

**Government of Spain
Ministry of Development
Director General of Civil Aviation**

Spain's comments concerning State letter AS 8/5-18/17

With respect to the various provisions developed and implemented to handle the issue of laser attacks, it should be noted that Spain has taken the following actions, listed in chronological order:

1. Implementation of coordination procedures among the personnel of the air transit control centres (primarily airport towers) and State security forces and entities to identify sources of interference as swiftly as possible.
2. Inclusion in the National Civil Aviation Security Programme, set out in Article 3 of Act 21/2003 on Aviation Safety dated 7 July (Act 1/2011 dated 4 March, establishing the State Civil Aviation Safety Programme and amending Act 21/2003 on Aviation Safety dated 7 July), of an express prohibition of the use of such devices against aircraft.
3. Inclusion in the Royal Decree 297/2013 dated 26 April, amending Decree 584/1972 on Aviation Easements dated 24 February, and amending Royal Decree 2591/1998 on the Planning of Public Interest Airports and their Service Areas dated 4 December, implementing the provisions of Article 166 of Act 13/1996 on Fiscal, Administrative and Social Measures dated 30 December concerning the restriction of the use of laser pointers in the easement areas. Specifically, Article 10.1 of said Royal Decree stipulates the following:

Article 10. Activity-restricting easement.

1. The area inside the orthogonal projection of the land areas covered by aviation easements remains subject to an activity-restricting easement, by virtue of which the National Civil Oversight Authority or the competent body of the Ministry of Defence, within the scope of its own competencies, may prohibit, restrict or place conditions on activities taking place within said area that could endanger aviation operations or compromise the proper operation of radio installations. This possibility shall extend to land uses deemed necessary for the implementation or conduct of said activities and shall include, among others:
 - a) Activities involving or leading to the construction of obstacles of such nature that could generate turbulence;
 - b) The use of lights, including projectors or laser emitters, which may create hazards or lead to confusion or error;
 - c) Activities involving the use of large and very reflective surfaces that may cause glare;
 - d) Actions that may encourage activity of fauna around the aerodrome movement area;
 - e) Activities leading to the establishment or functioning of invisible radiation sources or the presence of stationary or mobile objects that may interfere with or compromise the operation of aviation communication, navigation and surveillance systems;
 - f) Activities that promote or lead to the establishment or functioning of facilities producing smoke, fog, or any other phenomenon which poses a risk to aircraft;
 - g) The use of means of propulsion or for creating lift to engage in sporting or any other types of activities.
4. Amendment of Act 21/2003 on Aviation Safety dated 7 July adapting national regulations to Community Single Sky regulations and to establish a general obligation for any persons who may

jeopardize the safety, regularity, or continuity of operations to refrain from engaging, in the vicinity of the airport, in behaviour involving such risks, in particular through the use of items, lights, projectors, or laser emitters. Article 42 *bis* sets out the following:

Article 42 *bis*. Specific obligations concerning risks to the safety, regularity or continuity of operations.

The persons referred to in Article 32 must:

Refrain, within and outside airport premises, including outside the area protected by any established aviation easements, from engaging in any acts or activities or using items, objects or lights, including projectors or laser emitters, which may lead to confusion or error, interfere with or jeopardize the safety or regularity of aviation operations.

5. Inclusion of laser projection at pilots as a serious offence in Organic Law 4/2015 on the Protection of Public Safety dated 30 March.

Article 35. Very serious offences.

The following are very serious offences:

1. Unannounced or prohibited meetings or demonstrations in, or in the vicinity of, facilities or installations providing basic community services, as well as intrusions into their areas, including by overflight, if, in any of these circumstances, a risk to the life or physical integrity of persons has been created.

In the case of meetings and demonstrations, the organizers or promoters shall be held responsible.

2. The manufacture, repair, storage, movement, trade, transport, distribution, acquisition, certification, disposal, or use of service weapons, catalogued explosives, ammunition or pyrotechnic articles incompliant with applicable regulations, lacking the required documentation or authorization, or exceeding authorized limits when such actions do not constitute offences, as well as the omission, inadequacy, or inefficiency of compulsory safety measures or precautions, whenever such actions should cause very serious harm.
3. The holding of public performances or recreational activities in violation of a prohibition or suspension ordered by the relevant authority for reasons of public safety.
4. The projection of beams of light, using any type of device, at pilots or operators of means of transport, which could dazzle or distract them and cause accidents.