

With reference to letter ref. No (8.4.4 E) 3A-262 of 17 September 2024 and letter ref. No (8.4.4 E) 3A-291 of 30 September 2024 of the Ministry of Justice of the Republic of Lithuania and safety recommendations No SR-2024-A-02¹ and No SR-2024-A-12² indicated therein, the Ministry of Transport and Communications of the Republic of Lithuania hereby submits the following information on the implementation of the above-mentioned safety recommendations.

The Ministry of Transport and Communications has initiated and on 8 November 2024 submitted for public consultation (including the Ministry of Justice) a draft proposal for a Law amending the Law on Aviation of the Republic of Lithuania No VIII-2066 (No 24-17596 in the publicly available Legislative Information System (TAIS)³) (hereinafter referred to as the draft proposal). The draft proposal is planned to be adopted in 2025.

In order to implement safety recommendation No SR-2024-A-02, the draft proposal includes, *inter alia*, respective provisions on the granting of the right to pilot ultralight aircraft, lays down requirements for the issue of an ultralight aircraft pilot certificate, ultralight aircraft pilot medical requirements, provisions for the issue and withdrawal of an ultralight pilot-examiner qualification, as well as requirements and authorisations for a training organisation, the Lithuanian Federation of Ultralight Aircraft Pilots, to issue ultralight pilot certificates and to certify ultralight pilot-examiners. In the opinion of the Ministry of Transport and Communications, these amendments to the Law on Aviation will ensure that the requirements set out in safety recommendation No SR-2024-A-02 are implemented. Detailed information on the draft proposal provisions is provided in point 1.19 of the explanatory memorandum to the draft proposal.

In order to implement safety recommendation No SR-2024-A-12, the draft proposal amends paragraph 9 of Article 35(8) of the Law on Aviation. Article 35(8) of the Law on Aviation establishes that flights of aircraft registered in the Register of Civil Aircraft of the Republic of Lithuania or any other state shall be permitted only from / to aerodromes holding an aerodrome certificate or an aerodrome operational suitability certificate issued by the Transport Competence Agency (hereinafter referred to as the Agency) in accordance with Regulation (EU) No 139/2014⁴ or the requirements established by the Lithuanian Transport Safety Administration, as well as from / to outdoor pitches holding an authorisation to operate them for flights. This provision shall not apply to the exemption provided for in paragraph 9 of Article 35(8) of the Law on Aviation: when flights are carried out for private purposes from / to a land parcel managed by the right of ownership, or with the consent of the

¹ “It is recommended that the Ministry of Transport and Communications of the Republic of Lithuania takes measures to regulate the licensing system for ultralight aircraft pilots in accordance with Safety Oversight Manual - Part A - The Establishment and Management of a State Safety Oversight System (Doc. No 9734, third edition, 2017) of the International Civil Aviation Organisation, including crew licensing, medical requirements, requirements for training organisations and supervisory authorities.”

² “It is recommended that the Ministry of Transport and Communications of the Republic of Lithuania assesses the expediency of the provision of Article 35(8)(9) of the Law on Aviation of the Republic of Lithuania and, if necessary, takes measures to eliminate the risks to aviation safety arising from this exemption.”

³ [LIETUVOS RESPUBLIKOS AVIACIJOS ĮSTATYMO NR. VIII-2066 2, 5, 6, 13, 16, 18, 19, 21, 24, 27, 31, 34...](#)

⁴ Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

owner or user of the land parcel, and when such flights are carried out not more than 21 days per calendar year. It should be noted that safety recommendation No SR-2024-A-12 was issued, *inter alia*, in view of the fact that in the absence of regulation on who should record and control the flights operated and how, such a provision of the Law on Aviation becomes, in principle, inoperable. In consideration of this and of the information contained in the safety investigation report submitted by the Ministry of Justice in its above-mentioned letter ref. No (8.4.4 E) 3A-291 of 30 September 2024, the draft proposal supplements paragraph 9 of Article 35(8) of the Law on Aviation by providing that before starting to use a land parcel for flights, the Agency must be notified thereof in writing, and that only one person may use the parcel of land in question. Such notification would allow the Agency to carry out periodic inspections to ensure the safety of operations.
