

Unofficial Translation

Law No. 87 of 30 October 1992 (published on 27 November 1992)

**REPUBLIC OF SAN MARINO**

**CIVIL AVIATION LAW**

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

*Promulgate and order the publication of this Law approved by the Great and General Council during its sitting of 30 October 1992.*

**Art. 1**

In this Law, “aircraft” means any machine used or designed for air navigation but does not include those machines designed to derive support in the atmosphere from reactions against the earth’s surface of air expelled from the machine;

“airport” means any area of land or water designed and equipped for the landing or take-off of aircraft.

The provisions adopted by the International Civil Aviation Organisation (I.C.A.O.) shall apply to any technical definition not specified in this Law.

**Art. 2**

Civil aviation regulation shall be based on the general principles of San Marino legal system and of international law.

**Art. 3**

Subsequent regulations shall govern the following subjects:

- a) registration and identification of civil aircraft;
- b) airworthiness of civil aircraft;
- c) features of airports and of landing and take-off runways;
- d) air operator licences;
- e) rules of the air and air traffic control procedures;
- f) flight and airport safety.

The above mentioned subjects shall be regulated in accordance with the provisions of the Chicago Convention of 7 December 1944 and Annexes thereto. Any adjustments or changes shall be proposed by the Commission referred to in Art. 4.

#### **Art. 4**

The Commission for Civil Aviation is hereby established and is composed of:

- a) the Minister of Communications and Transport, acting as Chair of the Commission;
- b) a representative of the Ministry of Foreign Affairs;
- c) a representative of the Ministry of the Interior;
- d) a representative of the Ministry of Finance;
- e) a representative of the Aeroclub San Marino;
- f) two experts appointed by the Great and General Council;
- g) a representative of the San Marino Aeronautical Federation.

The Chair may delegate a representative on his/her behalf and request other public officials or experts to be part of the Commission, with advisory vote.

#### **Art. 5**

A specific office for civil aviation shall be established by a subsequent law.

This office shall be responsible for supervising the implementation of civil aviation laws and in particular compliance with air navigation safety regulations. Moreover, it shall enforce and monitor compliance with the provisions of the Commission for Civil Aviation.

#### **Art. 6**

It shall be the duty of the Commission for Civil Aviation:

- a) to supervise all activities connected with civil aviation;
- b) to prepare the draft regulations provided for in this Law, as well as those necessary for the development and control of aviation activities;
- c) to promote projects, studies and technical research aimed at developing civil aviation in the Republic of San Marino;
- d) to supervise the construction and maintenance of plants, buildings, facilities and services necessary for the performing and safety of air navigation;
- e) to co-operate with aviation authorities of other countries and with international bodies for any purpose pertaining to civil aviation;

f) to submit proposals on tariffs and duties/taxes related to air navigation and the relevant services.

Moreover, it shall be the duty of the Commission:

a) to issue administrative circulars containing indications and instructions on the enforcement of this Law and subsequent regulations pertaining to civil aviation;

b) to propose the issuing of ordinances to guarantee the safety, efficiency and regularity of air navigation;

c) to co-operate with the Ministry of Territory and Environment for the arrangement and use of the areas adjacent to airport facilities.

#### **Art. 8**

Any violation of civil aviation laws perpetrated on the territory and in the air space of the State, as well as any violation perpetrated on any aircraft registered in the Republic shall be subject to San Marino jurisdiction, without prejudice to the exemptions set forth in international conventions.

#### **Art. 9**

Any offence or administrative violation, and the relevant applicable punishments or administrative sanctions, shall be established by law.

#### **Art. 10**

This Law shall enter into force on the 15th day following that of its legal publication.

*Done at Our Residence, on 25 November 1992*

**THE CAPTAINS REGENT**  
*Romeo Morri – Marino Zanotti*

**THE MINISTER OF THE INTERIOR**  
*Antonio Lazzaro Volpinari*