single limit is sufficient to cover more than the minimum insurance requirements stipulated in Regulation 785/2004.

Q2:

After 1.01.2007, when Romania became EU Member State, the insurance level was increased approx. 4 times for Romanian general aviation and aerial work operators. There were registered some difficulties for aerial work operators to comply with the minimum insurance requirements stipulated in Regulation (CE) no. 785/2004.

Q3:

No historic aircraft is registered in Romania.

Q4:

We are considering that such a requirement (to have insurance cover for damages to third parties due to risks of war or terrorism) could be limited only to non-commercial operations with large aircraft.

Q5:

We do not consider necessary to introduce specific rules for the insurance requirements for damage caused by unlawful interferences while the aircraft is still at the airport.

Q6:

According to the Romanian Governmental Decision no. 1172/2003 each air carrier and aircraft operator which apply for an authorization to operate in Romania has to register to Romanian CAA copies of the insurance certificates (covering passengers, cargo, baggages and third parties liability) for the aircraft which will be used for its operations.

Q7:

We are considering that such a decision (to create a universal EU insurance certificate) has to be taken only depending on the air carriers interest. In this respect a point of view from the airlines organizations (IATA, AEA, ERA, etc) could be usefully.

Q11 (8):

According to the Governmental Decision no. 583/2007 the minimum insurance requirements for the passengers liability in respect of non-commercial operations by aircraft with a MTOM of less than 2.700 Kg is 100.000 SDR/passenger.

Q12 (9):

Romania ratified the Montreal Convention in 2000. Until present we do not face any problems regarding the application of Regulation 889/2002.

Q14 (10):

We are considering that the harmonization at Community level of the third party liability rules for all airlines (Community or non-Community) using EU air space is necessary.

Q15 (11):

It is more efficient to ensure a level playing field with third-country air carriers in respect of insurance requirements by means of EU Regulations.

Q 16,17 (12,13):

In our opinion the most efficient way in solving this problem would be the establishment by law (EU rule) of the responsibility of each Member State to support the costs of the repatriating passengers in case of insolvency or revocation of the operating licence of an air carrier licensed by that Member State.

The costs could be recovered, after that, from the air carrier.

Q18,19 (14,15):

We are considering that the small non-commercial aircraft operators could be exempted from the scope of the Regulation 785/2004.