EFTA COURT

Request for an Advisory Opinion from the EFTA Court by the Supreme Court of Norway dated 1 June 2026 in criminal proceedings against A

(Case E-10/26)

A request has been made to the EFTA Court dated 1 June 2026 from the Supreme Court of Norway (*Norges Høyesterett*), which was received at the Court Registry on 1 June 2026, for an Advisory Opinion in criminal proceedings against *A,* on the following questions:

1. **Under what circumstances may a helicopter approach over a congested area, for landing in such an area, constitute a breach of the standard of care laid down in Commission Regulation (EU) No 923/2012, Annex I, SERA 3101?**

    a. **Can the provision be breached even if no actual hazardous situation occurred during the flight?**

    b. **Do the requirements in SERA 3105 concerning minimum flight altitude over congested areas have any bearing on the assessment?**

    c. **Is the purpose of the flight relevant to the assessment, for example where the flight is conducted solely for leisure or recreational purposes?**

    d. **Is the suitability of the landing site relevant, and, in that case, which factors are relevant in assessing the suitability?**

    e. **Which other factors are relevant to the assessment**