

GEN 1.2 ENTRY, TRANSIT AND DEPARTURE OF AIRCRAFT

1 GENERAL PROVISIONS

1.1 International flights into, from or over the territory of the Republic of Lithuania are performed under the Rules for the Organisation of the Airspace of the Republic of Lithuania approved by the Resolution of the Government of the Republic of Lithuania No. 285 of 17 March 2004 "On Approval of the Regulation for the Organisation of the Airspace of the Republic of Lithuania". These Rules establish airspace structure and elements thereof, the conditions and procedure for the regulation of the use of the airspace of the Republic of Lithuania, issue and revocation of flight permits.

1.2 Aircraft operating in the controlled airspace may cross the state border area of the Republic of Lithuania on air traffic service routes designated by the air traffic service provider or on other routes pre-coordinated with and authorized by the air traffic service provider.

Aircraft operating in the uncontrolled airspace of the border area with the Russian Federation and the Republic of Belarus may cross the state border of the Republic of Lithuania only at its borderline reporting points. Aircraft operating in the uncontrolled airspace of the border area with the Schengen States may cross any point of the state border of the Republic of Lithuania. The Lithuanian Armed Forces shall submit the available information on aircraft, intending to cross the state border or perform flight in the uncontrolled border area airspace of the Republic of Lithuania, to a territorial detachment of the State Border Guard Service under the Ministry of the Interior, in whose operational area the border crossing is to take place. The procedure and conditions for submitting such information shall be established by order of the Commander of the Lithuanian Armed Forces and the Chief of the State Border Guard Service under the Ministry of the Interior.

1.3 International flights may be operated to and from airports and aerodromes of the Republic of Lithuania where border, customs, medical quarantine, hygiene control and other procedures are followed. This provision is not applied to flights operated between the Republic of Lithuania and other Schengen States, except for the cases when the internal border control is temporarily resumed in the Republic of Lithuania.

1.4 Aircraft flying the Republic of Lithuania's controlled airspace, uncontrolled airspace above the territorial waters, the Curonian Lagoon, above the upper limits of prohibited areas, and also the foreign state aircraft flying the uncontrolled airspace of the Republic of Lithuania shall be equipped with the radio communication facility, which allows to maintain two-way communication with the air traffic service provider, and with the SSR transponder operating in a mode "A+C" or "S" (Resolution of the Government of the Republic of Lithuania No. 27 of 11 January 2017).

1.5 Aircraft unequipped with the SSR transponder operating in a mode "A+C" or "S", except for the state aircraft of foreign countries, may operate in the controlled airspace of the Republic of Lithuania only upon receiving a permit from the Air Traffic Service Provider. Notification of the permits issued shall be made by the Air Traffic Service Provider immediately, but not less than within 12 hours, to the Commander of the Air Force or his authorized officer.

1.6 Aircraft may operate in the border area on condition that:

- A flight plan has been submitted to the Air Traffic Service Provider;
- An aircraft is equipped with the radio communication facility;
- An aircraft is equipped with the radar transponder operating in Mode A+C or Mode S (not applicable to glider flights);
- A flight permit has been received from the Commander of the Air Force or his authorized officer issued in accordance with the conditions and procedure established by the Commander of the Lithuanian Armed Forces (not applicable to international flights and flights of state aircraft).

The requirements set down in this Paragraph shall not apply to flights of aircraft operating in the aerodrome traffic zones within the border area.

Note. Border area is part of the Republic of Lithuania's uncontrolled airspace stretching out for 4 nautical miles into the territory from the Republic of Lithuania's state border with a non-European Union state. When the internal border control is resumed, the border area is part of the Republic of Lithuania's airspace stretching out for 4 nautical miles from the Republic of Lithuania's state border into the territory.

1.7 A valid civil liability insurance certificate and other documents stipulated in Article 64 of the Aviation Law, NR VIII-2066 of the Republic of Lithuania shall be carried by each civil aircraft flying within the airspace of the Republic of Lithuania (see [GEN 1.5. 6](#)).

1.8 Only the aircraft whose noise and emission do not exceed the levels set by the Minister of Environment and the Minister of Transport and Communications shall fly within the airspace of the Republic of Lithuania.

2 ENTRY REQUIREMENTS FOR COMMERCIAL FLIGHTS OF THIRD COUNTRY OPERATORS (TCO)

2.1 Third Country Operators (TCO) engaging in scheduled or non-scheduled commercial air transport operations into, within or out of a territory subject to the provisions of the Treaty of the European Union, must hold a safety authorisation issued by the European Aviation Safety Agency (EASA) in accordance with Regulation (EU) No 452/2014. This includes operators which are wet leased-in by, or code-sharing with an EU operator when commercial air transport flights to any territory subject to the provisions of the Treaty of the European Union are performed. This TCO authorisation is not required for operators only overflying the above mentioned EU territories without a planned landing.

Applications for TCO authorisation should be submitted to EASA at least 30 days before the intended starting date of operation.

2.2 The safety authorisation issued by EASA is one prerequisite in the process of obtaining an operating permit, or equivalent document, from the respective EU Member State under existing Air Service Agreements between EU Member States and third countries.

2.3 Non-scheduled flights - one-off notifications. A third country operator may perform air ambulance flights or a non-scheduled flight or a series of non-scheduled flights to overcome an unforeseen, immediate and urgent operational need without first obtaining an authorisation, provided that the operator:

- notifies EASA in a form and manner established by EASA prior to the intended date of the first flight;
- is not being subject to an operating ban pursuant to Regulation (EC) No 2111/2005; and
- submits to EASA an application for TCO authorisation within 10 working days after the date of the notification.

2.4 The flights specified in the notification may be performed for a maximum period of six consecutive weeks after the date of notification or until EASA has communicated the formal decision on the application for a TCO authorisation, whichever occurs first. One-off notifications may be filed only once every 24 months by an operator.

For more information please visit the EASA website <http://easa.europa.eu/TCO>.

3 SCHEDULED AIR SERVICES

3.1 Procedures

3.1.1 No special permission shall be required for a foreign civil aircraft operating scheduled transit flights without landing or with stops in the territory of the Republic of Lithuania for non-traffic purposes, provided the aircraft is registered in the Member State of the ICAO that requires no such permission in respect of the same flights performed by the aircraft of the Republic of Lithuania.

3.1.2 In all other cases authorization of Lithuanian Transport Safety Administration (LTSA) shall be obtained.

3.1.3 Authorizations for foreign air carriers to operate scheduled air services into/from the territory of the Republic of Lithuania shall be granted by LTSA in accordance with the terms determined in the bilateral air services agreements of the Republic of Lithuania. In case the international air services agreement has not been concluded between the Republic of Lithuania and the State of the air carrier, LTSA may issue a provisional permit. The provisional permit may be refused or revoked, mutatis mutandis, in the cases laid down in Subparagraphs [4.1.11 b\)](#) – [4.1.11 e\)](#).

3.1.4 Prior to the beginning of operation of scheduled air services, the foreign air carriers designated in accordance with the procedure laid down in the bilateral agreement or holding a provisional permit shall submit to LTSA the following documents and information:

- a) a flight schedule;
- b) proposed tariffs and terms of application thereof;
- c) data about the types, capacity, nationality and registration marks of the aircraft to be used for operation of air services;
- d) certificates of insurance of civil liability, passengers, baggage and cargo;

3.1.5 LTSA may also require additional documents or information not specified in Paragraph [3.1.4](#).

3.1.6 For the purpose of operation of scheduled air services on a specific route, the air carriers of the Republic of Lithuania shall obtain operating authorizations from LTSA. For the purpose of obtaining from LTSA of the operating authorizations for operation of scheduled air services, the air carriers of the Republic of Lithuania shall submit the documents and information referred to in Subparagraphs [3.1.4 a\)](#)-[3.1.4 e\)](#) and Paragraph [3.1.5](#).

3.1.7 The air carriers engaged in scheduled air services shall submit their flight schedules to LTSA not later than 30 days prior to the beginning of the next season (beginning of the summer season - the last Sunday of March; beginning of the winter season - the last Sunday of October). The same requirement shall apply in respect of changes made to flight schedules.

3.1.8 Information on any foreseen deviation of a flight from the flight schedule, refusal to operate a flight, alteration to a route and any additional flights shall be submitted to LTSA not later than 3 days before the flight, and its permission to make changes thereto shall be received.

3.1.9 LTSA shall inform the air traffic service provider without delay of the issued authorizations or flight schedules filed by air carriers and changes thereto.

4 NON-SCHEDULED AIR SERVICES

4.1 Procedures

4.1.1 For a European Union air carrier conducting air services on intra-EU routes no flight permit is required (Resolution of the Government of the Republic of Lithuania No. 978 of 16 September 2015).

4.1.2 No special permission shall be required for a non-scheduled transit flight without landing on the territory of the Republic of Lithuania or with stops for non-traffic purposes, provided it is operated by the aircraft registered in the Member State of the ICAO that requires no such permission in respect of the same flights into its territory performed by the aircraft of the Republic of Lithuania.

4.1.3 For operation of commercial flights with landing on the territory of the Republic of Lithuania a permit of LTSA is required. The permit is valid only for the number of flights and time indicated therein and shall be not subject to extension.

4.1.4 Application for the grant of a flight permit shall be submitted by an operator actually engaged in an aircraft operation or by the authorized person.

4.1.5 A permit may be issued for:

- a) one flight;
- b) a series of up to 4 flights;
- c) a series of more than 4 flights.

4.1.6 A written application for the issue of a permit for flights referred to in Subparagraphs [4.1.5 a\)](#) and [4.1.5 b\)](#) shall be submitted to LTSA not later than 2 working days before the day of the flight and for the flights referred to in Subparagraph [4.1.5 c\)](#) - not later than 5 working days before the day of the flight.

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Working hours:

MON-THU 0430-1330 (0530-1430).

FRI 0430-1230 (0530-1330).

4.1.7 The application shall contain:

- a) air carrier's name, address, legal form, name of the person authorized, telephone and fax numbers;
- b) type, nationality and registration marks of an aircraft;
- c) flight number;
- d) charter type;
- e) number of passengers, amount of cargo and its description;
- f) flight charterer's name, address, legal form, name of the person authorized, telephone and fax numbers;
- g) whole route of the flight;
- h) full schedule of the flight.

4.1.8 LTSA may request additional information if necessary.

4.1.9 The application shall be written in Lithuanian or English.

4.1.10 A permit for the conduct of a non-scheduled commercial flight to the Republic of Lithuania may be issued to a foreign aircraft, provided the State in which the aircraft is registered allows the aircraft of the Republic of Lithuania to perform the same flights into its territory.

4.1.11 LTSA may establish certain conditions and limitations and refuse or revoke a permit for operation of a non-scheduled commercial flight, provided that:

- a) it may cause damage to the scheduled air services operated by the air carriers of the Republic of Lithuania;
- b) a flight between the Republic of Lithuania and a foreign State is carried out by the aircraft of that State or the third party;
- c) the State in which the aircraft is registered does not allow the aircraft of the Republic of Lithuania to perform the same flights;
- d) a permit does not contain all necessary data and information;
- e) a permit contains erroneous data.
- f) an air carrier has been included into the List of Air Carriers Subject to an Operating Ban within the Community, drawn up by the Commission in accordance with the provisions of Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ, 2005, L 344, p. 15);
- g) an air carrier persistently violates the rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights adopted in accordance with Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91;
- h) a non-European Union air carrier does not meet the conditions provided for in Regulation No 452/2014;
- i) an air carrier, intending to transport, on a non-scheduled basis, cargo and (or) mail into the Lithuanian airport from a third country airport, has not been designated as an ACC3 air carrier as envisaged by Regulation (EU) No 2015/1998 (Resolution of the Government of the Republic of Lithuania No 27 of 11 January 2017).

4.1.12 LTSA shall inform the air service provider and the Commander of Air Force or the authorized officer without delay of the issued permits and shall provide them with the information referred to in Paragraph [4.1.7](#).

4.1.13 In case there is reason to conclude that an aircraft engaged in non-scheduled air services is carrying prohibited cargo, such aircraft, on instruction from the officer authorized by the Minister of National Defence, may be refused entrance into the Republic of Lithuania or it may be landed for the purpose of examination. The officer authorized by the Minister of National Defence shall inform LTSA and the air service provider immediately thereof.

5 NON-COMMERCIAL FLIGHTS

For non-commercial flights of foreign civil aircraft operating to and from the Republic of Lithuania no permit is required.

6 FLIGHTS OF FOREIGN STATE AIRCRAFT

6.1 Procedures

6.1.1 Flights of foreign state aircraft into, from or over the territory of the Republic of Lithuania shall be operated by permit only (except for cases provided for in Paragraph [6.1.4](#)).

The procedure established for the issue of permits for the flights of foreign aircraft shall also apply to the flights of non-state aircraft carrying munitions of war or implements of war, except for flights that carry munitions of war or implements of war for the Republic of Lithuania or other States of NATO or the European Union.

6.1.2 Permits for the flights of foreign state aircraft shall be issued by the Ministry of Foreign Affairs on the recommendation of the Minister of National Defence or the authorized official of the national defence system. The Ministry of Foreign Affairs shall have the right to refuse permission.

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6.1.3 In case of extreme urgency, a permit for the flight shall be issued by the Minister of National Defence or the authorized official of the national defence system. He shall notify the Ministry of Foreign Affairs immediately of the permit issued.

6.1.4 Giving regard to the co-operation of the Lithuanian Armed Forces with the institutions of NATO and the Armed Forces of its States, the military aircraft of NATO and its States, at the decision of the Minister of National Defence, may operate flights within the airspace of the Republic of Lithuania to fulfil the functions of airspace surveillance, control and defence. No special permission is required for these flights.

When performing such flights, the military aircraft of NATO and its States shall have the right to use military and, if necessary, civil aerodromes and to react to the violations of the sovereignty of the Republic of Lithuania in the airspace following the procedure prescribed by the legal acts.

6.1.5 In accordance with the international agreements and other obligations of the Republic of Lithuania, foreign state aircraft may perform reconnaissance (inspection) flights as well as transit flights for reconnaissance (inspection) purposes.

6.1.6 The procedure and conditions for submission of the applications for the issue of permits for flights of foreign state aircraft to, from and over the territory of the Republic of Lithuania shall be established by the joint order of the Minister of National Defence and the Minister of Foreign Affairs.

6.1.7 The Ministry of Foreign Affairs shall immediately inform the air service provider of the permits issued in accordance with Paragraph [6.1.2](#) and the permits revoked in accordance with Paragraph [6.1.3](#).

The Minister of National Defence or the authorized official of the national defence system shall immediately notify the air service provider of the permits issued in accordance with Paragraph [6.1.3](#) and of the flights provided for in Paragraph [6.1.4](#).

7 DOCUMENTS REQUIRED FOR CLEARANCE OF AIRCRAFT

7.1 It is necessary that the under mentioned aircraft documents be submitted by airline operators for clearance on entry and departure of their aircraft to and from the Republic of Lithuania. All documents listed below must follow the ICAO standard format as set forth in the relevant Appendixes to Annex 9 and are acceptable when completed in English or Lithuanian in legible handwriting. No visas are required with such documents.

7.2 Aircraft documents required (arrival/departure)

Required by	General declaration	Passenger manifest	Cargo manifest
Custom Officer	1	1	1
Immigration Officer	1	1	1
Medical Officer	1	1	1

Note. If no passengers are embarking (disembarking) and no articles are laden (unladen), no aircraft document except copy of the General Declaration need be submitted to the above authorities.

8 FINAL PROVISIONS

8.1 Priority in the use of the airspace shall be given in accordance with the flight safety requirements of civil aviation.

8.2 For military operations of the Republic of Lithuania and other NATO and European Union states, and in wartime, priority in the use of the airspace shall be given to military aircraft.

8.3 The permits for flights issued in accordance with these Rules shall be valid for 4 hours before the expected departure time and 48 hours beyond. This provision shall also apply to the foreign state aircraft carrying very important persons (VIPs).

8.4 In cases where application for flights carrying very important persons (VIPs) has been received through diplomatic channels, permits for such flights shall be issued by the Ministry of Foreign Affairs in accordance with the requirements applied to state aircraft. The Ministry of Foreign Affairs shall inform the air traffic service provider without delay of the granted and revoked permits.

8.5 Communications between the crews and air traffic controllers shall be conducted in the Lithuanian or English language. The communications between the crews and air traffic controllers shall be conducted only in accordance with the rules established for the radio communication phraseology.

8.6 Aircraft may operate in the prohibited or restricted areas only upon receiving a permit issued in conformity with the procedure established by the Commander of the Armed Forces and keeping to the restrictions and conditions prescribed therein.

9 PUBLIC HEALTH MEASURES APPLIED TO AIRCRAFT

9.1 The arriving and departing aircraft to and from the Republic of Lithuania shall be checked by the officials of the Public Health Service.

9.2 Permission allowing the aircraft a free passage, is given over the radio before arrival or verbally upon arrival by the Public Health Service, or by a Public Health Service officer authorized to do so.

9.3 As regards aircraft engaged in scheduled and non scheduled air traffic the pilot in command will not be required to ask permission for free passage, unless the aircraft:

- 1) arrives from, or has made intermediate stops in an area which according to the announcement from the health authorities, is declared contaminated by such disease against which sanitary precautions have been taken to avoid contagious diseases, or
- 2) is registered in, arrives from, or has made inter-mediate stops in states which are not members of the World Health Organization (WHO).