ENR 1 GENERAL RULES AND PROCEDURES

ENR 1.1 GENERAL RULES

GENERAL

Bosnia and Herzegovina has transposed Implementing Regulation (EU) No 923/2012 (SERA) laying down the common rules of the air and operational provisions regarding services and procedures in air navigation as latest amended by Commission Implementing Regulation (EU) 2016/1185 of 20 July 2016 (SERA C) through Order laying down the common rules of the air and operational provisions regarding services and procedures in air navigation ("Official Gazette of Bosnia and Herzegovina", No 20/23). In addition to SERA the provision of ICAO Annex 2 (Rules of the AIR), ICAO Annex 11 (Air Traffic Services) and ICAO Doc 4444 are used. Differences from ICAO standards, recommended practices and procedures are indicated in GEN-1.7.

In accordance with Order laying down the common rules of the air and operational provisions regarding services and procedures in air navigation ("Official Gazette of Bosnia and Herzegovina", No 20/23).

FLIGHT OVER THE HIGH SEAS

SERA.1001 GENERAL

a. For flight over the high seas, the rules specified in Annex 2 to the Chicago Convention shall apply without exception. For the purposes of continuity and seamless operation of air traffic services in particular within Functional Airspace Blocks, the provisions of Annex 11 to the Chicago Convention may be applied in airspace over high seas in a manner that is consistent with how those provisions area applied over the territory of the member States. This shall be without prejudice to the operations of State Aircraft under Article 3 of the Chicago Convention. This shall also be without prejudice to the responsibilities of BHDCA to ensure that aircraft operations within the Flight Information Regions within which they are responsible for the provision of air traffic services in accordance with ICAO regional air navigation agreements are undertaken in a safe, expeditious and efficient manner.

b. For those parts of the high seas where a Member State has accepted, pursuant to an ICAO regional air navigation agreement, the responsibility of providing air traffic services, the Member State shall designate the ATS provider for providing those services.

APPLICABILITY AND COMPLIANCE

SERA.2001 APPLICABILITY

Without prejudice to SERA.1001 above, this Regulation shall apply in accordance with Article 1 in particular to airspace users and aircraft:

a. operating into Bosnia and Herzegovina, within Bosnia and Herzegovina or out of Bosnia and Herzegovina;

b. bearing the nationality and registration marks of the country of registration and operating in any airspace to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

This Regulation shall also apply to the procedures of BHDCA, Air Navigation Service Provider of Bosnia and Herzegovina and the relevant ground personnel engaged in aircraft operations.

SERA.2005 COMPLIANCE WITH THE RULES OF THE AIR

The operation of an aircraft either in flight, on the movement area of an aerodrome or at an operating site shall follow the general rules, the applicable local provisions and, in addition, when in flight, either with:

a. the visual flight rules; or

b. the instrument flight rules.

SERA.2010 RESPONSIBILITIES

a. Responsibility of the pilot-in-command
The pilot-in command of an aircraft shall, whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with this Regulation, except i that the pilot-in-command may depart from these rules in circumstances that render such departure absolutely necessary in the interests of safety.

b. Pre-flight action
Before beginning a flight, the pilot-in-command of an aircraft shall become familiar with all available information appropriate to the intended operation. Pre-flight action for flights away from the vicinity of an aerodrome, and for all IFR flights, shall include a careful study of available current weather reports and forecasts, taking into consideration fuel requirements and an alternative course of action if the flight cannot be completed as planned.

SERA.2015 AUTHORITY OF PILOT-IN-COMMAND OF AN AIRCRAFT

The pilot-in-command of an aircraft shall have final authority as to the disposition of the aircraft while in command.

SERA.2020 PROBLEMATIC USE OF PSYCHOACTIVE SUBSTANCES

No person whose function is critical to the safety of aviation (safety-sensitive personnel) shall undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired. No such person shall engage in any kind of problematic use of substances.

PROTECTION OF PERSONS AND PROPERTY

SERA.3101 NEGLIGENT OR RECKLESS OPERATION OF AIRCRAFT

An aircraft shall not be operated in a negligent or reckless manner to endanger life or property of others.

SERA.3105 MINIMUM HEIGHTS

Except when necessary for take-off or landing, or except by permission from the BHDCA, aircraft shall not be flown over the congested areas of cities, towns or settlements or over an open-air assembly of persons, unless at such a height as will permit, in the event of an emergency arising, a landing to be made without undue hazard to persons or property on the surface. The minimum heights for VFR flights shall be those specified in SERA.5005(f) and minimum levels for IFR flights shall be those specified in SERA.5015(b).

SERA.3110 CRUISING LEVELS

The cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of:

a. flight levels, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude;

b. altitudes, for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.

SERA.3115 DROPPING OR SPRAYING

Dropping or spraying from an aircraft in flight shall only be conducted in accordance with:

a. valid regulations regulating this area or, if applicable, regulations for aircraft operations valid in Bosnia and Herzegovina; and

b. as indicated by any relevant information, advice and/or clearance from the appropriate air traffic services unit.

SERA.3120 TOWING

An aircraft or other object shall only be towed by an aircraft in accordance with:

a. valid regulations regulating this area or, if applicable, regulations for aircraft operations valid in Bosnia and Herzegovina; and

b. as indicated by any relevant information, advice and/or clearance from the appropriate air traffic services unit.

SERA.3125 PARACHUTE DESCENTS

Parachute descents, other than emergency descents, shall only be made in accordance with:

a. valid regulations regulating this area or, if applicable, regulations for aircraft operations valid in Bosnia and Herzegovina; and

b. as indicated by any relevant information, advice and/or clearance from the appropriate air traffic services unit.

SERA.3130 AEROBIC FLIGHT

Aerobatic flights shall only be carried out in accordance with:

a. the legislation of Bosnia and Herzegovina or, if applicable, the regulations issued by the BHDCA for aircraft operations valid in Bosnia and Herzegovina

b. as indicated by any relevant information, advice and/or clearance from the appropriate air traffic services unit.

SERA.3135 FORMATION FLIGHTS

Aircraft shall not be flown in formation except by pre-arrangement among the pilots-in-command of the aircraft taking part in the flight and, for formation flight in controlled airspace, in accordance with the conditions prescribed by the BHDCA. These conditions shall include the following:

a. one of the pilots-in-command shall be designated as the flight leader;

b. the formation operates as a single aircraft with regard to navigation and position reporting;

c. separation between aircraft in the flight shall be the responsibility of the flight leader and the pilots-in-command of the other aircraft in the flight and shall include periods of transition when aircraft are manoeuvring to attain their own separation within the formation and during join-up and breakaway; and

d. for State aircraft a maximum lateral, longitudinal and vertical distance between each aircraft and the flight leader in accordance with the Chicago Convention. For other than State aircraft a distance not exceeding 1 km (0,5 nm) laterally and longitudinally and 30 m (100 ft) vertically from the flight leader shall be maintained by each aircraft.

SERA.3140 UNMANED FREE BALLOONS

An unmanned free balloon shall be operated in such a manner as to minimise hazards to persons, property or other aircraft and in accordance with the conditions specified in Appendix 2.

SERA.3145 PROHIBITED AREAS AND RESTRICTIONS

Aircraft shall not be flown in a prohibited area, or in a restricted area, the particulars of which have been duly published, except in accordance with the conditions of the restrictions or with the permission of the competent bodies of Bosnia and Herzegovina that established these zones.

AVOIDANCE OF COLLISIONS

SERA.3201. GENERAL

Nothing in this Regulation shall relieve the pilot-in-command of an aircraft from the responsibility of taking such action, including collision avoidance manoeuvres based on resolution advisories provided by ACAS equipment, as will best avert collision.

SERA.3205 PROXIMITY

An aircraft shall not be operated in such proximity to other aircraft as to create a collision hazard.

SERA.3210 RIGHT-OF-WAY

a. The aircraft that has the right-of-way shall maintain its heading and speed;

b. An aircraft that is aware that the manoeuvrability of another aircraft is impaired shall give way to that aircraft;

c. An aircraft that is obliged by the following rules to keep out of the way of another shall avoid passing over, under or in front of the other, unless it passes well clear and considers the effect of aircraft wake turbulence;

1. Approaching head-on.When two aircraft are approaching head-on or approximately so and there is danger of collision, each shall alter its heading to the right;

2. Converging.When two aircraft are converging at approximately the same level, the aircraft that has the other on its right shall give way, except as follows:

   i. power-driven heavier-than-air aircraft shall give way to airships, sailplanes and balloons;

   ii. airships shall give way to sailplanes and balloons;

   iii. sailplanes shall give way to balloons;

   iv. power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.

3. Overtaking. An overtaking aircraft is an aircraft that approaches another from the rear on a line forming an angle of less than 70 degrees with the plane of symmetry of the latter, i.e. is in such a position with reference to the other aircraft that at night it should be unable to see either of the aircraft's left (port) or right (starboard) navigation lights. An aircraft that is being overtaken has the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering its heading to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear.

   i. Sailplanes overtaking. A sailplane overtaking another sailplane may alter its course to the right or to the left.

4. Landing. An aircraft in flight, or operating on the ground or water, shall give way to aircraft landing or in the final stages of an approach to land.

   i. When two or more heavier-than-air aircraft are approaching an aerodrome or an operating site for the purpose of landing, aircraft at the higher level shall give way to aircraft at the lower level, but the latter shall not take advantage of this rule to cut in front of another which is in the final stages of an approach to land, or to overtake that aircraft. Nevertheless, power-driven heavier-than-air aircraft shall give way to sailplanes.

   ii. Emergency landing. An aircraft that is aware that another is compelled to land shall give way to that aircraft.

5. Taking off. An aircraft taxiing on the manoeuvring area of an aerodrome shall give way to aircraft taking off or about to take off.

d. Surface movement of aircraft, persons and vehicles.

1. In case of danger of collision between two aircraft taxiing on the movement area of an aerodrome or equivalent part of an operating site, the following shall apply:

i. when two aircraft are approaching head on, or approximately so, each shall stop or where practicable alter its course to the right to keep well clear;

ii. when two aircraft are on a converging course, the one which has the other on its right shall give way;

iii. an aircraft which is being overtaken by another aircraft shall have the right-of-way and the overtaking aircraft shall keep well clear of the other aircraft.

2. At a controlled aerodrome an aircraft taxiing on the manoeuvring area shall stop and hold at all runway-holding positions unless an explicit clearance to enter or cross the runway has been issued by the aerodrome control tower.

3. An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may proceed further in accordance with (2) when the lights are switched off.

4. Movement of persons and vehicles at aerodromes:

i. The movement of persons or vehicles, including towed aircraft, on the manoeuvring area of an aerodrome shall be controlled by the aerodrome control tower as necessary to avoid hazard to them or to aircraft landing, taxiing or taking off.

ii. In conditions where low visibility procedures are in operation:

A. persons and vehicles operating on the manoeuvring area of an aerodrome shall be restricted to the essential minimum, and particular regard shall be given to the requirements to protect the ILS/MLS sensitive area(s) when Category II or Category III precision instrument operations are in progress;

B. subject to the provisions in (iii) the minimum separation between vehicles and taxiing aircraft shall be as specified by the Air Navigation Service Provider of Bosnia and Herzegovina (ANSP) and approved by the BHDCA considering the aids available;

C. when mixed ILS and MLS Category II or Category III precision instrument operations are taking place to the same runway continuously, the more restrictive ILS or MLS critical and sensitive areas shall be protected.

iii. Emergency vehicles proceeding to the assistance of an aircraft in distress shall be afforded priority over all other surface movement traffic.

iv. Subject to the provisions in (iii), vehicles on the manoeuvring area shall be required to comply with the following rules:

A. vehicles and vehicles towing aircraft shall give way to aircraft which are landing, taking off, taxiing or being towed;

B. vehicles shall give way to other vehicles towing aircraft;

C. vehicles shall give way to other vehicles in accordance with air traffic services unit instructions;

D. notwithstanding the provisions of (A), (B) and (C), vehicles and vehicles towing aircraft shall comply with instructions issued by the aerodrome control tower.

SERA.3215 LIGHTS TO BE DISPLAYED BY AIRCRAFT

a. Except as provided by (e), at night all aircraft in flight shall display:

1. anti-collision lights intended to attract attention to the aircraft; and

2. navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights; or

3. in the case of balloons, position lights.

b. Except as provided by (e), at night:

1. all aircraft moving on the movement area of an aerodrome shall display navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights;

2. unless stationary and otherwise adequately illuminated, all aircraft on the movement area of an aerodrome shall display lights intended to indicate the extremities of their structure, as far as practicable;

3. all aircraft taxiing or being towed on the movement area of an aerodrome shall display lights intended to attract attention to the aircraft; and

4. all aircraft on the movement area of an aerodrome whose engines are running shall display lights which indicate that fact.

c. Except as provided by (e), all aircraft in flight and fitted with anti-collision lights to meet the requirement of (a)(1) shall display such lights also during day.

d Except as provided by (e), all aircraft:

1. taxiing or being towed on the movement area of an aerodrome and fitted with anti-collision lights, to meet the requirement of (b)(3); or

2. on the movement area of an aerodrome and fitted with lights to meet the requirement of (b)(4); shall display such lights also during day.

e. A pilot shall be permitted to switch off or reduce the intensity of any flashing lights fitted to meet the requirements of (a), (b), (c) and (d) if they do or are likely to:

1. adversely affect the satisfactory performance of duties; or

2. subject an outside observer to harmful dazzle.

SERA.3220 SIMULATED INSTRUMENT FLIGHTS

An aircraft shall not be flown under simulated instrument flight conditions unless:

a. fully functioning dual controls are installed in the aircraft; and

b. an additional qualified pilot (in this rule called a safety pilot) occupies a control seat to act as safety pilot for the person who is flying under simulated instrument conditions. The safety pilot shall have adequate vision forward and to each side of the aircraft, or a competent observer in communication with the safety pilot shall occupy a position in the aircraft from which the observer’s field of vision adequately supplements that of the safety pilot.

SERA.3225 OPERATION ON AND IN THE VICINITY OF AN AERODROME

An aircraft operated on or in the vicinity of an aerodrome shall:

a. observe other aerodrome traffic for the purpose of avoiding collision;

b. conform with or avoid the pattern of traffic formed by other aircraft in operation;

c. except for balloons, make all turns to the left, when approaching for a landing and after taking off, unless otherwise indicated, or instructed by ATC;

d. except for balloons, land and take off into the wind unless safety, the runway configuration, or air traffic considerations determine that a different direction is preferable.

SERA.3230 WATER OPERATIONS

a. When two aircraft or an aircraft and a vessel are approaching one another and there is a risk of collision, the aircraft shall proceed with careful regard to existing circumstances and conditions including the limitations of the respective craft.

1. Converging. An aircraft which has another aircraft or a vessel on its right shall give way so as to keep well clear.

2. Approaching head-on. An aircraft approaching another aircraft or a vessel head-on, or approximately so, shall alter its heading to the right to keep well clear.

3. Overtaking. The aircraft or vessel which is being overtaken has the right of way, and the one overtaking shall alter its heading to keep well clear.

4. Landing and taking off. Aircraft landing on or taking off from the water shall, in so far as practicable, keep well clear of all vessels and avoid impeding their navigation.

b. Lights to be displayed by aircraft on the water. At night or during any other period prescribed by the BHDCA, all aircraft on the water shall display lights as required by the Convention on the International Regulations for Preventing Collisions at Sea, 1972, unless it is impractical for them to do so, in which case they shall display lights as closely similar as possible in characteristics and position to those required by the International Regulations.

SIGNALS

SERA.3301 GENERAL

a. Upon observing or receiving any of the signals given in Appendix 1, aircraft shall take such action as may be required by the interpretation of the signal given in that Appendix.

b. The signals of Appendix 1 shall, when used, have the meaning indicated therein. They shall be used only for the purpose indicated and no other signals likely to be confused with them shall be used.

c. A signalman/marshaller shall be responsible for providing standard marshalling signals to aircraft in a clear and precise manner using the signals shown in Appendix 1.

d. Only persons trained, qualified and approved as required by the BHDCA shall carry out the functions of a signalman/marshaller.

e. The signalman/marshaller shall wear a distinctive fluorescent identification vest to allow the flight crew to identify that he or she is the person responsible for the marshalling operation.

f. Daylight-fluorescent wands, table-tennis bats or gloves shall be used for all signalling by all participating ground staff during daylight hours. Illuminated wands shall be used at night or in low visibility.

TIME

SERA.3401 TIME

a. Coordinated Universal Time (UTC) shall be used and shall be expressed in hours and minutes and, when required, seconds of the 24-hour day beginning at midnight.

b. A time check shall be obtained prior to operating a controlled flight and at such other times during the flight as may be necessary.

c. Wherever time is utilised in the application of data link communications, it shall be accurate to within 1 second of UTC.

d. Time in air traffic services

1. Aerodrome control towers shall, prior to an aircraft taxiing for take-off, provide the pilot with the correct time, unless arrangements have been made for the pilot to obtain it from other sources. Air traffic services units shall, in addition, provide aircraft with the correct time on request. Time checks shall be given at least to the nearest minute.