

REPUBLIC OF SAN MARINO

DELEGATED DECREE no. 76 of 09 May 2019

We the Captains Regent of the Most Serene Republic of San Marino

Having regard to Article 71, paragraph 1 of Law no. 125 of 29 July 2014 and subsequent amendments;

Having regard to Congress of State decision no. 14 adopted in its sitting of 06 May 2019;

Having regard to Article 5, paragraph 3 of Constitutional Law no. 185/2005 and to Articles 8 and 10, paragraph 2 of Qualified Law no. 186/2005;

promulgate and order the publication of the following Delegated Decree:

AMENDMENTS TO LAW NO. 125 OF 29 JULY 2014 - LAW REFORMING CIVIL AVIATION AND SUBSEQUENT AMENDMENTS

Art. 1

1. After Article 3 of Law no. 125 of 29 July 2014 and subsequent amendments, the following Article 3-bis shall be added:

“Art. 3 bis

(Establishment of the Technical-Scientific Committee)

1. The Technical-Scientific Committee (hereinafter also "Committee") of the Civil Aviation and Maritime Navigation Authority shall be hereby established.

2. The Committee shall be composed of:

- a) Chief Operating Officer (hereinafter also "C.O.O.") of the Authority who presides over the Committee;
- b) Senior Airworthiness Inspector;
- c) Senior Flight Operations Inspector.

The Senior Airworthiness Inspector and Senior Flight Operations Inspector shall be the two Inspectors of the Authority with most seniority who agree to be part of the Committee.

3. The Technical-Scientific Committee shall be convened by the C.O.O. through a notice to be sent to the other members via email, containing the items on the agenda as well as the draft of the minutes of the last session prepared by the person in charge of taking the minutes. The Committee may also be convened by the other members.

4. The Committee's meetings may be held also by video conference.

5. The person in charge of taking the minutes shall be identified among the members of the Committee.

6. The meetings of the Committee shall be declared valid when the majority of its members are present.

7. For its decisions to be valid, the favourable vote of the majority of the members present at the meeting shall be required. In the event of a tie vote, the President's vote shall prevail.

8. The following persons may also take part in the Committee, without having voting rights:
- a) Director General of the Authority;
 - b) Airworthiness Inspector;
 - c) Flight Operations Inspector;
 - d) Persons delegated by individuals who, on the basis of specific agreements, provide technical assistance to the Authority with regard to subject-matters falling within the competence of the Committee;
9. The Technical-Scientific Committee shall have the function of deepening, addressing and reporting on the technical and operational aspects related to:
- a) airworthiness;
 - b) flight operations;
 - c) *safety and security*;
 - d) licenses, certifications, authorisations and supervision;
 - e) standardization of the functions of the inspectors to ICAO regulations and to international best practices in the sector;
 - f) interpretation of aeronautical regulations including ICAO regulations, Authority's regulations, protocols and, procedures, publications and circulars and of any other operating rules;
 - g) traffic rights;
 - h) agreements with other foreign authorities competent in the field of civil aviation, as well as other supranational entities and agencies dealing with technical regulations in the aeronautical field;
 - i) real, potential or apparent emerging conflicts of interest involving employees and/or consultants and/or technicians and/or inspectors of the Authority.
10. The Director General of the Authority, the members of the Executive Committee, the individuals who, on the basis of specific agreements, provide technical assistance to the Authority and the Authority's inspectors may ask the Committee for clarifications concerning issues falling within their competence.
11. The members of the Committee with voting rights shall be entitled to receive an attendance fee of Euro 250.00 for each meeting. Where the Inspectors are provided to the Authority by a third party on the basis of specific technical agreements, the relevant attendance fees shall be paid by such third party.

Art. 2
(Repeal)

1. The Delegated Decree No. 30 of 15 February 2019 shall be repealed; the effects and actions conducted in its conformity shall be preserved.

Done at Our Residence on 09 May 2019/1718 d.F.R

THE CAPTAIN REGENTS
Nicola Selva -Michele Muratori

THE MINISTER OF
INTERNAL
AFFAIRS

Guerrino Zanotti