

Translation

Aviation Ordinance (2010:770)

Chapter 1 Introductory provisions

Scope of this Ordinance

Section 1. This Ordinance contains provisions that supplement the Aviation Act (2010:500). The provisions shall apply unless the contrary follows from EU ordinances.

Aviation in Swedish territory

Section 2. Matters concerning aviation permits as specified in Chapter 1, Section 6, second paragraph, or Section 7, second paragraph of the Aviation Act (2010:500) shall be reviewed by the Swedish Transport Agency. A permit shall be valid for a specified period. The Swedish Transport Agency may revoke a permit if there is reason to do so.

Restrictions on certain types of aviation for environmental reasons

Section 3. Aviation may not be practised in Sweden using civilian subsonic jet aircraft which

1. have a maximum approved take-off weight of 34,000 kilos or more, or have an approved seating configuration for the aircraft type of more than nineteen in addition to the seats intended for the crew, and
2. do not fulfil at least the norms in Volume 1, Part II, Chapter 3 in Appendix 16 of the Convention on International Civil Aviation, second edition (1988).

In individual cases, the Swedish Transport Agency may grant a dispensation from the restriction for

1. aircraft of historic interest,
2. aircraft whose use is so exceptional that it would be unreasonable not to grant a temporary dispensation, and
3. aircraft used in not-for-profit operations for the purpose of modification, repairs or maintenance.

The Swedish Transport Agency may issue further regulations regarding matters in this section, subject to European Parliament and Council Directive 2006/93/EC of 12 December 2006 on the regulation of the operation of aeroplanes covered by Part II, Chapter 3, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988) (codified version).

Restricted areas for civil aviation

Section 4. The Swedish Transport Agency may issue regulations about restricted areas, or in individual cases decide that a particular area is to be a restricted area, if necessary in consideration of military operations, or if required for the sake of public order and safety. If the regulations or decision concern military installations, they shall be made in consultation with the Armed Forces. For a restriction lasting for a period of more than two weeks, consultations must be held with the county administrative board.

The Swedish Transport Agency may also issue regulations about restricted areas, or in individual cases decide that a particular area is to be a restricted area, if it is necessary in the interests of outdoor recreational activities, nature conservation or environmental protection, or to avoid disturbance of a major general gathering or public event. Consultations must be held with the county administrative board.

The Ordinance on Restrictions on Aviation in Certain Areas (2005:801) contains special provisions in respect of particular restricted areas.

Section 5. When the Swedish Transport Agency issues regulations on restricted areas, or decides that a particular area is to be a restricted area, it must state which restrictions are required to the right to aviation in the area. When required for the sake of public order and safety, all aviation in the area may be prohibited for a particular period which may not, however, exceed two weeks.

The regulations or decision regarding such a restricted area as referred to in Section 4, paragraph 2, may not be worded such that they interfere with aviation necessary from the point of view of the interests of the local population. Aviation on behalf of Lantmäteriverket (the Swedish mapping, cadastral and land registration authority) is always permitted in the area.

The Swedish Transport Agency may, if there are special reasons, issue regulations to the effect that, or in individual cases decide that, another public authority may grant temporary dispensations from decisions about restricted areas.

Danger zones

Section 6. If the safety of aviation is at risk due to such circumstances as described in Section 4, paragraph 1, but the danger is not big enough to warrant the constitution of a restricted area, the Swedish Transport Agency may instead issue regulations on a danger zone, or in individual cases decide that an area is to be declared a danger zone.

The Swedish Transport Agency may issue further regulations on aviation in a danger zone.

Aircraft of special types etc.

Section 7. The provisions in Chapter 1, Section 6, paragraph 1, and Chapters 2-8 of the Aviation Act (2010:500), and the regulations issued in this Ordinance on the basis of those provisions, do not apply to model aircraft, fixed balloons or kites. The Swedish Transport Agency may issue further regulations of significance to flight safety. The administrative tasks in connection with such regulations may be delegated to some other entity, even if the task includes the exercise of public authority. If a regulation affects military activities, the Agency must consult with the Armed Forces.

Section 8. In respect of aviation within Swedish territory using glider aircraft, motorised glider aircraft, ultra-light aircraft, dirigible balloons or airships, the Swedish Transport Agency may, following consultation with the Armed Forces, issue regulations on or in individual cases decide on dispensation from the provisions in Chapters 3 and 4 and Chapter 7, Section 9 of the Aviation Act (2010:500) and from regulations in this Ordinance based on those provisions. The Swedish Transport Agency may issue further regulations of significance to flight safety. Regulations and decisions on dispensation may be issued only if flight safety concerns and consideration for the public do not impede it. The administrative tasks in connection with regulations may be delegated to some other entity, even if the tasks include the exercise of public authority.

Such aircraft as referred to in the first paragraph may fulfil their landing obligation under Chapter 8, Section 2 of the Aviation Act in any suitable nearby area. If a particular landing site is indicated, the aircraft must land there if safety considerations allow it. The second paragraph also applies to seaplanes.

Section 9. In respect of hanggliders, paragliders, parachutes, and other simple designs, the Swedish Transport Agency may issue regulations on, or in individual cases grant dispensations from, the provisions in Chapter 1, Section 6, paragraph 1, and Chapters 2-8 of the Aviation Act (2010:500) and from regulations issued in this Ordinance on the basis of those provisions. The Swedish Transport Agency may issue further regulations of significance to flight safety. The administrative tasks in connection with such regulations may be delegated to some other entity, even if the tasks include the exercise of public authority. If a regulation affects military activities, the Agency must consult with the Armed Forces.

Section 10. The Swedish Transport Agency may issue regulations about such objects as are designed for movement in the air but which are not classifiable as aircraft, including rockets and shooting targets. If a regulation affects military activities, the Agency must consult with the Armed Forces.

Aircraft registered with an international organisation

Section 11. The provisions in this Ordinance which apply to aircraft registered in another country shall be correspondingly applied to aircraft registered with an international organisation.

Provisions regarding certain foreign aircraft

Section 12. The provisions in Chapter 3, Chapter 4, Section 1, Chapter 5, Sections 1 and 4-6, Chapter 6, Section 1 and Chapter 8, Sections 1 and 3-11 of this Ordinance also apply to foreign aircraft when used within the scope of a Swedish operating licence.

The provisions in the first paragraph shall not be applied if this has been settled in an agreement with another state.

Military aviation and other aviation for state purposes

Section 13. For military aviation and other aviation for state purposes, the Ordinance only applies to the extent specified in Chapter 14. Ordinance (2013:944).

Chapter 2. Registration, nationality and markings

The aircraft registry

Section 1. Regulations on the aircraft register are contained in the Aircraft Registry Ordinance (1986:172).

Section 2. The Swedish Transport Agency may issue regulations to the effect that aircraft may not be registered in Sweden on environmental grounds.

Nationality and registration designation

Section 3. The nationality designation of a Swedish aircraft consists of the letters SE.

The registration designation is a group of three characters consisting of letters or numbers or letters and numbers combined. The designation is established for every aircraft individually by the Swedish Transport Agency.

Nationality and registration certificate

Section 4. Nationality and registration certificates are issued in accordance with forms established by the Swedish Transport Agency.

Section 5. An aviation permit under Chapter 1, Section 6, paragraph 2 of the Aviation Act (2010:500) also constitutes a certificate of nationality such as referred to in Chapter 2, Section 12 of the same act.

Section 6. When an aircraft is deregistered or an entry is made in accordance with Section 9 of the Aircraft Registry Ordinance (1986:172) regarding an impediment to deregistration, the nationality and registration certificate must be returned to the Swedish Transport Agency.

Aircraft markings

Section 7. Aircraft must be marked by means of painting or in some other equivalent manner. The Swedish Transport Agency may issue further regulations regarding markings.

Chapter 3. Airworthiness and environmental compliance

Authorisation to issue regulations

Section 1. The Swedish Transport Agency may issue regulations on the conditions under which an aircraft shall be deemed airworthy and in compliance with environmental standards.

The Swedish Transport Agency may issue regulations on the approval of foreign certificates of airworthiness.

Certificates of airworthiness and compliance with environmental standards

Section 2. Matters concerning certificates of airworthiness and environmental compliance are reviewed by the Swedish Transport Agency.

The Agency may delegate to a special expert the task of issuing and renewing certificates of airworthiness and environmental compliance.

Certificates of airworthiness and environmental compliance shall apply for a certain period or until further notice. The period of validity shall be stated on the certificate.

If a certificate of airworthiness or environmental compliance cannot be issued, an interim certificate may be issued which applies under certain conditions. These conditions shall be stated on the certificate.

If the Swedish Transport Agency so requests, an invalid certificate of airworthiness or environmental compliance shall promptly be handed in to the Agency.

Testing of aircrafts' flight characteristics

Section 3. Matters concerning the permission, under Chapter 3, Section 10 of the Aviation Act (2010:500), to use an aircraft which does not fulfil the requisite conditions in terms of airworthiness and environmental compliance are reviewed by the Swedish Transport Agency. Such permission may be subject to conditions.

When an aircraft is used on the basis of permission as described in the first paragraph, only the personnel necessary for the flight may be allowed on the flight.

Manufacture and maintenance of aircraft

Section 4. Matters concerning permits for such activities as are referred to in Chapter 3, Section 11, paragraph 1 of the Aviation Act (2010:500) are reviewed by the Swedish Transport Agency. The Agency may issue regulations on the requirements that shall apply for flight safety reasons.

A permit is granted for a certain period or until further notice. It may be subject to conditions. If the holder disregards these conditions to a significant degree or if he or she no longer fulfils the requirements established as described in the first paragraph, the permit shall be revoked.

If the operations refer to the building of aircraft by a private individual on his or her own behalf, the Swedish Transport Agency may commission a special expert to issue the permits prescribed by the Agency. The same applies to permits to carry out maintenance, repairs or alterations on aircraft, accessories or spare parts.

The Swedish Transport Agency may issue regulations on, or in individual cases grant exceptions to, the permit requirement in Chapter 3, Section 11, paragraph 1 of the Aviation Act.

Information exchange

Section 5. The Swedish Transport Agency shall collect and preserve information relating to the inspection and oversight of aircraft in accordance with the provisions of Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports, in particular Article 3 thereof, and participate in information exchange in accordance with Article 5 of the same directive.

Chapter 4. Pilot licences etc.

Exceptions to the requirement for pilot licences and student licences

Section 1. The Swedish Transport Agency may issue regulations on granting, and in individual cases may decide to grant, persons who do not possess a pilot licence but who may be assumed principally to fulfil the requirements for a licence, permission to carry out tasks on an aircraft during a certain period and under certain conditions. This does not apply on board Swedish aircraft in international traffic.

Permission as described in the first paragraph may be revoked if flight safety concerns require it.

Section 2. The Swedish Transport Agency may issue regulations on granting, or may in individual cases grant, exceptions to the requirement for a student licence.

Qualification to carry out tasks as flight engineer on an aircraft

Section 3. In order to be allowed to carry out tasks as flight engineer on an aircraft, a pilot licence is required.

Training

Section 4. The Swedish Transport Agency may issue regulations on qualification requirements for those persons who carry out tasks as examiners during flight tests and as instructors during flight training on the ground.

Authorisation to issue regulations

Section 5. The Swedish Transport Agency may issue regulations on

1. the age requirements that apply in order for a student licence or pilot licence to be issued,
2. the requirements in terms of knowledge, experience and skill which shall apply in order for a licence to be issued,

3. the conditions under which a licence may be expanded, renewed, extended, restricted, approved or recognised.

If required in consideration of flight safety, the Swedish Transport Agency may issue regulations to the effect that a special qualification is required for a licence holder to be allowed to carry out certain tasks in aviation.

The Swedish Transport Agency may, following consultations with the National Board of Health and Welfare, issue regulations on the requirements in terms of the applicant's state of health and physical and mental conditions that shall apply in order for a medical certificate to be issued, approved or recognised.

Licence examinations and licence verification

Section 6. The Swedish Transport Agency carries out licence examinations and licence verification. The Agency may delegate to some other entity the execution of such tasks even if the tasks include the exercise of public authority.

Section 7. A person who is to undergo a licence examination or licence verification shall engage such assistants as may be needed and provide equipment, fuel and the like.

Certificate register

Section 8. The Swedish Transport Agency maintains a register over holders of student licences, certificates of qualification and pilot licences, as well as of foreign pilot licences which have been approved (the certificate register).

The certificate register includes such data on the holders' physical and mental suitability as holders of student licences, certificates of qualification and pilot licences as is needed for the application of the provisions on this.

Revocation, warning, reminder and confiscation

Section 9. When a student licence or a pilot licence has been revoked, the holder shall immediately hand in the licence to the Swedish Transport Agency. If the revocation was made on medical grounds, the medical certificate shall also be handed in to the Agency.

Section 10. A decision pursuant to Chapter 4, Section 19, paragraph 2 of the Aviation Act (2010:500) on reminder shall be communicated to the holder of the student licence or pilot licence.

Section 11. A decision to confiscate a pilot licence may be issued by the Swedish Police, a prosecutor or the Swedish Transport Agency pursuant to Chapter 4, Section 21 of the Aviation Act (2010:500).

Such a decision shall be communicated to the holder, who shall immediately hand in the licence to whoever issued the decision. If an entity other than the Swedish Transport Agency issued the decision, it shall immediately be reported to the Agency. The decision shall then be sent to the Agency as soon as possible and no later than within 48 hours, together with the licence and a report on the event.

The Swedish Transport Agency shall, within three days, review whether the licence should be returned to the holder. If the Agency rules that the licence should not be returned due to such circumstances as are referred to in Chapter 4, Section 21, paragraph 1 of the Aviation Act, the confiscation shall immediately be reported to the Administrative Court in Linköping. If a review in accordance with this paragraph does not occur within three working days, the pilot licence shall immediately be returned to the holder.

The Swedish Transport Agency shall also report to the administrative court when the Agency itself has decided to confiscate a licence under Chapter 4, Section 21, paragraph 1 of the Aviation Act.

If the licence is not to be returned due to such circumstances as are referred to in Chapter 4, Section 21, paragraph 2 of the Aviation Act, the Swedish Transport Agency shall revoke the licence until further notice. Ordinance (2014:1284).

Section 12. A decision by a general administrative court on a matter concerning a revocation or a warning shall be communicated to the party in question.

Section 13. When the Swedish Transport Agency or a general administrative court has revoked a student licence or a pilot licence until further notice due to a suspected crime, a report of the decision shall immediately be sent to the officer in charge of the preliminary investigation or to the prosecutor, or if charges have been brought, to the court.

Approval of foreign pilot licences

Section 14. The provisions in Sections 9-13 also apply for the approval of foreign pilot licences, to such foreign licences as have been approved and to holders of such licences.

Medical certificate

Section 15. The Swedish Transport Agency may authorise specific doctors as issuers of medical certificates. The Agency may issue regulations on the requirements that shall apply for such doctors.

Flight logbook

Section 16. The Swedish Transport Agency may issue regulations on who shall keep a flight logbook and how a flight logbook shall be kept.

Chapter 5. Pilots-in-command and crews, and duties on board aircraft

Pilot-in-command

Section 1. The aircraft owner appoints the pilot-in-command of the aircraft and his or her deputy. If anyone operates the aircraft instead of the owner, he or she shall appoint the pilot-in-command and deputy pilot-in-command if he or she is entitled to do so under an agreement with the owner.

If no pilot-in-command is appointed, the most qualified of the pilots shall serve as pilot-in-command. The same applies if the pilot-in-command is unable to be present and there is no replacement for him or her. If there is no pilot and the aircraft is not in flight, the most qualified of the other crew members who carry out tasks of significance to flight safety on board shall serve as the pilot-in-command.

The Swedish Transport Agency may issue regulations on the more detailed prerequisites for allowing someone to carry out duties as pilot-in-command, and on who is pilot-in-command during licence examinations and during flights intended for verification of the crew or equipment.

Crew

Section 2. The Swedish Transport Agency may issue regulations on the number of crew members with a certain qualification required for each type of aircraft (minimum crew).

The minimum number of crew members who must possess a pilot licence shall be stated in the flight handbook or equivalent document.

The Swedish Transport Agency may in individual cases decide to permit the use of an aircraft in aviation for training purposes or for some other special reason even if the prescribed requirements in respect of manning are not fulfilled. When an aircraft is used with such permission, no paying passengers may be on it.

Flight preparation and execution

Section 3. The Swedish Transport Agency may issue more detailed regulations on the obligations of the pilot-in-command under Chapter 5, Section 4, paragraph 1 of the Aviation Act (2010:500).

Reporting obligation

Section 4. If the pilot-in-command has taken someone who has committed a crime on board into custody, the pilot-in-command shall inform, without delay, the police authorities or air traffic services unit in the locations where the aircraft is going to land.

If the pilot-in-command has forced someone to disembark for reasons of order or security, the pilot-in-command shall inform, without delay, the police authorities or air traffic services unit in the location where the forced disembarkation occurred.

If the pilot-in-command intends to hand someone who has committed a serious crime on board over to the competent authority, the pilot-in-command shall inform, without delay, the police authorities or air traffic services unit in the location where the handover is to take place.

In the event of a handover to a foreign authority, the pilot-in-command shall inform the Swedish Police of the event without delay. Ordinance (2014:1284).

Section 5. There are more detailed provisions on reporting under Chapter 5, Section 8, paragraph 1 of the Aviation Act (2010:500) in the Accident Investigation Ordinance (1990:717).

Section 6. If an aircraft is in distress or has been used to save lives, and it has not been possible to follow applicable aviation regulations for safety reasons, the pilot-in-command shall immediately inform an air traffic services unit of this. He or she shall submit, without delay, a report to the Swedish Transport Agency about the incident.

The Swedish Transport Agency may issue more detailed regulations on the information and reporting requirement referred to in the first paragraph.

Duties on board an aircraft

Section 7. The Swedish Transport Agency may, following consultations with the National Board of Health and Welfare, issue further regulations about carrying out tasks significant for flight safety on board an aircraft while under the influence of alcohol or other substances.

The Swedish Transport Agency may, following consultations with the Swedish Work Environment Authority, issue regulations on working and resting hours in aviation.

Chapter 6. Airports and other ground organisation

Airports and other departure and landing sites

Section 1. The Swedish Transport Agency may issue regulations on which airports may be used for different types of aviation. In this connection, the Agency may determine that only certain airports may be used for flights to and from Sweden.

The Armed Forces may issue regulations on, or in individual cases decide on the coordination of military and civilian activities at military airports which have wholly or partly been ceded for civil aviation. Consultations shall be held with the Civil Aviation Administration and the Swedish Transport Agency. For civilian activities at military airports, the provisions in this Ordinance and the regulations issued on the basis of it shall otherwise apply.

Section 2. The Swedish Transport Agency may issue regulations on the use for take-off and landing of areas that have not been established for such purposes or have been temporarily established for such purposes.

Section 3. If it is necessary out of consideration for nature conservation or environmental protection, outdoor recreational activities, infrastructure, fishing or commercial activities, the Swedish Transport Agency may, following consultations with the county administrative board, issue regulations banning aircraft from landing within a certain area, or to the effect that landing in a certain area requires special permission from the Agency.

The proscription on aircraft landing within certain national parks is communicated in regulations that apply for those national parks.

Permission to establish an airport

Section 4. The Swedish Transport Agency reviews matters regarding permits to establish or make alterations to airports, and determines the conditions for the permit. This also applies when the operations at an airport are significantly altered. If such a permit has been issued by the government, the Agency may determine conditions for the permit, if this follows from the government's decision.

The Swedish Transport Agency may issue regulations to the effect that, or in individual cases decide that, an airport in view of its type, the limited extent of its traffic or of other special circumstances may be established without such permission as referred to in the first paragraph.

Operating licences for airports etc.

Section 5. The Swedish Transport Agency may issue regulations on which flight safety requirements must be fulfilled in order for an area to be used as an airport. The requirements shall also refer to the character and equipment of the airport area. Requirements may also be made to the effect that markings and other installations shall be erected outside of the area. Requirements may also be made to the effect that there may be no obstacles, markings or lights in the proximity of the airport which could constitute a hazard to aviation.

The Swedish Transport Agency may issue regulations to the effect that, or in individual cases decide that, an airport in view of its type, the limited extent of its traffic or of other special circumstances does not need to have been granted an approval before it can begin to be used.

Section 6. The Swedish Transport Agency reviews matters to do with approval of airports from a flight safety perspective, and issues operating licences.

Section 7. The Swedish Transport Agency may issue regulations on the operation of airports.

Section 8. Before the Swedish Transport Agency issues regulations as described in Section 5 or 7 it shall consult with the Armed Forces if the regulations imply effects on military installations.

The Swedish Transport Agency may issue regulations on airports' radio equipment following consultations with the Swedish Post and Telecom Agency.

Section 9. If an airport which does not need approval before beginning operations does not fulfil flight safety requirements, the Swedish Transport Agency may forbid its use or state under what conditions it may be used.

Air navigation services

Section 10. The Swedish Transport Agency may issue regulations on the tasks, scope and organisation of air traffic management, information services for aviation, meteorological services, communication, navigation and monitoring services, and on search and rescue services, as well as issue the necessary flight safety regulations for the activities. The regulations shall, when applicable, be issued following consultations with the Armed

Forces, and with respect to meteorological services, following consultations with the Swedish Meteorological and Hydrological Institute, and with respect to search and rescue services, following consultations with the Swedish Maritime Administration.

Activities involving air navigation services shall be approved by the Swedish Transport Agency in order to be allowed to operate. If such an activity does not fulfil flight safety requirements, the Agency may revoke or restrict the approval.

The Swedish Transport Agency may issue regulations on the qualification requirements that shall apply for employees in air navigation services and for technical personnel who install or maintain equipment for air navigation services.

Matters concerning air traffic management of the airspace surrounding an airport as specified in Chapter 6, Section 13, paragraph 3 of the Aviation Act (2010:500) are reviewed by the Swedish Transport Agency.

Section 11. Airports shall have controlled airspace.

For airports where the traffic is of a lower complexity or volume, the Swedish Transport Agency may issue regulations on, or in individual cases decide on, exceptions to the requirement for controlled airspace and state the requirements that shall apply for flying there.

The Swedish Transport Agency determines the extent of the airspace referred to in the first paragraph. The Agency may issue regulations on which installations must be in place to facilitate air traffic there.

Section 12. The Swedish Transport Agency may issue regulations on the extent to which there shall be controlled airspace for en-route flying.

If needed for the supervision of air traffic, the Swedish Transport Agency may issue regulations to the effect that anyone who flies outside of controlled airspace must submit information about this in advance and follow the Agency's regulations for the flight.

Section 13. The Swedish Transport Agency may issue regulations on flight paths in controlled airspace.

Section 14. Navigation aids and other installations to facilitate air traffic shall be approved by the Swedish Transport Agency before becoming operational.

The Swedish Transport Agency may issue regulations on the installation, maintenance and operation of the installations and on their supervision. The

Agency may revoke or restrict an approval under the first paragraph if flight safety requirements are not fulfilled.

Section 15. In such matters as referred to in Sections 11-14, the Swedish Transport Agency shall consult with the Armed Forces. If necessary, the Agency shall also consult with the Swedish Post and Telecom Agency or with other authorities.

Order regulations for airports etc.

Section 16. The Swedish Transport Agency may issue regulations on access to airports and on the maintenance of order there. The county administrative board may issue regulations on access to a specific airport following consultations with that airport.

In regulations as described in the first paragraph, the area in which the regulations are to apply shall be specified.

Aviation security at airports

Section 17. The Swedish Transport Agency reviews matters as specified in Chapter 6, Section 15, paragraph 2 of the Aviation Act (2010:500).

Fees

Section 18. Swedish Civil Aviation Administration may issue regulations, within its area of activity, on fees for air traffic services.

Certain personnel within the ground organisation

Section 19. The Swedish Transport Agency may issue regulations on the acceptance in Sweden of foreign student licences for air traffic controller training and of certificates for air traffic controllers in air traffic services and flight technicians.

The provisions in Chapter 4, Sections 2 and 5-11 also apply in respect of certificates for air traffic controllers in air traffic services and flight technicians, and in respect of holders of such certificates.

Section 20. The Swedish Transport Agency may issue regulations in matters as referred to in Chapter 6, Section 19, paragraph 2 of the Aviation Act (2010:500). In respect of certificates of qualification referred to in the same paragraph and of holders of such certificates, the provisions in Chapter 4, Sections 5-11 of this Ordinance shall apply.

Section 21. The provision in Chapter 5, Section of the Aviation Act (2010:500) also applies to

1. anyone who, following a pre-flight check, hands over control of an aircraft as ready for flight,

2. personnel involved with airport flight information services (AFIS officials).

Flight obstacles etc.

Section 22. Radio equipment may not be so installed as to risk confusion or interference with installations for air traffic, or in such a way that it can otherwise constitute a hazard to flight safety. The same applies for lights and other devices.

The Swedish Transport Agency may issue regulations on the banning of or other restriction to the erection of markings, lighting and other devices which can constitute a hazard to flight safety.

The Swedish Post and Telecom Agency may order anyone who contravenes the provision in the first paragraph to make a correction if the matter concerns radio equipment. The Swedish Transport Agency may order anyone who contravenes the provision in the first paragraph to make a correction when the matter concerns equipment or devices other than radio equipment.

Section 23. The Swedish Transport Agency shall promote the marking of buildings, masts, natural features and similar objects in order to prevent hazards to flight safety.

If the erection of a building or the installation of a mast or similar constitutes a hazard to flight safety, the Swedish Transport Agency may issue regulations on, or in individual cases decide on, the marking of the flight obstacle. Such marking may not lead to any significant detriment for those own or hold a special right to the land in question.

The Swedish Transport Agency shall consult with the landowners, those who hold a special right to the land, and with representatives of other interests affected.

Section 24. If a marking has been made as described in Section 22 or due to other regulations, and someone wants to apply measures which could mean that the marking is changed or will no longer fill its function in a satisfactory way, this shall be reported to the Swedish Transport Agency. The report shall be made no later than 30 days before the measure is applied. The Agency may decide to change the marking until the matter is concluded. If anyone applies measures without following the provisions on the obligation to report, the Agency may at his or her expense undo the measures and order him or her to make a correction.

Flight obstacle report

Section 25. Anyone who is carrying out construction work on their own account, or having such work done, shall at least four weeks before the work begins submit a report to the Armed Forces if the works are in respect of the erection of a building, an annexe or other installation. This applies if the building's or installation's total height will exceed 45 m when the work is to be done within an area of continuous buildings, or 20 m when it is to be done in another area.

A flight obstacle report shall be in writing and shall briefly describe the type of project, its extent and exact location, and shall contain the name and address of the person doing or having the construction work done. The Armed Forces may issue regulations to the effect that a flight obstacle report may be submitted in electronic format.

Section 26. The Swedish Transport Agency may issue further regulations on what shall be included in a flight obstacle report as specified in Chapter 6, Section 23 of the Aviation Act (2010:500).

Chapter 7. Permission to conduct aviation operations

Permits related to flight safety

Operating licence

Section 1. The Swedish Transport Agency may issue further regulations on operating licences in addition to those that apply under Chapter 7, Sections 1-7 of the Aviation Act (2010:500).

Matters concerning operating licences are reviewed by the Swedish Transport Agency.

The Swedish Transport Agency may decide on such exceptions as are referred to in Chapter 7, Section 1, paragraph 3 and Section 3, paragraph 4 of the Aviation Act.

Aerial work permit

Section 2. The Swedish Transport Agency may issue regulations on aerial work permits.

Matters concerning aerial work permits are reviewed by the Swedish Transport Agency. The agency may delegate the review to some other entity.

The Swedish Transport Agency may issue regulations on, or in individual cases decide on, exceptions to the requirement for an aerial work permit,

provided the activity is not on a large scale or if there are other special reasons.

Training permit

Section 3. The Swedish Transport Agency may issue regulations on training permits, and may issue regulations on, or in individual cases decide on, exceptions to the requirement for a training permit when the matter concerns private aviation.

If a flight training programme which has been exempt from the permit requirement does not fulfil the prescribed flight safety requirements, the Swedish Transport Agency may prohibit the programme from running.

The Swedish Transport Agency may issue regulations to the effect that a permit is required to run training programmes for air traffic controllers.

Matters concerning permits as specified in this section are reviewed by the Swedish Transport Agency.

Traffic permit

Requirements for traffic permits

Section 4. The Swedish Transport Agency may issue regulations on traffic permits and on the exercising of traffic rights when a traffic permit is not required as described in Chapter 7, Section 10, paragraph 3 of the Aviation Act (2010:500).

Section 5. The Swedish Transport Agency shall review matters concerning traffic permits for scheduled air traffic and determine what conditions shall apply in each individual case.

In reviews as described in the first paragraph, the Swedish Transport Agency shall consider in particular

- the applicant's ability to run the activity applied for and fulfil the obligations associated with it,
- the traffic policy guidelines determined by the government,
- if the activity applied for is compatible with the international obligations to which Sweden is bound,
- any impediments to the activity applied for with respect to flight safety, aviation protection and the environment,
- circumstances that affect competition conditions, including matters of non-discrimination and mutuality.

If the traffic involves a country against which sanctions or other barriers to trade are in force, or in which an armed conflict is ongoing, or if there are other similar circumstances or other special reasons, the Swedish Transport Agency shall hand the matter over to the government together with an expert opinion.

Section 6. The Swedish Transport Agency may issue regulations on other air traffic than scheduled air traffic. The Agency reviews matters concerning traffic permits for such traffic and determines what conditions shall apply in each individual case.

The Swedish Transport Agency may issue regulations to the effect that, or in individual cases may decide that, other air traffic than scheduled air traffic may be carried out without a traffic permit, if this is appropriate considering the nature or extent of the air traffic.

Section 7. An aircraft registered in another country which is a party to the Chicago Convention, and which is used for air traffic other than scheduled air traffic, may fly and land within Swedish territory without a traffic permit provided that no passengers either embark or disembark, or that no goods are either loaded or unloaded in Sweden.

The first paragraph does not apply to aviation which requires an aerial work permit.

For the purposes of this Ordinance, “the Chicago Convention” refers to the convention on international civil aviation which was concluded in Chicago on 7 December 1944.

Section 8. The Swedish Transport Agency may revoke or restrict traffic permits and wholly or partly limit the exercising of traffic rights if the permit holder or the person exercising the traffic right does not observe the regulations or conditions that apply for the activity, or if there are other special reasons for it.

If the government has granted a traffic permit, the Swedish Transport Agency may only decide on an interim revocation or revocation for a certain period. The matter of a final revocation of such a traffic permit shall be submitted to the government without delay.

Leasing of aircraft

Section 9. The Swedish Transport Agency may, if necessary in consideration of flight safety or otherwise of aviation within Swedish territory, issue regulations to the effect that permission is required to lease an aircraft.

Matters concerning permission to lease aircraft are reviewed by the Swedish Transport Agency.

Chapter 8. Particular provisions for air traffic

Traffic rules etc.

Section 1. The Swedish Transport Agency may, following consultations with the Armed Forces, issue regulations on aviation traffic rules. The traffic rules shall correspond in the main to the traffic rules adopted by the International Civil Aviation Organisation (ICAO) (the international traffic rules).

Section 2. For aviation with a Swedish aircraft within another country's territory, the international traffic rules shall be followed provided they do not contravene provisions issued by the country in question.

If aviation takes place with a Swedish aircraft within an area that does not belong to any country, international traffic rules shall apply without adaptations.

Section 3. Objects may not be thrown or released from an aircraft if it can lead to injury, illness or difficulties for people's health. The Swedish Transport Agency may issue further regulations in this area.

The Swedish Transport Agency may issue regulations on what shall be observed in order for injuries due to noise or similar disturbances from aircraft to be avoided or limited. When necessary, the Agency shall consult with the National Board of Health and Welfare.

Regulations on bans against the spreading of pesticides from aircraft are found in Chapter 14, Section 18, paragraph 2 of the Environmental Code. Ordinance (2013:908).

Section 4. The Swedish Transport Agency may issue regulations to the effect that aircraft flying within Swedish territory shall follow certain flight paths or fly within certain areas. The Agency may also issue regulations on restrictions to the use of the airspace surrounding such flight paths.

Section 5. The Swedish Transport Agency may, following consultations with Swedish Customs, issue regulations on where aircraft may cross Sweden's borders and which flight paths are to be followed within the country to and from the border, as well as determine the more detailed conditions that shall apply for flights across the border.

Obligation to land

Section 6. An order to land such as referred to in Chapter 8, Section 2 of the Aviation Act (2010:500) may be issued by the Swedish Transport Agency. If a landing is necessary for flight safety reasons or if the Agency has made a special decision to that effect, an order to land may also be issued by an air traffic services unit.

Section 7. The Swedish Transport Agency or an air traffic services unit shall, unless aviation security or flight safety considerations suggest otherwise, prevent an aircraft from departing or order it to land

1. at the request of the officer in charge of a criminal investigation, if required in the search for a person who has been detained or arrested or on probable grounds suspected of a crime which carries a penalty of imprisonment of one year or more, or otherwise for the investigation of such a crime,
2. at the request of the Swedish Police, if absolutely necessary in the search for a person who has been detained or arrested or who has absconded from a criminal care institution or another institution at which he or she has been incarcerated as a result of the decision of a public authority, or
3. at the request of a customs officer, if absolutely necessary in order for a proper customs inspection to be carried out.

The first paragraph does not apply if the offence was committed on a foreign aircraft and no intervention may take place due to regulations in an international agreement to which Sweden is a party. Ordinance (2014:1284).

Section 8. If an aircraft does not land despite an order as described in Section 6 or 7, the person who gave the order may request assistance from the Armed Forces to force the aircraft to land. The same applies if the aircraft cannot be contacted with an order. The question of whether assistance shall be given shall be determined by the Armed Forces and shall take the availability of suitable aircraft, flight safety and other such circumstances into account.

If an aircraft finds itself in a restricted area such as referred to in Chapter 1, Section 4, paragraph 3 without permission, and it can be assumed that the crew of the aircraft are aware of this fact, the Armed Forces may force the aircraft to leave the area or to land. Aircraft which can be assumed to have passengers on board shall not be forced to land unless there are extraordinary reasons to warrant such action. Ordinance (2013:944).

Section 9. The Swedish Transport Agency may, following consultations with the Armed Forces, determine signals to be used to indicate that an aircraft is inside such a restricted area as referred to in Chapter 1, Section 4.

Section 10. When an aircraft during a flight to or from Swedish territory has landed as described in Section 6, 7 or 8, the pilot-in-command shall immediately inform the nearest Swedish customs office of the landing. Such notification may be done by an air traffic company or its representative in the pilot-in-command's stead.

Parachuting

Section 11. Such parachuting from an aircraft as is not done in an emergency situation may only be done with the permission of the Swedish Transport Agency.

The Swedish Transport Agency may delegate to some other entity the review of matters related to permission as described in the first paragraph.

Restrictions to the right to transport goods

Section 12. The Swedish Transport Agency may issue regulations on, or in individual cases decide to prohibit the transport by aircraft of certain goods, or determine special conditions for such transports, if this is required in consideration of flight safety or aviation security, or if it follows from an international agreement to which Sweden is a party.

Aircraft documents

Section 13. In flight, the following documents shall be carried on board an aircraft:

1. the nationality and registration certificate or an aviation permit under Chapter 1, Section 1, and
2. the certificate of airworthiness, the certificate of environmental compliance, the flight manual and the aircraft's logbook or equivalent documents.

The Swedish Transport Agency may issue regulations on, or in individual cases decide on exceptions to the provisions in the first paragraph with respect to aircraft in domestic aviation. The Agency may also issue regulations to the effect that aircraft shall have further aircraft documents and that these shall be carried on board.

The Swedish Transport Agency may issue further regulations on aircraft documents.

Section 14. All crew members on an aircraft shall carry a pilot licence or similar document which has been issued in his or her name.

The Swedish Transport Agency may issue regulations to the effect that crew members shall carry other documents as well.

Chapter 9. Liability for damage in the course of aviation

Section 1. The Swedish Transport Agency may issue further regulations on the submitting and presenting of proof of insurance as described in Chapter 9, Sections 4 and 5 of the Aviation Act (2010:500).

Chapter 10. Search and rescue operations, investigation of aviation accidents and reporting of occurrences

Search and rescue operations

Section 1. Provisions on search and rescue operations within Swedish territory are found in the Act on Protection Against Accidents (2003:778) and the Ordinance on Protection Against Accidents (2003:789).

Outside Swedish territory, the Swedish Maritime Administration or the entity appointed by the Administration shall lead search and rescue operations over those areas of the sea where search and rescue operations are the responsibility of Swedish authorities.

Search and rescue operations may not be restricted on the basis of the nationality of the aircraft or of the passengers on board the aircraft.

Section 2. A pilot-in-command who discovers that another aircraft is in distress shall, unless obviously irrelevant,

1. keep the aircraft in distress within view for as long as necessary,
2. try to determine the position of the aircraft in distress,
3. inform a search and rescue or air traffic services unit in accordance with regulations issued by the Swedish Transport Agency, and
4. follow the instructions that these units provide.

The provisions in the first paragraph only apply if the measures do not imply any danger to the assisting aircraft, its crew or passengers.

If the pilot-in-command fails to make contact with any search and rescue or air traffic services unit, he or she shall attempt to contact other aircraft or marine vessels. The pilot-in-command shall coordinate such search and rescue operations as are possible until he or she makes contact with the search and rescue or air traffic services unit, or until some other aircraft or marine vessel undertakes to coordinate the search and rescue operation.

The provisions in this section also apply when the pilot-in-command discovers that a marine vessel is in distress, that someone in another situation is in distress at sea, or that someone's life otherwise must be assumed to be in danger.

Section 3. A pilot-in-command who is not participating in a search and rescue operation but who hears emergency calls or distress signals on the radio shall, unless obviously irrelevant,

1. determine the position of the party in distress,
2. trace the transmission if possible,
3. inform a search and rescue or air traffic services unit, and
4. following his or her own judgement, head to the site of the emergency until instructions from these entities have been received.

Section 4. Any person who serves at an airport or other aviation installation is obliged to work also during non-working hours when this is required for search and rescue operations.

Section 5. Any person who owns an aircraft that is used in aviation, or if the aircraft is not used by the owner, the person who operates it in his or her stead, shall be able to provide immediate information about the emergency and rescue equipment available on the aircraft. The owner or operator shall also ensure that all instructions necessary to enable the aircraft to participate in search and rescue operations are available on board.

Section 6. The regulations in Chapter 7, Section 4 of the Act on Protection Against Accidents (2003:778) on state compensation for participation in rescue operations shall apply to such search and rescue operations outside Swedish territory as are led by the Swedish Maritime Administration or by the entity appointed by the Administration.

Section 7. The Swedish Transport Agency may, following consultations with other affected authorities, issue further regulations on search and rescue operations.

Investigation of aviation accidents and incidents

Section 8. Detailed provisions on investigations from a safety perspective of aviation accidents and incidents are found in the Act on the Investigation of Accidents (1990:712) and the Ordinance on the Investigation Accidents (1990:717).

Occurrences in civil aviation

Section 9. The following persons shall, in accordance with Chapter 10, Section 9 of the Aviation Act (2010:500), report to the Swedish Transport Agency any of the following occurrences they observe during the performance of their functions:

1. the operator or the pilot-in-command of an engine-driven aircraft whose maximum take-off weight exceeds 400 kilograms and whose use is supervised by a Swedish public authority,
2. any person who under the supervision of a Swedish public authority conducts activities involving the design, manufacture, maintenance or modification of an engine-driven aircraft whose maximum take-off weight exceeds 400 kilograms, or of its equipment or components,
3. any person who under the supervision of a Swedish public authority signs a certificate of maintenance review or commissioning for an engine-driven aircraft whose maximum take-off weight exceeds 400 kilograms, or of its equipment or components,
4. any person who performs a function which requires an air traffic controller licence, or who handles other air navigation services,
5. any person who is in charge at an airport which is open for commercial traffic in Sweden,
6. any person who performs a function related to the installation, modification, maintenance, repair, supervision, flight control or inspection of installations for flight navigation, communication and supervision and of which a Swedish public authority is in charge,
7. any person who, at an airport which is open for commercial traffic in Sweden, performs a function that is related to the ground handling of aircraft whose maximum take-off weight exceeds 400 kilograms, including fuel refilling, service, preparation of load sheet, loading, de-icing and towing.

Individuals may also report to the Swedish Transport Agency via a reporting system established by an aviation organisation in accordance with

1. regulations issued by the Swedish Transport Agency,
2. Council Regulation (EEC) no. 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, or
3. Regulation (EC) no. 216/2008 of the European Parliament of the Council of 20 February 2008 on common rules in the field of civil aviation and

establishing a European Aviation Safety Agency and repealing Council Directive 91/670/EEC, Regulation (EC) no. 1592/2002 and Directive 2004/36/EC, or provisions issued on the basis of that regulation.

Section 10. For the purposes of this Ordinance, the word “occurrence” has the same meaning as in Chapter 10, Section 8 of the Aviation Act (2010:500).

The Swedish Transport Agency may issue further regulations on the reporting of occurrences. In this connection, the Agency shall observe the provisions in the Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation.

Section 11. The Swedish Transport Agency shall handle the system needed to collect, evaluate, process, store, protect and disseminate information on reported occurrences.

Collected reports shall be stored in a database at the Swedish Transport Agency. Information on accidents and incidents shall also be stored in this database. The Swedish Accident Investigation Board shall have full access to this database.

Section 12. When the Swedish Transport Agency receives an occurrence report it shall, if necessary, inform the competent public authority of the Member State

1. in which the occurrence took place,
2. in which the aircraft is registered,
3. in which the aircraft is manufactured, or
4. in which the operator obtained his or her qualification.

Section 13. The Swedish Transport Agency shall, at least once a year, compile and publish a safety overview containing information on reported occurrences. When deemed appropriate, the Agency may also publish reports, if they are written in such a way that the identity of the information provider or of the third party is not revealed.

Section 14. The name, address and other identifying personal details of individuals may not be registered in the database described in Section 11, paragraph 2.

Section 15. A public authority shall refrain from commencing legal proceedings other than disciplinary proceedings involving non-deliberate or unintentional offences that come to its knowledge only through having been reported within the framework of the system of obligatory occurrence

reporting. This does not apply, however, if the offences in question were committed as a result of serious negligence.

Information exchange

Section 16. The Swedish Transport Agency shall serve as Swedish contact point and participate in information exchange, which implies that all relevant safety information stored in a database as described in Section 11 shall be made available to the competent public authorities of other Member States of the European Union and to the European Commission to the extent it follows from

1. Regulation (EC) no. 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (“the service provision Regulation”),
2. Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports,
3. Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation,
4. Regulation (EC) no. 216/2008 of the European Parliament of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency and repealing Council Directive 91/670/EEC, Regulation (EC) no. 1592/2002 and Directive 2004/36/EC.

Section 17. Information held by the Swedish Accident Investigation Board and by the Swedish Transport Agency may be released to a foreign public authority or an international organisation if such release follows from provisions on information exchange between Member States and the European Commission in the legal instruments referred to in Section 16.

Information may also be shared under Chapter 8, Section 3 of the Publicity and Secrecy Act (2009:400).

Section 18. The provisions in Sections 16 and 17 shall also be applied in relation to other states that are bound by the legal instruments referred to in Section 16.

Chapter 11. Special provisions

Departure bans etc.

Section 1. In applying Chapter 11, Section 1 of the Aviation Act (2010:500), the following shall apply for an aircraft which is not registered

in Sweden. The Swedish Transport Agency may, in collaboration with the country responsible for the operation of the aircraft in question, or with the country in which the aircraft is registered, determine the conditions necessary in order to allow the aircraft to fly to an airport where the deficiencies can be rectified. If the deficiencies affect the validity of the aircraft's certificate of airworthiness, the departure ban may be lifted only if the operator obtains permission from the country or countries whose territories the aircraft will overfly in the course of this flight.

Section 2. The Swedish Transport Agency shall collect and preserve information relating to the inspection and oversight of aircraft in accordance with the provisions of Directive 2004/36/EC of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports, in particular Article 3 thereof, and participate in information exchange in accordance with Article 5 of the same directive.

Fees and other payments for proceedings

Section 3. The Swedish Transport Agency may issue regulations on fees and payments for the costs of

1. registration and comparable measures regarding aircraft,
2. supervision of airworthiness and environmental compliance of aircraft and other flight equipment,
3. issuing and similar measures regarding student licences, pilot licences, medical certificates, certificates of qualification, qualifications and approval of foreign licences, and for licence testing and controls other than licence controls,
4. permits, authorisation and inspection under the Aviation Act (2010:500) and regulations issued on the basis of the act, and under EU regulations in the field of civil aviation.

If it has not been possible to complete a proceeding and this is not due to the Swedish Transport Agency or the authorised official, the fee and the Agency's costs shall still be paid.

The Swedish Transport Agency may issue regulations to the effect that, or may in individual cases decide that, payment shall be made in advance.

Fees may be settled to reach full cost recovery, if they refer to

1. operating licences for commercial transportation by air using helicopter or balloon,
2. aerial work permit,

3. training permit,
4. maintenance and airworthiness organisations with permit, and
5. operation with aircraft of historical importance which is carried on without the purpose of making a profit. Ordinance (2013:993).

Chapter 12. Supervision etc.

Supervision

Section 1. The supervision of the observance of the provisions in Chapters 1-8, 10 and 11 of the Aviation Act (2010:500) and of regulations issued in connection with the act shall be carried out, unless otherwise stipulated, by the Swedish Transport Agency.

The Swedish Transport Agency may commission some other entity to carry out supervision concerning airworthiness. For other types of supervision than those referred to in the first paragraph, the Agency may employ some other entity to assist in supervising.

Authorities referred to in the first paragraph may issue regulations to the effect that whoever is subject to supervision by the authority shall provide the information the authority needs in order to practice supervision.

Section 2. The Swedish Transport Agency may issue regulations to the effect that whoever is under supervision pursuant to Chapter 12, Section 2 of the Aviation Act (2010:500) shall provide the information that the Agency needs to be able to carry out supervision.

The Swedish Transport Agency may issue regulations on what information of significance to flight safety and aviation security, and what statistical data regarding an airport and its traffic that the airport owner is obliged to provide.

Section 3. When a person who has a Swedish operating licence leases a foreign aircraft, the Swedish Transport Agency may enter into an agreement with another country about taking over the supervision of the aircraft.

When an aircraft registered in Sweden is leased to a foreign physical or legal person, the Swedish Transport Agency may enter into an agreement with another state, or the authority in another state responsible for the supervision of aircraft, about delegating the responsibility for supervision of the leased aircraft.

The Swedish Transport Agency may enter into an agreement about taking over or delegating the responsibility for supervision of airworthiness and aircraft maintenance with Denmark or Norway, or with the authority in any

of these countries which is responsible for such supervision. Ordinance (2011:869).

Authorisations

Section 4. The Swedish Transport Agency may, in the respects dealt with in the Aviation Act (2010:500), issue further regulations regarding the protection of life, personal safety or health, or traffic.

The Swedish Transport Agency may commission some other entity to assist in the administrative tasks connected with issuing regulations as specified in the first paragraph. If the regulations concern aviation activity which does not require a permit under Chapter 7 of the Aviation Act (2010:500), the administrative tasks carried out by another entity may include the exercise of public authority.

Anyone who carries out aviation activities shall provide such information relevant to flight safety and aviation security, statistical data on the activities, and such information under the Ordinance on Competent Public Authorities for Civil Aviation (1994:1808) as the Swedish Transport Agency stipulates. The Agency may issue regulations to the effect that, or in individual cases decide that, owners and operators of aircraft who do not carry out activities, as well as pilots-in-command, shall provide such information.

Observation of international norms

Section 5. Anyone who issues regulations on the basis of this Ordinance shall observe the norms established by the International Civil Aviation Organisation (ICAO) as well as other international obligations that Sweden has assumed.

Chapter 13. Provisions on liability etc.

Provisions on liability

Section 1. Fines shall be imposed on anyone who

1. contravenes regulations or decisions issued by the Swedish Transport Agency on temporarily restricted areas on the basis of Chapter 1, Section 4 or 5,
2. contravenes regulations issued by the Swedish Transport Agency on the basis of Chapter 1, Section 7, 8 or 9 in decisions on exceptions from stipulations specified in these Sections,
3. contravenes regulations on the marking of aircraft issued on the basis of Chapter 2, Section 7,

4. contravenes regulations on qualification requirements for persons serving as examiners in flight tests or as instructor in flight training on the ground issued on the basis of Chapter 4, Section 4,
5. serves as pilot-in-command of an aircraft without fulfilling the conditions that apply under Chapter 5, Section 1,
6. in carrying out tasks significant for flight safety on board an aircraft, contravenes regulations on being under the influence of alcohol or other substances, or regulations on working and resting hours, which have been issued on the basis of Chapter 5, Section 7,
7. contravenes the Swedish Transport Agency's regulations or conditions regarding the establishing, maintenance and operation of airports,
8. contravenes regulations on landing bans issued on the basis of Chapter 6, Section 1, paragraph 1, Section 2 or 3, paragraph 1,
9. contravenes prohibitions or conditions issued on the basis of Chapter 6, Section 9,
10. contravenes regulations on access to or order at airports issued on the basis of Chapter 6, Section 16,
11. contravenes regulations issued on the basis of Chapter 7, Section 1, paragraph 1, Section 2, paragraph 1 or Section 3, paragraph 1 on operating licences, aerial work permits and training permits, respectively,
12. contravenes regulations issued by the Swedish Transport Agency on the basis of Chapter 7, Section 9 on permission to lease aircraft,
13. contravenes regulations on traffic rules for aviation issued by the Swedish Transport Agency on the basis of Chapter 8, Section 1,
14. contravenes prohibitions under Chapter 8, Section 3, paragraph 1, or regulations issued on the basis of the provision on throwing or releasing objects from aircraft which could lead to injury, illness or difficulties for people's health,
15. contravenes regulations on what shall be observed in order for injuries due to noise or similar disturbances from aircraft to be avoided or limited as specified in Chapter 8, Section 3, paragraph 2,
16. contravenes regulations on where aircraft may cross Sweden's borders and on which flight paths to use within the country as specified in Chapter 8, Section 5,
17. contravenes regulations or conditions issued on the basis of Chapter 8, Section 12 on the transportation by air of certain goods,

18. contravenes Chapter 8, Section 14, or regulations issued on the basis of that provision by not carrying a pilot licence or equivalent document on board an aircraft, or

19. does not fulfil his or her reporting obligation under Chapter 10, Section 9.

Section 2. No sentence under this Ordinance shall be imposed if the act is a criminal offence under the Penal Code, the Aviation Act (2010:500) or some other legislative act, or if the criminal act constitutes a breach of an injunction or a prohibition which is associated with a penalty.

Notifications to the Swedish Transport Agency

Section 3. A court shall immediately send a copy of the sentence and information about the pilot licence to the Swedish Transport Agency if a holder of a pilot licence has

1. been found guilty of
 - a) committing a crime while discharging duties significant for flight safety on board an aircraft or within the ground organisation,
 - b) unlawful appropriation of an aircraft or a motorised vehicle, or
 - c) breach of the Traffic Sanctions Act (1951:649), Section 30, paragraph 2 or 3 of the Subway and Streetcar Safety Act (1990:1157), or Chapter 10, Section 2, paragraph 1, 2 or 3 of the Railway Act (2004:519),
2. been sentenced to a sanction other than fines for a crime as specified in
 - a) Chapter 3 of the Penal Code,
 - b) Chapter 4 of the Penal Code,
 - c) Chapter 6, Section 1, 2, 3, 4, 5 or 6 of the Penal Code or Chapter 6, Section 1 or 4 and 15 of the Penal Code,
 - d) Chapter 8, Section 5 or 6 of the Penal Code, or either of these sections and Chapter 8, Section 12 of the Penal Code,
 - e) Chapter 13 of the Penal Code, or
 - f) Chapter 17, Section 1, 2, 4 or 5 of the Penal Code.

When a court issues a sentence or a ruling in a case where a notification obligation exists under the first paragraph, the court shall notify the Swedish Transport Agency.

If a holder of a pilot licence has been indicted for a crime as specified in the first paragraph and his or her pilot licence has been confiscated until further

notice, the court shall immediately notify the Swedish Transport Agency if the prosecutor withdraws the case or the court acquits the defendant.

If the preliminary investigation is discontinued or the prosecutor decides not to begin proceedings when a licence has been confiscated or revoked until further notice, the authority that issued the decision shall notify the Swedish Transport Agency of this.

Section 4. The provisions in Section 3 also apply to holders of student licences and of such licences as are specified in Chapter 6, Section 17, paragraph 1 of the Aviation Act (2010:500).

The provisions in Section 3 also apply to anyone who has a foreign pilot licence which has been approved in Sweden. The Swedish Transport Agency shall decide whether the foreign authority that issued the licence shall be notified of the incident. Ordinance (2010:1536).

Section 5. If the Swedish Police finds reason to assume that any holder of a student licence, a licence, a certificate of qualification, an approved foreign licence or certificate of qualification does not fulfil the requirements for holding the document, the authority shall notify the Swedish Transport Agency of this.

If a doctor or a psychologist in the course of an examination of anyone as specified in the first paragraph finds that he or she is unsuitable as holder of a student licence, pilot licence, certificate of qualification or approval, the doctor or psychologist shall notify the Swedish Transport Agency of this. Ordinance (2014:1284).

Notifications to the Government Offices

Section 6. If a foreigner is suspected of having committed a serious crime on board an aircraft and has been handed over to the Swedish Police, that authority shall immediately notify the Government Offices (the Ministry for Foreign Affairs) of this and of the result of the investigation. The prosecutor shall notify the Ministry of his or her decision as regards indictment.

The provisions in the first paragraph also apply when a Swedish citizen is suspected of having committed such a crime on board a foreign aircraft. Ordinance (2014:1284).

Penalties

Section 7. An injunction or a prohibition imposed by the Swedish Transport Agency on the basis of any of the EU regulations specified in Section 2 of the Ordinance on Competent Public Authorities for Civil Aviation (1994:1808) may be associated with a penalty.

Chapter 14. Military aviation and other aviation for state purposes

Military aviation

Section 1. The words and expressions defined in Chapter 14, Section 1 of the Aviation Act (2010:500) have the same meaning in this Ordinance. Ordinance (2013:944).

Section 2. In accordance with the restrictions in Chapter 14, Section 2 of the Aviation Act (2010:500), the Armed Forces may issue regulations or in specific cases decide on military aviation.

The Armed Forces' right to issue regulations does not cover air navigation services in Sweden or personell certified within this area.

The Armed Forces' activity in accordance with statsflygsförordningen (the State Airplane Ordinance, 1999:1354) is military aviation. Ordinance (2013:944).

Section 3. The Armed Forces may issue regulations or in specific cases decide on the activity of foreign military aviation in Sweden, which is carried out within the scope of

1. an exercise involving Swedish units which has been approved by the government, or
2. international military test, training and exercise activities.

There are provisions on access of military aircraft to Swedish territory in tillträdesförordningen (the Access Ordinance, 1992:118). Ordinance (2013:944).

Section 4. In other cases than those referred to in Section 3, a foreign state aircraft shall adhere to the regulations on civil aviation and be flown in accordance with directions given by Swedish air traffic services.

Aircraft in distress within Swedish territory shall state this using an international signal and without delay notify the nearest Swedish air traffic services unit about the situation. Ordinance (2013:944).

Section 5. After having consulted FMV, the Armed Forces may issue regulations or in individual cases decide on aviation carried out in Sweden by another state, or by a business with its headquarters in another state, and which relates to maintenance, modifications or tests for military purposes. If the activities concern civil aviation or other aviation for state purposes, the Armed Forces shall make its decision after having consulted the Swedish Transport Agency. Ordinance (2013:944).

Section 6. For military aviation, a report made in accordance with Chapter 5, Section 4, paragraph 2 of the Aviation Act (2010:500) shall be submitted to the Armed Forces. Ordinance (2013:944).

Section 7. If the pilot-in-command of a military aircraft has taken someone who has committed a crime on board into custody, he or she shall inform, without delay, the Swedish Police or air traffic services unit in the locations where the aircraft is going to land.

If the pilot-in-command has forced someone to disembark for reasons of order or security, he or she shall inform, without delay, the police authorities or air traffic services unit in the location where the forced disembarkation occurred. Ordinance (2014:1284).

Section 8. If the pilot-in-command of a military aircraft intends to hand someone who has committed a serious crime on board over to the competent authority, he or she shall inform, without delay, the Swedish Police or air traffic services unit in the location where the handover is to take place.

If a handover as described in the first paragraph has been done to a foreign authority, the pilot-in-command shall inform the Armed Forces without delay.

If the pilot-in-command intends to hand someone over to a foreign authority, he or she shall, if possible, first consult the Armed Forces. Ordinance (2014:1284).

Section 9. The provision in Chapter 5, Section 9 of the Aviation Act (2010:500) is also valid for the following personnel within the ground operations of military aviation:

1. personell who perform aircraft maintenance,
 2. military air traffic controllers, and
 3. air traffic controllers when they are part of the military aviation system.
- Ordinance (2013:944).

Section 10. Following consultations with the National Board of Health and Welfare, the Armed Forces may issue regulations for the crew on a military aircraft or, in individual cases, decide for the crew on a military aircraft regarding the performance of duties under the influence of alcohol or other substances. Ordinance (2013:944).

Section 11. The Armed Forces may issue further regulations on permissions within the military aviation system.

The Armed Forces will try matters concerning permissions as specified in the first paragraph. Ordinance (2013:944).

Section 12. Following consultations with the Swedish Transport Agency, the Armed Forces may issue traffic rules for military aviation. Ordinance (2013:944).

Section 13. The Armed Forces may decide on and charge a fee for issuing permissions and performing supervision. Ordinance (2013:944).

Section 14. The Armed Forces may within military aviation issue regulations or in individual cases decide on the prohibition of the transport by aircraft of certain goods, or determine special conditions for such transports, if this is required in consideration of flight safety or aviation security. Ordinance (2013:944).

Other aviation for state purposes

Section 15. The provisions in this ordinance apply to other aviation for state purposes, except

1. Chapter 7,
2. Chapter 9,
3. Chapter 11, Section 3, paragraph 1, item 4,
4. Chapter 12, Sections 1-4, and
5. Chapter 14, Sections 1-14. Ordinance (2013:944).

Section 16. Following consultation with affected authorities who perform other aviation for state purposes och taking into consideration Chapter 14, Section 7 of the Aviation Act (2010:500), the Swedish Transport Agency may issue regulations on other aviation for state purposes for matters governed by

1. Chapter 3-5, Chapter 8 and Chapter 11, Section 1 of the Aviation Act, and
2. Chapter 3, Sections 1-5, Chapter 4, Sections 1, 5-8, 10, 12 and 15, Chapter 5, Sections 1, 2 and 6, Chapter 8, Sections 6-10 and 12, and Chapter 11, Section 3 of this Ordinance.

The Swedish Transport Agency may also in individual cases decide on that which is regulated in the provisions mentioned in the second paragraph, as well as in individual cases decide on exceptions from these provisions.

Following consultation with affected authorities who perform other aviation for state purposes, the Swedish Transport Agency may issue the other

regulations needed regarding flight safety, including provisions on flight operation. The Swedish Transport Agency may in individual cases decide on such matters and in individual cases decide on exceptions from such regulations.

If the Swedish Transport Agency prescribes that the person who performs duties on an aircraft used for other aviation for state purposes shall have a specific certificate of qualification, relevant provisions in Chapter 4 of the Aviation Act apply. Ordinance (2013:944).

Section 17. The Swedish Transport Agency may issue regulations or in individual cases decide on foreign aviation which is cooperating with Swedish other aviation for state purposes. Ordinance (2013:944).

Common provisions for state aviation

Supervision

Section 18. The supervisor of flight safety at the Armed Forces will supervise the observance of the provisions in the Aviation Act (2010:500) and the regulations issued on the basis of the law with regard to military aviation. Ordinance (2013:944).

Section 19. The Swedish Transport Agency will supervise the observance of the provisions in the Aviation Act (2010:500) and regulations issued on the basis of the law with regard to other aviation for state purposes. Ordinance (2013:944).

Section 20. The Armed Forces and the Swedish Transport Agency may issue regulations on supervision within their respective areas of responsibility. Ordinance (2013:944).

Delegating administrative tasks

Section 21. The Armed Forces and the Swedish Transport Agency respectively may delegate administrative tasks in connection with regulations as referred to in Chapter 14, Section 10 of the Aviation Act (2010:500) to some other entity. Administrative tasks which are delegated may include exercise of authority. Ordinance (2013:944).

Access to Swedish territory

Section 22. If a foreign state aircraft has been given a permit to fly within Swedish territory, the provisions in this ordinance, or regulations issued on the basis of this ordinance, are only applicable if this was decided when the permit was given. Ordinance (2013:944).

Other provisions

Section 23. The Armed Forces and the Swedish Transport Agency respectively may on the basis of Chapter 14, Section 13 of the Aviation Act (2010:500) issue regulations to the effect or in individual cases decide that a certain type of aviation shall adhere to the rules for military aviation, or other aviation for state purposes. Before such a decision is made, the two authorities shall consult with each other. If applicable, information shall also be acquired from FMV. Ordinance (2013:944).

Section 24. For military aviation or other aviation for state purposes, as the case may be, and in the respects dealt with in the Aviation Act (2010:500), the Armed Forces and the Swedish Transport Agency, respectively, may issue further regulations regarding the protections of life, personal safety or health, or traffic. Ordinance (2013:944).

Transitional provisions

2010:770

1. This Ordinance enters into force on 1 September 2010.
2. This Ordinance repeals the Decree regarding traffic rules for aviation (1961:563) and the Aviation Ordinance (1986:171).
3. Permits and approvals issued under the repealed ordinance and under regulations issued on its basis shall continue to apply according to their content. Matters regarding the renewal of permits and approvals shall, however, be reviewed under the new Ordinance, as shall revocations of permits or approvals, or the refusal to approve a permit if the event on which the intervention is based has taken place since the new Ordinance has entered into force.