

# REPUBLIK ÖSTERREICH

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**REPUBLIC OF AUSTRIA**

**AIP SUP** 011/13  
5 SEP

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This AIP SUP includes 5 pages and 3 appendices.

**EFFECTIVE DATE: 1 OCT 2013**

## GEN 1.2

### **NEW HANDLING OF PERMISSIONS TO OVERFLY/LAND ON AUSTRIAN TERRITORY WITH FOREIGN MILITARY AIRCRAFT OR MILITARY OPERATED AIRCRAFT**

#### **Introduction**

The Republic of Austria has amended the Austrian Aviation Act which will become effective as of October 1<sup>st</sup> 2013.

In accordance with the new legislation all applications for flight clearances have to be forwarded to the Austrian Ministry of Defence and Sports for authorization. The application should be submitted through diplomatic channels.

As a result of the amendment of the Austrian Aviation Act a number of revisions have been made. New procedures will be implemented as of October 1<sup>st</sup> 2013, at which time all new requests for overflights and landing will be required to observe the new procedures as per particulars stated below.

The application requirements for the sojourn of foreign ground troops in Austria remain unaltered.

#### **1. Applicability:**

These regulations are applicable to all military and military operated aircraft when requesting to

- transit Austrian airspace,
- operate within the territorial airspace of Austria or
- land at an Austrian civil or military Aerodrome.

Foreign embassies in Austria shall forward **requests** concerning overflight of Austrian airspace or landing on Austrian territory **via facsimile or e-mail either in German or in English.**

**The Austrian Ministry of Defence and Sports is the primary point of contact for all overflight requests.**

**Attached please find an address list of the relevant Austrian authorities.**

#### **2. Definitions:**

Every military or military operated flight wishing to overfly, operate in or land on Austrian territory requires permission prior to entering Austrian airspace. The following are definitions of the two key overflight request types.

##### **Military Flight:**

A flight by an aircraft registered with its state's armed forces.

##### **Military operated Flight:**

A flight by an aircraft recorded in a civilian register but flying under the authorization of foreign state's armed forces, or fulfilling a military purpose.

### 3. Submission:

All applications must be submitted in writing with the **Form OR1 and Annex A/B** when applicable. The requesting state's reference number has to be stated in Form OR1. The latest version of this form will be provided through <http://www.bmlv.gv.at/formular/index.shtml> .

Requests should be forwarded to the Austrian Ministry of Defence and Sports **no later than 5 working days** prior to overflight/landing.

With flights transporting **dangerous goods** the requests should be forwarded **no later than 10 working days** prior to overflight/landing.

Requests submitted to the Austrian authorities later than the 5-working-day notification will be reviewed at the earliest convenience. For such requests, Austria cannot guarantee that an official response will be sent to the requesting state before the aircraft's scheduled flight commences.

**If no advance notification for a requested overflight/landing is provided, entry into Austrian airspace by the aircraft may be denied.**

Once authorization is granted, a **specific Diplomatic Clearance Number (LODCNXXXXXX)** will be issued for the flight/s concerned. The DCN (Diplomatic Clearance Number) has to be included in item 18 of the ICAO flight plan not separated by space characters. This DCN should also be used for any subsequent requests pertaining to the flight/s granted.

**Military Flight Plans** and associated update messages should also be filed at least 24 hours prior to activation of the flight plan to the **Aeronautical Fixed Telecommunication Network address LOXBDCNR** for pre-flight information.

#### 3.1 Validity:

The validity of the clearance granted will **cover a period of 3 days before and after the expected date of arrival** of the aircraft as stated in the Mission's note. In case flights are not to be executed during this period a renewal of the application is required.

#### 3.2 Alterations:

Once the authorization has been granted the requesting state may be required to send an amendment to the approved overflight request as a result of unanticipated alterations

- to the flight plan or
- date of arrival

because of inclement weather, mechanical difficulties or operational problems. In such instances, the Austrian authorities require a **48-hour notification** (excluding Saturdays, Sundays and holidays) prior to any change in flight plans.

#### 3.3 Emergency Requests:

In exceptional operational circumstances, such as

- urgent medical evacuations,
- humanitarian and disaster relief missions and
- search and rescue operations

the request should be forwarded **no later than 24 hours** prior to overflight/landing.

If a state cannot submit a request within normal business hours, due to **urgent or emergency situations**, the state's embassy must contact the **Joint Forces Command/Duty Officer Air** in advance. Contact details for the Duty Officer Air are provided at the end of this document. The Duty Officer will provide assistance to the requesting state by contacting the appropriate authorities for permitting emergency/after-hour requests.

#### 3.4 Other Important Information:

The approval of the application, however, does not exempt the requesting operator from filing the appropriate ICAO flight plan in accordance with the requirements as specified in the Austrian Aeronautical Information Publication (AIP).

The flight has to be carried out in compliance with all national rules, international agreements, ICAO rules and restrictions described in the AIP AUSTRIA, ATC regulations, NOTAM or other special requirements.

#### 4. **Dangerous Goods:**

All details of dangerous cargo should be indicated in Annex A and submitted with the completed overflight request Form OR1 to the Austrian Ministry of Defence and Sports for approval. No live ammunition or other dangerous goods are to be carried into Austria without prior clearance.

The transport of dangerous goods is only permitted in accordance with the provisions of the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air or the International Air Transportation Association – Dangerous Goods Regulation (IATA-DGR).

All transports of hazardous materials which deviate from the provisions of the ICAO/IATA regulations require further assessment. Note that a minimum of 10 working days for processing is required. Applications which do not adhere to this term of timely approval can not be guaranteed.

#### 5. **War Material:**

All aircraft transporting weapons of war require previous authorization for the shipment either by the Austrian Ministry of Defence and Sports or by the Federal Ministry of the Interior.

##### 5.1 **Prohibitions and Restrictions:**

**Weapons of Mass Destruction:** The import, export or transit as well as the sale, brokering and possession of nuclear, biological or chemical weapons of mass destruction is generally prohibited and punishable as a criminal offence according to Austrian national law.

**Other weapons:** The import, export or transit as well as the sale, brokering and possession of anti-personnel-mines and anti-detection mechanisms, blinding laser weapons and cluster munitions as defined in the cluster munitions convention is prohibited and punishable as a criminal offence, subject to the following exceptions:

- Import, possession and storage of anti-personnel mines for their immediate destruction.
- Import, export or transit as well as the sale, brokering and possession of laser systems, including laser systems used against optical equipment, whose legitimate military employment may result in blinding as an incidental or collateral effect.
- Import, export and transit, possession and storage of cluster munitions as defined in the cluster munitions convention for their immediate destruction.

##### 5.2 **Military Flights:**

The aircraft operator is required to provide detailed information about **type and quantity** of the weapons to be shipped in Form OR1 or on a separate sheet attached to Form OR1. The attachment should be indicated in the field "Description of Cargo". The completed overflight request form has to be sent to the Austrian Ministry of Defence and Sports for approval.

##### 5.3 **Military Operated Flights:**

All military operated flights **not carrying military personnel** wishing to overfly, land or operate in Austrian territory, shipping **military technology and equipment according to the Austrian Regulation on war Material** must submit a request to the **Austrian Federal Ministry of the Interior** for special permit. For approval the completed Form Annex B has to be transmitted by e-mail **no later than 40 working days** prior to overflight/landing to the address mentioned at the head of Form Annex B.

The overflight/landing request can only be permitted by the Austrian Ministry of Defence and Sports after the transport of weapons has been granted by the Austrian Federal Ministry of the Interior or will otherwise be denied.

#### 6. **Armament and Reconnaissance Equipment:**

Photographic imagery or electronic surveillance equipment must not to be carried without prior approval. Military aircraft which carry armament in fixed installations are required to submit a request for special permission by the Austrian Ministry of Defence and Sports.

**During the sojourn in Austrian airspace or on Austrian territory, any type of Intelligence, Surveillance, Target Acquisition, Reconnaissance equipment (ISTAR) and/or Electronic Warfare (EW) equipment as well as Defensive Aids Sub Systems have to be rendered inoperative.**

If a foreign state wishes to fly or operate armed aircraft (e.g. fully functional combat aircraft, bombers) or aircraft equipped with reconnaissance or electronic countermeasure equipment in Austrian airspace not rendered inoperative, the state will make the request using the provided Form OR1, providing necessary and relevant

information where applicable.

**7. Tanker Operations:**

Aerial refueling in Austrian airspace is not permitted.

**8. Military Formation Flights:**

Foreign military formation flights under instrument flight rules (IFR) conducting flights within FIR WIEN shall be in accordance with national regulations and permissions, in particular:

- a standard military GAT formation operating under IFR shall consist in general of MAX 4 aircraft;
- the formation shall operate as a single aircraft with regard to navigation and position reporting;
- the formation leader shall ensure that the formation is not exceeding 1 KM (0.5 NM) laterally and longitudinally and 30 M (100 FT) vertically;
- all aircraft of the formation shall be VHF and transponder equipped;
- unless differently instructed, only the lead aircraft shall squawk as directed by ATC.

Deviation from this regulation, e.g. additional limitations and/or requirements, must be stated in the permission for over flight of or landing on Austrian territory.

**9. Aerodrome for Landings:**

For landing and departure the use of either **civil or military aerodromes is mandatory.**

**10. Military Aerodromes:**

**Prior permission is required** before landing at military aerodromes in Austria. A prior permission request shall be submitted **no later than 5 working days** in advance to the execution of the flight. The request for landing permission is to be forwarded through the **Aeronautical Fixed Telecommunication Network (AFTN).**

Operational coordination for landing requests (e.g. special handling requirements, refueling) is not activated by submission or approval of the Overflight Request Form. Direct coordination with the appropriate military aerodrome ARO (Air Traffic Services Reporting Office) must still be arranged by the requesting state.

If a flight is cancelled for any reason, ARO is to be notified by AFTN message as soon as possible. **The landing/departure of foreign military or military operated aircraft outside the operational hours of the military aerodrome cannot be granted without payment.**

**11. Off-field Landing and Departure:**

In exceptional cases off-field landings of military aircraft or military operated aircraft can be approved. Off-field landings require an explicit permission by the landowner and the responsible provincial governor. If an aircraft operator wishes to perform an off-field landing the state's embassy must contact the Austrian Ministry of Defence and Sports **no later than 20 working days** prior to the execution of the flight.

## LIST of ADDRESSES

### **POC for all overflight/landing requests:**

#### **Austrian Ministry of Defence and Sports**

Attaché and Protocol Division

Rossauer Lände 1

1090 VIENNA

Tel.: +43 (0)50 201-10-25312

Fax: +43 (0)50 201-10-17041

e-mail: [overflight.permit@bmlvs.gv.at](mailto:overflight.permit@bmlvs.gv.at)

#### **Austrian Ministry of Defence and Sports**

Military Aviation Division

Rossauer Lände 1

1090 VIENNA

Tel.: +43 (0)50 201-10-24308, 24309

Fax: +43 (0)50 201-10-17041

e-mail: [overflight.permit@bmlvs.gv.at](mailto:overflight.permit@bmlvs.gv.at)

### **POC for emergency overflight/landing requests that may occur outside of business hours:**

#### **Joint Forces Command/Duty Officer Air**

Schwarzenberg Barracks

5071 WALD-SIEZENHEIM

Tel.: +43 (0)50 201-80-23015

Fax: +43 (0)50 201-80-17051

e-mail: [skfuekdo.dhoopz@bmlvs.gv.at](mailto:skfuekdo.dhoopz@bmlvs.gv.at)

### **POC for managing foreign state requests for military operated flights (per point above 5.3)**

#### **Austrian Federal Ministry of the Interior**

Directorate General III

Department III/3

Tel.: +43 (0)1-53 126-3623

Fax: +43 (0)1-53 126-3760

e-mail: [bmi-iii-3@bmi.gv.at](mailto:bmi-iii-3@bmi.gv.at)

3 Appendices:

- Request for Overflight / Landing Clearance AUSTRIA OR1
- DANGEROUS GOODS DETAILS OR1-Annex A
- OR1-Annex B

## Request for Overflight / Landing Clearance AUSTRIA

DC NUMBER:  
REQUEST NUMBER:

CHANGE TO DCN:  
CHANGE TO REQUEST:

### SECTION A: AIRCRAFT INFORMATION

NATIONALITY:	NUMBER AND TYPE OF AIRCRAFT: (ICAO aircraft designator should be added)
OWNER: (ICAO three-letter designator should be added)	RADIO CALLSIGN:

### SECTION B: FLIGHT DETAILS

FLIGHT RULES	IFR <input type="checkbox"/> VFR <input type="checkbox"/>
DATE OF FLIGHT	DATE OF RETURN FLIGHT
AIRPORT OF DEPARTURE (ICAO aerodrome designator should be added)	AIRPORT OF DEPARTURE (ICAO aerodrome designator should be added)
ETD (UTC)	ETD (UTC)
ENTRY POINT AUSTRIA	ENTRY POINT AUSTRIA
ETO (UTC)	ETO (UTC)
EXIT POINT AUSTRIA	EXIT POINT AUSTRIA
ETO (UTC)	ETO (UTC)
AIRPORT OF DESTINATION (ICAO aerodrome designator should be added)	AIRPORT OF DESTINATION (ICAO aerodrome designator should be added)
ETA (UTC)	ETA (UTC)
PURPOSE OF FLIGHT	

### SECTION C: EQUIPMENT AND CARGO

Fixed armaments, optical, reconnaissance or electronic warfare equipment	
DESCRIPTION OF CARGO (explicit indication of whether or not the A/C transports any dangerous goods or weapons; for the declaration of dangerous goods use Annex A)	

### SECTION D: CREW

NAME OF PILOT IN COMMAND AND NUMBER OF CREW MEMBERS		MILITARY <input type="checkbox"/>	CIVIL <input type="checkbox"/>
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### SECTION E: PASSENGERS

NUMBER OF PASSENGERS (VIP title/rank and name)		MILITARY <input type="checkbox"/>	CIVIL <input type="checkbox"/>
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**OR1-Annex B**

<b>Applicant (name, address, telephone number, fax number, E-Mail):</b>		<b>Date:</b>	
		Ref.No.	
<b>To</b> Federal Ministry of the Interior P.O.B 100 1014 V I E N N A fax: +43 1 53126 3760 e-mail bmi-iii-3@bmi.gv.at		<b>Request for authorisation:</b> <input type="checkbox"/> Import <input type="checkbox"/> Export <input type="checkbox"/> Transit <input type="checkbox"/> Import and Reexport <input type="checkbox"/> Export and Reimport of war material, KMG, BGBl.Nr. 540/1977.	
<b>1.</b>	<b>Specification of the goods (war material):</b> (quantity, exact description of the goods / type)	<b>Qty.</b>	<b>description, type</b>
			<b>ML-No.</b>
<b>2.</b>	<b>Value of the goods in €</b>		
<b>3.</b>	<b>Exporter:</b> (name and address)		
	<b>Country:</b>		
<b>4.</b>	<b>Importer:</b> (name and address)		
	<b>Country:</b>		
<b>5.</b>	<b>Enduser:</b> (name and address)		
	<b>Country:</b>		
<b>6.</b>	<b>Intended use:</b>		
<b>7.</b>	<b>Transported by:</b>	<input type="checkbox"/> car <input type="checkbox"/> train <input type="checkbox"/> aircraft <input type="checkbox"/> ship	
<b>8.</b>	<b>Border crossing:</b>	<b>Entry into Austria:</b>	
		<b>Departure from Austria:</b>	
<b>9.</b>	<b>Date of the transport:</b>		
<b>10.</b>	<b>Endusercertificate (EUC):</b> <input type="checkbox"/> <b>yes</b> / <input type="checkbox"/> <b>no</b> <b>Import License:</b> <input type="checkbox"/> <b>yes</b> / <input type="checkbox"/> <b>no</b> <b>Import Certificate:</b> <input type="checkbox"/> <b>yes</b> / <input type="checkbox"/> <b>no</b>		
<b>11.</b>	It is taken for knowledge that extensive restrictions apply for the import, export and transit as well as brokering of anti-personnel mines (APM), anti-detection mechanisms for APM, cluster munitions and blinding laser weapons. It is confirmed that in Section 1 no such war material is contained. <input type="checkbox"/> <b>yes</b> / <input type="checkbox"/> <b>no</b> If <b>no</b> , the purpose of the import/export/transit is <input type="text"/>		
<b>12.</b>	<b>Further remarks:</b>	<input type="checkbox"/> <b>yes</b> - (following page)	

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Signature of the applicant