GEN 1.2 ENTRY, TRANSIT AND DEPARTURE OF AIRCRAFT

1. General

Civil ACFT registered in a member State of ICAO do not need prior permission to overfly Swiss territory or to land at Swiss APs for non-commercial purposes (article 5 of the Convention on International Civil Aviation done at Chicago on 07 DEC 1944).

Entry, transit, DEP and LDGs shall be performed in accordance with the civil aviation legislation of Switzerland (details given in Section GEN 1.6.1.).

ACFT flying into or departing from Swiss territory shall make their first LDG at, or final DEP from, an international AD/heliport REF: AD 2.3. OPERATIONAL HOURS

Private ACFT may also DEP from a limited number of other ADs REF: VFR Manual, VFR AGA 0, § 2.

The competent customs office will decide on the appropriate clearance procedure.

1.1 Third party insurance for ACFT using Swiss airspace

Third-party liability on the ground is to be ensured for each occurrence of damage (material damage and bodily injury) to at least the following:
for ACFT with a MTOM:

						minimum amount of liability (in millions of special drawing rights (SDR))
a.	from	0	to	499	kg	0,75
b.	from	500	to	999	kg	1,5
c.	from	1 000	to	2 699	kg	3
d.	from	2 700	to	5 999	kg	7
e.	from	6 000	to	11 999	kg	18
f.	from	12 000	to	24 999	kg	80
g.	from	25 000	to	49 999	kg	150
h.	from	50 000	to	199 999	kg	300
i.	from	200 000	to	499 999	kg	500
j.	over 500 000 kg					700
k.	parachutes, hang-gliders, kites, captive balloons					1 000 000.-- CHF

(REF: SR 748.01: art. 125, 132a; SR 748.941.)

Third-party liability for passengers is to be ensured at an amount of 250 000 special drawing rights (SDR) per passenger. On non-commercial FLTs with ACFT with a MTOM of 2 700 kg, the amount can be lower, but leastwise 100 000 SDR per passenger. On non-commercial FLTs without passengers, third-party insurance for passengers is not mandatory.

SDR, as defined by the international monetary fund. For more info:
URL: http://www.imf.org/external/np/exr/facts/sdr.HTM

2. Scheduled flights

2.1 General

Scheduled FLTs may only be performed by an airline holding a concession issued by the Federal Department of Environment, Transport, Energy and Communications (DETEC) or by an airline which, on the basis of a bilateral agreement between Switzerland and the country which is the principle place of business of the airline, has been granted and is in possession of an AUTH to operate scheduled FLTs.

2.2 Security plan

Every air transport company flying to and from Switzerland is required to submit a security plan to FOCA for APV or to submit the APV of such a plan by the competent authority of the country in which it has its principle place of business.

2.3 Required clearance documents

Documents to be carried on board of ACFT engaged in scheduled air services are listed in GEN 1.2.6.
These documents must be produced in the original.
The operator is obliged to file with the AP administration all information required for the establishment of the air traffic statistics.

2.4 Public health

Switzerland does not exercise any health control. If necessary, special measures will be taken. The International Health Regulations 2005 (IHR 2005), adopted by the World Health Assembly on 23 MAY 2005, in force since 15 JUN 2007, are applicable. Switzerland has officially designated the airports of Zurich (LSZH) and Genève (LSGG) according to the requirements of the IHR 2005.

3. Non-scheduled flights

3.1 General

All commercial FLTs which are not carried out for the transportation of passengers and goods on scheduled air services are considered to be non-scheduled FLTs.
In its order on the delimitation between scheduled services and other kinds of commercial air transport, in force since 01SEP 1993, DETEC defines non-scheduled FLTs as follows:

Art. 1 Publicity, accessibility and free availability in the field of passenger transportation

1. In the field of passenger transportation, the series of FLTs covered in article 101, § 3 lit c of the air navigation regulation shall not be considered to be scheduled services, provided that all of the following conditions are met:
   a. The FLTs are performed under charter contracts;
   b. Each charterer who contracts at least 10 passengers seats for a given DEST; this restriction does not apply, if the total capacity of the ACFT or the remaining capacity amounts to less than 10 seats;
   c. Prior to DEP, each passenger has a firm booking with the same charterer, both for the out- and INBD leg of the journey, while the INBD leg need not commence at the same point where the outbound leg ended; exceptionally, the date of the return FLT may be altered after DEP; the out- and INBD leg of the journey may be performed by different air carriers; one-way transportation is permitted in accordance with article 4, § 2;
   d. The passengers belong to one of the charter categories referred to in articles 2 to 5.
2. FOCA (Office) may grant permission to an air carrier to transport passengers who meet the conditions set forth in § 1 and 2 provided that:
   a. this does not constitute an infringement of an international agreement; and
   b. less than half of the seats booked on the scheduled FLT are occupied by such passengers.
3. In exceptional circumstances the transportation of passengers is permitted free of charge, as well as round trip transportation of passengers on FLTs with an unexpectedly AVBL seat capacity, provided the passenger's return FLT departs within 24 HR after ARR at the point of DEST. Such transportation must be reported to the Office within a week after its CMPL.

Art. 2 Inclusive tours (ITC)

1. Inclusive tours include carriage and other arrangements inseparably linked with it; such arrangements shall constitute an essential part of the journey.
2. The associated arrangements provided at DEST to each participant shall include at least transfer and hotel accommodation or an equivalent arrangement; they must be certified as valid throughout the DUR of the tour.

Art. 3 Advanced booking charter groups (ABC)

1. Advanced booking charter groups are groups of participants who each have a firm booking on both the out- and INBD leg of a round trip FLT, and of whom the names, passport numbers or dates of birth as well as the date of the return FLT are notified to the Office by the air carrier or the charterer not later than 14 days prior to DEP.

Art. 4 Flights for migrant workers

1. FLTs for migrant workers are for the transportation of foreigners, who are able to provide evidence that they have worked for a Swiss employer for at least three months as well as of their next of kin. In principle, such transportation must take place to and from the country of the foreigner's citizenship.
2. One-way transportation of migrant workers, and their next of kin is only permitted if they take up an employment in Switzerland for the first time or terminate such an employment.

Art. 5 Persons under training

1. The following persons are deemed to be under training:
   a. Students aged 16 to 30 registered at a higher education institution;
   b. Persons aged 16 to 26 in full-time attendance at a school for a DUR of at least one year;
   c. Persons aged 16 to 26 undergoing recognised apprenticeship for a DUR of at least two years.
2. The above mentioned persons must be able to prove their status by means of a certificate delivered by the training establishment

Art. 6 Publicity, accessibility and free availability in the field of freight transportation

In the field of freight transportation, the series of FLTs covered in article 101, § 3, lit c of the air navigation regulation shall not be considered to be scheduled services, provided that all of the following conditions are met:

a. The FLTs are performed under charter contracts;
b. The FLTs are neither directly nor indirectly offered to the public;
c. Each FLT is used:
   1. by no more than four charterers for the transportation of own commodities or,
   2. in the case of small parcel services, exclusively for the transportation of consignments of which each item weighs no more than 60 kg.

The Office (FOCA) may restrict or refuse non-scheduled commercial FLTs of foreign air carriers if the reciprocity granted by the State of origin of the applicant is of no economic value to Swiss air carriers or if essential Swiss interests would be affected by the FLTs applied for.

3.2 Required clearance documents

Documents to be carried on board ACFT engaged in non-scheduled FLTs are listed in (GEN 1.2.6.). These documents must be produced in the original.
The operator is obliged to file with the AP administration all information required for the establishment of the air traffic statistics.

3.3 Public health

Switzerland does not exercise any health control. If necessary, special measures will be taken. The International Health Regulations 2005 (IHR 2005), adopted by the World Health Assembly on 23 MAY 2005, in force since 15 JUN 2007, are applicable. Switzerland has officially designated the airports of Zurich (LSZH) and Genève (LSGG) according to the requirements of the IHR 2005.

3.4 Requests for authorisation

For non-scheduled commercial FLTs a prior permission from the FOCA is required. This permission is not transferable and is only granted to carriers duly authorised by their State of origin to carry out international non-scheduled FLTs.
Certain non-scheduled FLTs operated by air carriers of States party to the Multilateral Agreement on Commercial Rights of Non-scheduled Air Services in Europe of 30 APR 1956 are not subject to prior permission.
Exceptions: for LDG and TKOF between 2100 and 0500 (2000 and 0400) a special permission from FOCA is required (AD 2.21 NOISE ABATEMENT PROCEDURES).
For all FLTs requiring a permission the following procedure must be OBS:

a. Single flights

Requests for single FLTs or not more than three FLTs must be submitted at least 72 HR before DEP to:

Email: trafficrights@bazl.admin.ch
Fax: +41 (0) 58 465 53 66
AFS: LSSOYAYX
SITA: BRNZLYA
Telex: 912601

b. Series of flights

Requests for series of more than three FLTs within three consecutive months must be submitted by using the application form(s), AVBL on:
URL: http://www.bazl.admin.ch/experten/flugverkehr/03284/03287/index.html?lang=en
Modifications or amendments to FLT programmes have to be submitted immediately for APV. Applications submitted by TX will not be processed. If an application form is submitted by telefax, the original must be sent simultaneously by mail or e-mail.

4. Private flights

4.1 General

Private FLTs of foreign civil ACFT to and from Switzerland are not subject to prior permission provided the ACFT is registered in a Member State of ICAO.

4.2 Required clearance documents

Documents to be carried on board of ACFT are listed in (GEN 1.2.6.). These documents must be produced in the original.

The operator is obliged to file with the AP administration all information required for the establishment of the air traffic statistics.

4.3 Public health

Switzerland does not exercise any health control. If necessary, special measures will be taken. The International Health Regulations 2005 (IHR 2005), adopted by the World Health Assembly on 23 MAY 2005, in force since 15 JUN 2007, are applicable. Switzerland has officially designated the airports of Zurich (LSZH) and Genève (LSGG) according to the requirements of the IHR 2005.

5. Flights operated for missions on behalf of State, military, customs and police

5.1 General information

Pursuant to the Convention on International Civil Aviation done at Chicago on 07 DEC 1944, and in application of article 4 of the Ordinance on the Safeguarding of the Sovereignty of Swiss Airspace (SR 748.111.1), non-Swiss State FLTs within the territory of Switzerland and the Principality of Liechtenstein require a Swiss Diplomatic Clearance, issued by the Federal Office of Civil Aviation (FOCA).

5.2 State flights

State FLTs are FLTs operated for missions for State, MIL, Customs and Police interests.

This includes, in particular:

a. Missions:
- FLTs on State affairs
- Transport of heads of State and senior dignitaries travelling on State business
- Current Police and Customs operations
- MIL FLTs

b. ACFT if used in missions as per a):
- State ACFT
- All ACFT (including leased or rented)
- MIL ACFT (in use by the State and MIL)
- Police and Customs ACFT

The following are excluded:
- ACFT not being used as part of a relevant mission (see Section 5.2 a), including State, Police and Customs ACFT
- Routine patrol FLTs by State, Police and Customs ACFT
- Relocation of ACFT for MAINT reasons (excluding MIL ACFT)
- MIL ACFT operated by a non-MIL support or manufacturing service

5.3 Restrictions

By agreement with Switzerland's Federal Department of Foreign Affairs (FDFA) and the Department of Defence, Civil Protection and Sport (DDPS), FOCA grants AUTHs only with due consideration of Switzerland's policy of neutrality and the safeguarding of the sovereignty of Swiss airspace.

Consequently, FLTs that breach the rules of international law and FLTs used for the direct preparation and/or the assistance of hostilities may not be carried out within the airspace of the Swiss Confederation and the Principality of Liechtenstein, and are not authorised.

The operations of the Organisation for Security and Co-operation in Europe (OSCE), Organisation for the Prohibition of Chemical Weapons (OPCW) and the United Nations (UN) which are supported by the State of Switzerland.

5.4 Authorisations (Diplomatic Clearances)

Through its FOCA, Switzerland grants single AUTHs and long-term AUTHs. These AUTHs grant the right to carry out State FLTs within the territory of the Swiss Confederation, and by agreement with the Principality of Liechtenstein they also grant overflight rights within the Principality's airspace, in accordance with the standards agreed each year with the Office for Commerce and Transport of the Principality of Liechtenstein.

5.4.1 Single authorisations

A request for a single AUTH must be submitted to FOCA using the 'DC application form'. Single AUTHs are valid for the specific FLT in each case, and lapse once the authorised term has expired. (Section 5.4.1.2)

5.4.1.1 Application formalities

The diplomatic representation in Switzerland of the State making the application is responsible for submitting the request to FOCA.

FOCA contact:
Post: Federal Office of Civil Aviation
Headquarters: Mühlestrasse 2
CH-3003 Berne
Phone: +41 (0) 58 465 91 77
Fax: +41 (0) 58 465 80 60
Email: diplomatic.clearances@bazl.admin.ch
URL: http://www.bazl.admin.ch - Diplomatic Clearances

The FOCA liaison office for Diplomatic Clearances is staffed during normal office HR. Outside these HR, TEL enquiries will automatically be forwarded to the Air Force duty office. Please note, that the duty office only deals with enquiries, which cannot be processed during normal office HR.

A request for a single AUTH must be submitted to FOCA at least five working days before the State FLT is due to take place, and applications for State FLTs for the 'transport of dangerous goods'[1] must be submitted to FOCA not later than eight working days before the State FLT is due to take place.

Exemption to the five working day advance notification rule may be made for the following circumstances:

- Exceptional Urgency FLTs:
  Urgent medical evacuation, humanitarian and disaster assistance and SAR operations.
  Additional information required: - medical urgency
  - name of the hospital
- Short-Notice Official Business VIP FLTs:
  Additional information required: - name of VIP
  - location of the official business

Where an application is filed late, FOCA cannot guarantee the timely issuance of an AUTH.

Applications must be submitted to FOCA using the 'DC application form' and must contain the following:

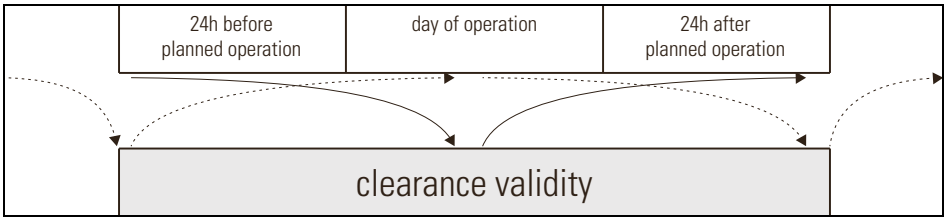
- Requesting State
- Specific type and model of ACFT
- Tail number or registration number
- Call sign. MAX seven (7) characters
- Point(s) of DEP and DEST. Name of the APs and ICAO four letter codes.
- FLT route and time (UTC)
- Date of FLT (UTC / ddmmyyyy)
- Purpose of FLT, remarks (include name and position of VIP if any, the name of the conference, the name of MIL EXER, etc)
- Date and signature

1. Dangerous goods in terms of the ICAO standards (International Civil Aviation Organisation, ICAO Annex 18, Technical Instructions), as well as the Dangerous Goods Regulations (http://www.iata.org/ps/publications/9065.htm) of the International Air Transport Association (IATA)

5.4.1.2 Validity

Single AUTHs are valid for the specific FLT in each case, and lapse once the authorised term has expired.

Unless stipulated otherwise by FOCA at the time of granting the AUTH, single AUTHs are valid on the day preceding and the day following the day specified for the State FLT to take place.



State FLTs are permitted at Swiss APs only during the OPN HR for private traffic; these are published in the Swiss AIP. Applications for FLTs taking place outside these OPN times must provide details of appropriate grounds for this. In these cases, the compulsory latest LDG or DEP time is specified in the AUTH.

Where there is good reason to do so, FOCA will also grant AUTHs with a longer period of validity, upon application.

5.4.2 Long-term authorisation

Long-term AUTHs are valid only for overflights within Swiss territory and the territory of the Principality of Liechtenstein, and for FLTs to which the restrictions under Section 5.4.2.1 do not apply.

Applications for a long-term AUTH must be submitted to FOCA by the end of OCT of the preceding year, and contain an ACFT list[1] containing all ACFT intending to be used for State FLTs under the AUTH. In the list, the exact ACFT model name including the ICAO type ID, special equipment, REG marks and associated radio call signs must be specified.

Switzerland normally grants such long-term AUTHs through FOCA in accordance with the principle of reciprocity.

5.4.2.1 Restrictions

The following FLTs may not be carried out under the AUTH. A request for a separate, single AUTH must be submitted ('DC application form'):

- FLTs operating below FL 100 (FL100/*10000ft/AMSL*)
- FLTs from or to an AP on Swiss territory
- FLTs not on published ATS routes
- FLTs operating in part or entirely under VFR
- FLTs transporting dangerous goods[2]
- FLTs with ACFT equipped with reconnaissance devices
- Reconnaissance FLTs
- FLTs with combat FLTs
- FLTs to perform MIL EXER and FLT displays
- FLTs with armed ACFT
- FLTs transporting armed troops, munitions and MIL equipment in terms of the Federal Law on Military Equipment of 13 DEC 1996 (SR 514.51) and the corresponding Ordinance of 25 FEB 1998 (SR 514.511).

5.4.2.2 Flight Notification

Overflights in accordance with long-term AUTHs by the organisations: OSCE, OPCW and UN shall submit a FLT notification to FOCA no later than one day in advance of the FLT and include the following information:

- Responsible organisation
- Mission (if known)
- TYP (incl. ICAO Code)
- REG number
- AP of DEP and DEST

1. Relevant forms can be obtained from FOCA
2. Dangerous goods in terms of the ICAO standards (International Civil Aviation Organisation, ICAO Annex 18, Technical Instructions), as well as the Dangerous Goods Regulations (http://www.iata.org/ps/publications/9065.htm) of the International Air Transport Association (IATA)

5.4.2.3 Validity

FOCA grants long-term AUTHs for a period of one year and these can, upon receipt of a request, be renewed for a further year.

Long-term AUTHs may, when justified, be withdrawn or AMD at any time.

5.5 General conditions and traffic rules

5.5.1 Traffic rules

State FLTs carried out in the territory of the Swiss Confederation and the Principality of Liechtenstein are subject to the legal provisions set out in the air traffic publications of Switzerland and the Principality of Liechtenstein. Any additional requirements contained in the AUTH granted must be strictly adhered to.

Under the international rules and standards of the ICAO, FLTs must be operated in accordance with the instructions of ATC.

The provisions, guidelines and regulations governing the use of MIL infrastructure such as airfields, procedures or airspace stipulated in MIL aviation publications must be adhered to. The MIL aviation publications can be obtained from the Air Operations Center (AOC), Dübendorf.

AOC contact:
Post: **Swiss Air Force, Air Operations Center**
Flugsicherungsstrasse 1
8602 Wangen bei Dübendorf
Phone: +41 (0) 44 823 30 00
Email: AOC@vtg.admin.ch

5.5.2 Flights within the territory of the Principality of Liechtenstein

Pursuant to the following provisions, Diplomatic Clearances granted by FOCA of the State of Switzerland are also valid for FLTs within the territory of the Principality of Liechtenstein (hereinafter referred to as 'Liechtenstein').

The following FLTs are not included in the AUTHs (Diplomatic Clearances) granted by Switzerland's FOCA:
I. LDG of MIL and State ACFT within the territory of Liechtenstein;
II. Overflights below FL 120 (FL120/*12000ft/AMSL*) within the territory of Liechtenstein using MIL ACFT;
III. Overflights within the territory of Liechtenstein using MIL ACFT fitted with weapons, munitions or other MIL equipment, or
IV. Overflights within the territory of Liechtenstein using MIL ACFT and other ACFT used for the preparation or the assistance of hostilities.

For State FLTs pursuant to I., an additional Diplomatic Clearance (single AUTH) must be requested from the government of Liechtenstein, and for all State FLTs pursuant to II. to IV. a separate, single AUTH must be requested from FOCA in Switzerland.

Liechtenstein contact:
Post: **Amt für Handel und Transport**
Mr Wilfried Hauser, Departement Head
Austrasse 15
FL-9490 Vaduz
Phone: +423 236 69 04
Fax: +423 236 69 07
URL: http://www.aht.llv.li

5.5.3 Flights with aircraft not compliant with ICAO Annex 16

State FLTs within the territory of the Swiss Confederation and the Principality of Liechtenstein

- using ACFT not in possession of noise certification in accordance with the standards of ICAO Annex 16;
- using ACFT whose noise certification does not conform to the standards set out in Section 3 of Part 2 of Volume 1 of ICAO Annex 16;

are not permitted as a matter of principle. FOCA may, in exceptional circumstances, AUTH State FLTs using such ACFT for essential missions on important sovereign affairs, upon submission of a separate, single application.

Such special AUTHs for LDG at and DEP from Swiss APs are granted only for the following time blocks:

- MON to FRI from 0800 - 1800 (0700 - 1700)
- Generally, no FLTs are permitted on SAT, SUN and official public HOL.

5.5.4 Banned aircraft operating agencies by the European Union

State FLTs according to Chapter 2, with ACFT of ACFT operating agencies which are on the list of air carriers of which all operations are subject to a ban within the European Union (EU) are tolerated.

In that case the ICAO designators of the banned ACFT operating agency must not be used.

5.5.5 Flight plan

The crew of the ACFT must file an international flight plan in accordance with the guidelines of the AIP with the ATC services in Zurich or Genève at least one HR prior to entry of the ACFT into Swiss airspace.

The flight plan must contain the following information:

a. TYP
b. Code/REG mark
c. Radio call sign
d. Point of DEP and DEST
e. Exact FLT routing
f. Time of entry into Swiss airspace, and/or time of ARR at and DEP from a Swiss AP
g. Information on the crew
h. Date of the FLT
i. Purpose of the FLT (detailed information on passengers and/or cargo)
j. In field 18 of the flight plan ('Remarks' field):
    - the name of the organisation for FLTs in charge of the organisations: OSCE, OPCW and the UN.
    - AUTH number (Block Number) and/or country code.

5.5.6 Spot Checks

Swiss AUTHs may, on the basis of the Ordinance on the Safeguarding of the Sovereignty of Swiss Airspace (SR 748.111.1), carry out 'spot checks' on State FLTs.

6. ENTRY, TRANSIT AND DEPARTURE OF CIVIL AIRCRAFT ON INTERNATIONAL FLIGHTS

ON-BOARD DOCUMENTS Every aircraft shall carry:	COMMERCIAL FLIGHTS	PRIVATE FLIGHTS
a. Certificate of registration	X	X
b. Certificate of airworthiness	X	X
c. Airworthiness review certificate or the inspection confirmation	X	X
d. Third party liability insurance certificate for aircraft (in SDR)	X	X
e. Insurance certificate in respect of liability for passengers, if applicable (in SDR)	X	X
f. The scope of utilisation of the ACFT	X	X
g. Extract of the AOC, if applicable	X	--
h. The scope of utilisation of the ACFT in commercial operations, if applicable	X	--
i. Noise certificate, if applicable	X	X
k. Certificate for aerotowing of gliders, if applicable.	X	X
l. Aircraft radio station operating licence issued by the OFCOM, if applicable	X	X

The Aircraft Flight Manual (AFM)
The ACFT documents, as well as the contents of the AFM may only be altered by or on behalf of the issuing authority. The loss of this file or parts thereof must be reported immediately to FOCA. Any person finding this file is kindly requested to forward it to FOCA, CH-3003 Berne.

Documents for Swiss registered ACFT: The originals of above mentioned documents must be carried on board of the ACFT.
Note:
According to article 5, first paragraph, of the “ordonnance sur les droits et devoirs de commandant d’aéronef” of 22 JAN1960, the pilot-in-command shall ensure that the prescribed documents are carried in the ACFT. However, according to the second paragraph, the ACFT operator can relieve the pilot-in command of these duties, by issuing a service regulation, and delegate these to other persons. If the delegation of these duties is contained in the operations regulation, only the designated person will, if the occasion arises, be considered responsible.

CLEARANCE DOCUMENTS The following documents must be presented O/R for each FLT to the authorities indicated.	COMMERCIAL FLIGHTS						PRIVATE FLIGHTS	
	Scheduled flights			Non-scheduled flights				
	Number of copies to be presented							
	to:	ARR	DEP	to:	ARR	DEP	ARR	DEP
1	2	3	4	5	6	7	8	9
Traffic report [1]	AD	1	1	AD	1	1	---	---
AUTH of FOCA	---	---	---	AD	1 [2]	1 [2]	---	---
Journey log book	---	---	---	---	---	---	CUST	CUST

Remarks:

1. To be handed in within 12 HR after ARR or DEP.
2. Letter or cable, except where special agreements have been established.

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