

Pursuant to Article 16 and Article 61(2) of the Law on Administration (Official Gazette of BIH 32/02, 102/09 and 72/17) and Article 14(1) of the Aviation Law of Bosnia and Herzegovina (Official Gazette of BIH 39/09 and 25/18), the Director General of the Bosnia and Herzegovina Directorate of Civil Aviation has hereby adopted

RULEBOOK ON AIR TRAFFIC FLOW MANAGEMENT

Article 1 (Subject matter)

- (1) This Rulebook lays down requirements for air traffic flow management (hereinafter: ATFM) with a view to optimising available capacity of the European Air Traffic Management Network (hereinafter: EATMN) and enhancing ATFM processes.
- (2) This Rulebook shall apply within the airspace referred to in Article 1 point 3 of Appendix I to the Rulebook on the organisation and use of airspace in the Single European Sky (Official Gazette of BIH 45/10) to:
 - a) all flights intended to operate or operating as general air traffic and in accordance with the instrument flight rules (hereinafter: IFR) in whole or in part;
 - b) all phases of flights referred to in point a) of this paragraph and air traffic management.
- (3) This Rulebook shall apply to the parties, or agents acting on their behalf, involved in ATFM processes:
 - a) operators of aircraft;
 - b) air traffic service (ATS) units, including ATS reporting offices and aerodrome control services;
 - c) aeronautical information services;
 - d) entities involved in airspace management;
 - e) airport managing bodies;
 - f) the central unit for ATFM;
 - g) local ATFM units;
 - h) slot coordinators of coordinated airports.

Article 2 (Definitions)

For the purposes of this Rulebook the definitions provided for in Article 2 of Appendix I to the Rulebook laying down the framework of the single European sky (Official Gazette of BIH 45/10) shall apply:

- a) **Air Traffic Flow Management (ATFM) departure slot:** means a calculated take-off time attributed by the central unit for ATFM with a time tolerance managed by the local ATS unit;
- b) **Air Traffic Services (ATS) reporting office:** means an ATS unit established for the purpose of receiving reports concerning ATS and flight plans submitted before the first delivery of an air traffic control clearance;
- c) **Updated flight position:** means aircraft position, updated by surveillance data, flight plan data or position reports;
- d) **Bosnia and Herzegovina Directorate of Civil Aviation - BHDCA:** the competent aviation authority of Bosnia and Herzegovina;

- e) **ECAA Agreement (Multilateral Agreement on the Establishment of a European Common Aviation Area):** the multilateral agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo (pursuant to Security Council Resolution 1244 of 10 June 1999) on the establishment of a European Common Aviation Area;
- f) **Critical event:** means an unusual situation or crisis involving a major loss of EATMN capacity, or a major imbalance between EATMN capacity and demand, or a major failure in the information flow in one or several parts of the EATMN;
- g) **Coordinated airport:** means an airport where a coordinator has been appointed to facilitate the operations of air carriers operating or intending to operate at that airport;
- h) **Air Traffic Service (ATS) Unit sector configuration:** means the four-dimensional description of an ATS unit airspace sector, or group of sectors, which may be operated on a permanent or temporary basis;
- i) **Local Air Traffic Flow Management (ATFM) Unit:** means a flow management entity operating on behalf of one or more other air traffic flow management entities as the interface between the central unit for ATFM and an ATS unit or a group of such units;
- j) **Air Traffic Flow Management (ATFM) measures:** means the actions taken to perform air traffic flow management and capacity management;
- k) **Competent authority** means a body or bodies established by Bosnia and Herzegovina as its national competent authorities in accordance with Article 16(1) of the Aviation Law of Bosnia and Herzegovina and Article 5(1) and Article 4 of Appendix I to the Rulebook laying down the framework for the creation of the single European sky;
- l) **Flight plan suspension:** means the process initiated by an entity performing ATFM to ensure that a change is made to the flight plan by the operator before the execution of the flight;
- m) **Air Traffic Control clearance:** means the authorisation for an aircraft to proceed under conditions specified by an air traffic control unit;
- n) **Operational log:** means a log of the ATFM system, converted into a database to allow quick search of ATFM data;
- o) **Operator:** means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;
- p) **IFR:** acronym used to designate instrument flight rules;

- r) **Route and traffic orientation:** means policies and procedures for the use of routes by aircraft;
- s) **Slot:** means the scheduled time of arrival or departure available or allocated for an aircraft movement on a specific date at a coordinated airport;
- t) **Multiple flight plan:** means more than one flight plan for the same intended flight between two airports;
- u) **Aerodrome taxi time:** means the pre-determined time value from off-block to take-off, expressed in minutes and valid during normal airport operations;
- v) **Air service:** means a flight or a series of flights carrying passengers, cargo or mail for remuneration or hire.

Article 3

(Air traffic flow management framework)

- (1) The planning, coordination and execution of the ATFM measures by the parties referred to in Article 1(3) of this Rulebook shall comply with the requirements of the standards specified in Annex 11 of the Chicago Convention and the documents specified in the Appendix to this Rulebook.
- (2) ATFM shall be governed by the following principles:
 - a) ATFM measures shall:
 - i. prevent excessive air traffic demand compared with declared air traffic control (ATC) capacity of sectors and airports;
 - ii. use EATMN capacity to the maximum extent possible in order to optimise the efficiency of the EATMN and minimise adverse effects on operators;
 - iii. optimise the EATMN capacity made available through the development and application of capacity enhancing measures by ATS units;
 - iv. support the management of critical events;
 - b) local ATFM units and the central unit for ATFM shall be considered as part of the ATFM function.
- (3) The allocation of ATFM departure slots shall give priority to flights according to the order of their planned entry into the location at which the ATFM measure will apply, unless specific circumstances require application of different priority rules which are formally agreed and are of benefit to the EATMN.
- (4) Paragraph (3) of this Article may be applied to flights which are unable to accept the re-routing option to avoid or alleviate congested areas, taking into consideration the location and extent of the congested area.

Article 4

(General obligations of Signatory States to the ECAA Agreement)

- (1) Signatory States to the ECAA Agreement shall ensure that the ATFM function is available to parties referred to in Article 1(3) of this Rulebook on a 24-hours basis.
- (2) The definition and implementation of ATFM measures shall be compatible with ECAA Agreement Signatory States security and defence requirements, in order to ensure efficiency in airspace planning, allocation and use for the benefit of all parties referred to in Article 1(3) of this Rulebook.
- (3) Consistent procedures shall be established for the cooperation between the parties involved in ATFM function, ATS units and entities involved in airspace management, in order to optimise the use of the airspace.
- (4) Air navigation service provider shall create a common reference document containing the policies, procedures and

description for route and traffic orientation. Where applicable, publication of route availability in national aeronautical information publications shall be fully consistent with this common reference document.

- (5) Common procedures for requesting exemption from an ATFM departure slot shall be drawn up in accordance with the requirements of the standards specified in Annex 11 to the Chicago Convention and the documents specified in the Appendix to this Rulebook. Those procedures shall be coordinated with the central unit for ATFM and published in aeronautical information publications.

Article 5

(Obligations of Signatory States to the ECAA Agreement concerning the central unit for ATFM)

Signatory States to the ECAA Agreement shall ensure that the central unit for ATFM:

- a) optimises the overall performance effects on the EATMN through planning, coordination and implementation of ATFM measures;
- b) consults with operators on the definition of ATFM measures;
- c) ensures the effective implementation of ATFM measures, together with local ATFM units;
- d) in coordination with local ATFM units identifies alternative routings to avoid or alleviate congested areas, taking into account the overall performance effects on the EATMN;
- e) offers a re-routing to those flights that would optimise the effect of point d) of this Article;
- f) provides information on ATFM in a timely manner to operators and ATS units, including:
 - i. planned ATFM measures;
 - ii. impact of ATFM measures on take-off time and flight profile of individual flights.
- g) monitors the occurrences of missing flight plans and multiple flight plans that are filed;
- h) suspends a flight plan when, considering the time tolerance, the ATFM departure slot cannot be met and a new estimated off-block time is not known;
- i) monitors the number of exemptions granted in accordance with Article 4(5) of this Rulebook.

Article 6

(General obligations of ATS units)

- (1) When an ATFM measure has to be applied, ATS units shall coordinate through the local ATFM unit with the central unit for ATFM in order to ensure that the choice of measure is made with respect to the optimisation of the overall performance effects on the EATMN.
- (2) When necessary, ATS reporting offices shall facilitate the exchange of information between pilots or operators and the local or the central unit for ATFM.
- (3) ATS units shall ensure that ATFM measures applied to airports are coordinated with the airport managing body concerned, in order to ensure efficiency in airport planning and usage for the benefit of all parties referred to in Article 1(3) of this Rulebook.
- (4) ATS units shall notify to the central unit for ATFM through the local ATFM unit all events that may impact air traffic control capacity or air traffic demand.
- (5) ATS units shall provide the central unit for ATFM with the following data and subsequent updates, in a timely manner and ensuring its quality:
 - a) availability of airspace and route structures;
 - b) ATS unit sector configuration and activations;
 - c) aerodrome taxi times;

- d) air traffic control sector and airport capacities;
 - e) route availability including availability through application of flexible use of airspace in accordance with the Rulebook establishing rules for the flexible use of airspace (Official Gazette of BIH 79/10);
 - f) updated flight positions;
 - g) deviations from flight plans;
 - h) airspace availability including availability through application of flexible use of airspace in accordance with the Rulebook establishing rules for the flexible use of airspace;
 - i) actual flight take-off times.
- The data shall be made available to parties referred to in Article 1(3) of this Rulebook and provided free of charge to, and by, the central unit for ATFM.
- (6) The ATS unit at the departure airport shall ensure that:
- a) where a flight is subject to an ATFM departure slot, that slot is included as part of the air traffic control clearance;
 - b) flights adhere to ATFM departure slots;
 - c) flights not adhering to their estimated off blocks time, taking into account the established time tolerance, are not given take-off clearance;
 - d) flights whose flight plan has been rejected or suspended are not given take-off clearance.

Article 7

(General obligations of operators)

- (1) Each intended flight shall be covered by a single flight plan. The filed flight plan shall correctly reflect the intended flight profil.
- (2) All relevant ATFM measures and changes thereto shall be incorporated into the planned flight operation and communicated to the pilot.
- (3) Where departing from an airport not subject to an ATFM departure slot, operators are responsible for adhering to their estimated off blocks time, taking into account a time tolerance as laid down in relevant requirements of the standards specified in Annex 11 to the Chicago Convention and the documents specified in the Appendix to this Rulebook.
- (4) Where a flight plan has been suspended in accordance with Article 5 point (h) of this Rulebook, the operator concerned shall arrange for updating or cancelling the flight plan.

Article 8

(General obligations of airport managing bodies)

Airport managing bodies shall notify to the central unit for ATFM, directly or through the local ATFM unit or ATS units or both, all events that may impact air traffic control capacity or air traffic demand. These bodies shall inform the local ATFM unit and ATS units where the notification is done directly.

Article 9

(Consistency between flight plans and airport slots)

- (1) Signatory States to the ECAA Agreement shall ensure that, where requested by an airport slot coordinator or a managing body of a coordinated airport, the central unit for ATFM or the local ATFM unit shall provide them with the accepted flight plan of a flight operating at that airport, before that flight takes place. The airport slot coordinators or the managing bodies of coordinated airports shall arrange access to the accepted flight plans provided by the central unit for ATFM or the local ATFM unit.
- (2) Before flight, operators shall provide airports of departure and arrival with the necessary information to enable a correlation to be made between the flight designator contained in the flight plan and that notified for the corresponding airport slot.
- (3) Any operator, airport managing body and ATS unit shall be entitled to report to the airport slot coordinator on repeated operation of air services at times that are significantly different from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to airport or air traffic operations.
- (4) Signatory States to the ECAA Agreement shall ensure that the central unit for ATFM reports to the airport slot coordinators on repeated operation of air services at significantly different times from the allocated airport slots or with the use of slots in a significantly different way from that indicated at the time of allocation, where this causes prejudice to ATFM.

Article 10

(Obligations concerning critical events)

- (1) Signatory States to the ECAA Agreement shall ensure that ATFM procedures for handling critical events are established and published by the central unit for ATFM, in order to minimise disruption to the EATMN.
- (2) In the preparation for critical events, ATS units and airport managing bodies shall coordinate the relevance and content of the contingency procedures with operators affected by critical events, including any adjustment to priority rules. The contingency procedures shall include:
 - a) organisational and coordination arrangements;
 - b) ATFM measures to manage access to affected areas to prevent excessive air traffic demand compared with declared capacity of the whole or part of the airspace or airports concerned;
 - c) circumstances, conditions and procedures for the application of priority rules for flights, which respect essential security or defence policy interests of the Signatory States to the ECAA Agreement;
 - d) recovery arrangements.

Article 11

(Monitoring of compliance to ATFM measures)

- (1) Signatory States to the ECAA Agreement shall ensure that where adherence to ATFM departure slots at an airport of departure is 80 % or less during a year, the ATS unit at that airport shall provide relevant information of non-compliance and the actions taken to ensure adherence to ATFM departure slots. Such actions shall be indicated in a report to be submitted by the ECAA Agreement Signatory State concerned to the Commission.
- (2) The ATS at that airport concerned shall provide relevant information on any failure to adhere to flight plan rejections or suspensions at that airport and of the actions taken to ensure adherence. Such actions shall be indicated in a report to be submitted by the ECAA Agreement Signatory State concerned to the Commission.
- (3) Signatory States to the ECAA Agreement shall ensure that:
 - a) the central unit for ATFM notifies an ECAA Agreement Signatory State which grants exemptions in excess of 0.6% of that State's annual departures;

- b) where a Signatory State to the ECAA Agreement has been notified under point a) of this paragraph, it shall produce a report providing details of the exemptions granted to be submitted to the Commission.
- (4) Signatory States to the ECAA Agreement shall ensure that where a non-compliance to ATFM measures resulting from application of Article 5(g) of this Rulebook is identified, the central unit for ATFM shall notify the operator of the non-compliance.
- (5) Operators shall submit a report to the central unit for ATFM on each non-compliance to ATFM measures providing details of the circumstances that resulted in a missing flight plan or multiple flight plans and the actions taken to correct such non-compliance.
- (6) Signatory States to the ECAA Agreement shall ensure that the central unit for ATFM produces an annual report providing details of missing flight plans, or multiple flight plans that are filed and that the report is submitted to the Commission.
- (7) Signatory States to the ECAA Agreement shall conduct an annual review of adherence to ATFM measures to ensure that parties referred to in Article 1(3) of this Rulebook improve the level of adherence to those measures.

Article 12

(Performance assessment)

- (1) When implementing Article 11 of this Rulebook, Signatory States to the ECAA Agreement shall ensure that the central unit for ATFM produces annual reports indicating the quality of the ATFM that shall include details of:
- causes of ATFM measures;
 - impact of ATFM measures;
 - adherence to ATFM measures;
 - contributions by parties referred to in Article 1(3) of this Rulebook to the optimisation of the overall network effect.
- (2) Signatory States to the ECAA Agreement shall ensure that an archive of ATFM data listed in Article 6(5), flight plans, operational logs and relevant contextual data is created and maintained by the central unit for ATFM.
- (3) The data referred to in paragraph (2) of this Article shall be retained for 2 years from their submission and made available to the Commission, Signatory States to the ECAA Agreement, ATS units and operators. That data shall be made available to airport coordinators and airport operators to assist their regular assessment of the declared capacity.

Article 13

(Safety requirements)

Signatory States to the ECAA Agreement shall ensure that a safety assessment, including hazard identification, risk assessment and mitigation, is conducted, before any significant changes to ATFM systems and procedures are introduced, including an assessment of a safety management process addressing the complete lifecycle of the air traffic management system.

Article 14

(Additional requirements)

- (1) Signatory States to the ECAA Agreement shall ensure that personnel of the parties referred to in Article 1(3) of this Rulebook involved in ATFM activities are:
- made duly aware of the provisions of this Rulebook;
 - adequately trained and competent for their job functions.
- (2) Signatory States to the ECAA Agreement shall take the necessary measures to ensure that parties referred to in

Article 1(3) of this Rulebook with responsibilities for ATFM functions:

- develop and maintain operations manuals containing the necessary instructions and information to enable their operations personnel to apply the provisions of this Rulebook;
- ensure that these manuals are consistent, accessible and kept up-to-date and that their update and distribution are subject to appropriate quality and documentation configuration management;
- ensure that the working methods and operating procedures comply with this Rulebook.

Article 15 (Penalties)

Signatory States to the ECAA Agreement shall lay down the rules on penalties applicable to infringements of the provisions of this Rulebook and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Signatory States to the ECAA Agreement shall notify those provisions to the Commission and shall notify it without delay of any subsequent amendment affecting those provisions.

Article 16

(Additional requirements for parties referred to in Article 1(3) of this Rulebook)

- (1) Parties referred to in Article 1(3) of this Rulebook shall ensure that their personnel involved in ATFM activities are:
- made duly aware of the provisions of this Rulebook;
 - adequately trained and competent for their job functions;
 - nominated and duly authorised.
- (2) Parties referred to in Article 1(3) of this Rulebook that are responsible for ATFM functions shall take the necessary measures to:
- develop and maintain operations manuals containing the necessary instructions and information to enable their operations personnel to apply the provisions of this Rulebook;
 - ensure that these manuals are consistent, accessible and kept up-to-date and that their update and distribution are subject to appropriate quality and documentation configuration management;
 - ensure that the working methods and operating procedures comply with this Rulebook.

Article 17 (Harmonisation)

This Rulebook shall transpose the provisions of Commission Regulation (EU) No 255/2010 of 25 March 2010 laying down common rules on air traffic flow management.

Article 18 (Entry into force)

This Rulebook shall enter into force on the eighth day following its publication in the Official Gazette of BIH.

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4 March 2019
Banja Luka

Acting Director General
Željko Travar, sgd.

APPENDIX

List of the ICAO standards regarding air traffic management

- Chapter 3 paragraph 3.7.5 (Air Traffic Flow Management) of Annex 11 to the Chicago Convention — Air Traffic Services (14th edition — July 2016, incorporating amendment No 50A).

2. Chapter 3 (ATS capacity and air traffic flow management) of ICAO Doc 4444, Procedures for Air Navigation Services – Air Traffic Management (PANS- ATM) (16th edition, 2016, incorporating amendment No 7A).
3. Chapter 8 paragraph 8.3 (Exemptions from ATFM slot allocation) of ICAO Doc 7030, European (EUR) Regional Supplementary Procedures (5th edition 2008).
4. Chapter 8 paragraph 8.4 1.c) (on aircraft operator adherence to ATFM measures) of ICAO Doc 7030, European (EUR) Regional Supplementary Procedures (5th edition 2008).
5. Chapter 2 paragraph 2.3.2 (on changes to EOBT) of ICAO Doc 7030, European (EUR) Regional Supplementary Procedures (5th edition 2008).