

## NB. – NEW PROCEDURE FOR GRANTING AND CANCELLING OF AIR TRAFFIC RIGHTS IN UKRAINE. – 31 MAY 2013.

New *Procedure for granting and cancelling of traffic rights* has been approved by the Order of the Ministry of Infrastructure of Ukraine No. 245 of 23 April 2013, registered at the Ministry of Justice of Ukraine on 18 May 2013 under No. 765/23297 (hereinafter - "**Procedure**").

According to the new Procedure, issues related to entitlement, cancellation, amendment, refusal in granting and limitation of the scope of traffic rights shall be considered by the Commission on the formation and implementation of state policy on operation of air routes, which consists of representatives of the Ministry of Infrastructure of Ukraine and the State Aviation Administration of Ukraine.

It is established that the compulsory conditions to grant and use traffic rights by air carrier are as follows:

- air carrier shall have a license to carry out activity related to transportation of passengers and/or cargo by air, and Air Operator Certificate (for a foreign carrier – an appropriate license and a certificate or similar document issued by the aviation authority of another State or a competent authority), as well as
- air carrier shall not have any overdue payment for air navigation services to Ukrainian air navigation service providers and/or airport services to the state-owned airports.

An application for granting of traffic rights shall be submitted to the Ministry of Infrastructure of Ukraine and shall be considered within 30 calendar days.

Also, a new procedure has set out an exhaustive list of circumstances that lead to cancellation of the traffic right.

New Procedure comes into force on 31 May 2013.

*This information shall not be considered as a legal advice and is accurate at the date of its publication. Should you require further information, please contact the law firm Rabomizo.*