PROCEDURE FOR COORDINATION BETWEEN THE ICAO LIAISON OFFICER AND THE TECHNICAL DEPARTMENTS FOR NOTIFICATION AND PUBLICATION OF DIFFERENCES

1.0 PURPOSE

This Order is to provide guidance on how the Authority will process ICAO state letters regarding proposals for amendments of Annexes, and any other subject that requires a response from the state. This guidance shall apply from the receipt of the letters to the processing of the required information and thereafter release of feedback to ICAO.

The Contracting States have an obligation to adhere to the provisions of article 37 of the Convention of International Civil Aviation Organisation.

2.0 REFERENCES

2.1 Civil Aviation Act
2.2 The Civil Aviation Regulations as amended;
2.3 ICAO Doc 7300 (Convention on International Civil Aviation)

3.0 GENERAL

3.1 Universally accepted Standards and Recommended Practices (SARPs) are integral in enhancing uniformity in the provision of Civil Aviation services worldwide. SARPs cover all technical and operational aspects of international civil aviation, such as safety, personnel licensing, operation of aircraft, airworthiness of aircraft, aerodromes, air traffic services, accident investigation and the environment. Without SARPs, our aviation system would be at best chaotic and at worst unsafe.

3.2 The International Civil Aviation Organization (ICAO) – Council reviews and adopts the amendment to the Annex if two-thirds of the members are in favour of the change.

Within two weeks of the adoption of an Annex amendment by the Council, an interim edition of the amendment, referred to as the "Green Edition", is dispatched to States
with a covering explanatory letter. This covering letter also gives the various dates associated with the introduction of the amendment. The ICAO Policy prescribes that Contracting States be allowed three months to indicate disapproval of adopted amendments to SARPs. A further period of one month is provided for preparation and transit time, making the Effective Date approximately four months after adoption by Council.

3.3 It is imperative that Contracting States establish a coordinated approach towards ensuring all communication from and to ICAO is processed in an orderly manner within the provided deadlines.

3.4 This procedure documents the steps that shall be applied when handling all State letters by the Authority. Compliance to these procedures is expected by all members of staff to ensure that the Civil Aviation Authority becomes effective in dispensing this type of communication from ICAO.

4.0 SCOPE

These procedures shall apply to all ICAO State Letters regarding:

i. Proposals for amendment of Annexes; and

ii. Any other matters requiring the State’s attentions and/or response.

4.1 Responsibilities

It is the responsibility of section heads within the Civil Aviation Authorities under whom specific Annexes fall to coordinate with service providers for relevant input such that a requisite and timely response is sent to ICAO.

The following procedures shall apply to the processing of ICAO state letters on proposed Annex amendments and the notification of differences thereto if any.

5.0 PROCEDURE FOR HANDLING ICAO STATE LETTERS REGARDING AMENDMENT OF ANNEXES

5.1 State letters regarding amendment of annexes to the Chicago Convention are issued by ICAO headquarters in Montreal and posted on the ICAO-NET (http://www.icao.int/icaonet).

5.2 The National Continuous Monitoring Coordinator (NCMC) being the designated contact office between ICAO and the Authority is issued with access code for the ICAO-NET. The NCMC will access the ICAO-NET regularly (at least once every two working days) and check for any newly posted letters and download the same.
5.3 In circumstances where a hard copy is received through the normal courier dispatch from Montreal before the online version is acted upon, then the hard copy shall be received and processed as indicated here below.

5.4 The NCMC will register the downloaded state (or hard copy where applicable) letter in the Authority’s registry and further keep a tracking register of ICAO State Letters for the purpose of monitoring and action as necessary.

5.5 The NCMC will ensure that a copy of the State Letter is distributed to relevant departments of the Authority and/or other state agencies or departments involved with Civil Aviation for their information, consideration and comments within the agreed timelines to enable compilation and dispatch of the required response from the state.

5.6 The distribution of the state letters shall be within two working days from the date of receipt to the responsible departmental head as listed in table 1 below.

Table 1. Distribution of ICAO State Letters

<table>
<thead>
<tr>
<th>Annex</th>
<th>Distributed to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annex 1 Personnel Licensing</td>
<td>Head of section</td>
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<tr>
<td>Annex 2 Rules of the Air</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 3 Meteorological Services for</td>
<td>Head of section</td>
</tr>
<tr>
<td>International Air Navigation</td>
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</tr>
<tr>
<td>Annex 4 Aeronautical Charts</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 5 Units of Measurement to be used in</td>
<td>Head of section</td>
</tr>
<tr>
<td>Air and Ground Operations</td>
<td></td>
</tr>
<tr>
<td>Annex 6 Operation of Aircraft</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 7 Aircraft Nationality and Registration Marks</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 8 Airworthiness</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 9 Facilitation</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 10 Aeronautical Telecommunication</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 11 Air Traffic Services</td>
<td>Head of section</td>
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<tr>
<td>Annex 12 Search and Rescue</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 13 Aircraft Accident and Incident Investigation</td>
<td>Head of section</td>
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<td>------------------------------------------------------</td>
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<tr>
<td>Annex 14 Aerodromes</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 15 Aeronautical Information Services</td>
<td>Head of section</td>
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<tr>
<td>Annex 16 Environmental Protection</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 17 Security</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 18 The Safe Transport of Dangerous Goods by Air</td>
<td>Head of section</td>
</tr>
<tr>
<td>Annex 19 Safety Management</td>
<td>Head of section</td>
</tr>
<tr>
<td>All Annexes</td>
<td>Head of section</td>
</tr>
</tbody>
</table>

5.7 The sections heads will review the amendment proposals and consider the implementation methodology and possible impact of the proposed amendments. Where necessary, the relevant section heads will consult service providers ANS, Airport Authority, Airline Operators or other government departments and agencies like Meteorological Department, Air Transport Department, Ministry of Transport, Ministry of Foreign Affairs or industry partners e.t.c.

5.8 Review of the amendment proposals by section heads will adhere to strict timelines so as to ensure a response is given two weeks before the deadline stipulated on the state letter for a response to reach ICAO to allow consolidation of the same before dispatch to ICAO.

5.9 Agreements or disagreements to the amendment proposals and comments, if any, will be provided by the relevant section heads concerned to the Director, Aviation Safety and Security Regulation (DASSR) through the NCMC.

5.10 NCMC will consolidate the responses and seek clarifications where there are conflicting responses.

5.11 Finalized responses, after clearance of the DASSR will be communicated to ICAO by the NCMC through appropriate channels.

5.12 A database (soft/hard copy) keeping track of the status of the State Letter will be kept by the NCMC.
6.0 GUIDELINES FOR IDENTIFYING AND NOTIFYING DIFFERENCES

6.1 Article 38 of the Convention on International Civil Aviation requires States to notify ICAO when it finds it impracticable to comply with any ICAO SARPS.

6.2 Completed compliance checklists detail the States level of compliance with the SARPS. The checklists will be kept updated and posted on Electronic Filing of Differences (EFOD) system by the NCMC in coordination with the section heads.

6.3 For ease of access to the status of implementation section heads will be provided with access right to the Compliance Checklists/Electronic Filing of Differences (CC/EFOD) section of the ICAO USOAP/CMA site (https://icao.int/usoap/) specifically for the Annexes that they are responsible for, however addition or deletion of content must be cleared by DASSR hence the read/write rights will be restricted.

6.4 The distribution list of these state letters will be in line with the distribution list at 5.6 Table 1.

6.5 The relevant sections will review the details of the amendments and assess whether:

a) The amendments have already been covered by or implemented through existing legislation, regulations, guidance materials published by the Authority or other administrative measures; or

b) A revision of guidance material or administrative measures required to effect the amendments; or

c) The amendments will have to be effected through an amendment to legislation/regulations and initiate action as appropriate.

6.6 The section heads will keep an “Annex Amendment Implementation Tracking Worksheet” to track the process of implementation of the amendment through appropriate administrative and/or legislative means of the newly adopted SARP.

6.7 The worksheet will also be used as a tracking system for the section to record and track the implementation status/progress of these SARPs.

6.8 The worksheet will take the format shown in the table below:
6.9 If compliance with an amendment cannot be achieved before its applicable due date to the time required to amend legislation/regulations or guidance materials section heads will initiate a notification of difference with details, reasons for late implementation and the anticipated schedule for compliance where applicable.

6.10 The relevant sections will also periodically review previously filed differences and consider their withdrawal in light of any changes on their implementation.

6.11 In the process of review the sections will also consult other relevant government departments and agencies and/or the service providers where necessary.

6.12 Section heads will advice the NCMC of any new differences and/or withdrawal of previous differences, the NCMC will consolidate the responses and prepare a submission on the proposed differences to be filed for consideration by DASSR.

6.13 Upon the approval of DASSR regarding the differences to be filed, the NCMC will take necessary step to file the differences using the EFOD system.

6.14 The various section heads will endeavour to update all the applicable technical guidance material affected by the Annex amendment or document so as the same is circulated to the service providers before the applicable date.

<table>
<thead>
<tr>
<th>Annex XX (Title of Annex)</th>
<th>Amendment Number XX</th>
<th>Applicable Due Date:_______</th>
</tr>
</thead>
<tbody>
<tr>
<td>Details of SARP</td>
<td>Current Implementation Status (Implemented or Not Implemented)</td>
<td>Action required to Implement the SARP</td>
</tr>
<tr>
<td></td>
<td>Cite/Quote Document effecting the implementation</td>
<td></td>
</tr>
</tbody>
</table>

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6.15 Flow chart on implementation of New or Amended ICAO SARPs

NCMC collect ICAO State Letters on Adoption of Amendment to Annexes

NCMC distributes State Letters to Section Heads within 2 days

Section Heads Review current legislation and requirements against amended SARP

Can the Amended SARP be complied with?

- Sections record document of relevant Tracking Worksheet.
- Compliance Checklist Amended.

- Sections identify possible means to give effect to the amended SARP before Applicable date.

Can the Amended SARP be complied with?

- Sections identify possible means to give effect to the amended SARP before Applicable date.

Implementation means identified?

- Sections initiate amendment to legislation/regulation/TGMs with interim measures through operating requirements

- Section amends operating requirements

Section submit an updated on compliance or difference to through NCMC DASSR

NCMC consolidates inputs and seek DASSR approval for notification to ICAO

Differences Notified to ICAO via EFOD

Differences forwarded to DANS (MAIS) for inclusion in AIP

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7.0 PROCEDURE FOR HANDLING ICAO STATE LETTERS OTHER THAN THOSE REGARDING PROPOSALS FOR AMENDMENT OF ANNEXES.

7.1 ICAO may issue State letters on matters other than proposals for amendment of annexes.

7.2 These State letters may be on matters such as:

   a) Advising States on new developments e.g. training, workshops and seminars;
   b) Requiring States to take certain action;
   c) Requesting States for specific or general information; or
   d) Providing States with guidelines on particular matters.

7.3 These types of state letters shall equally be circulated depending on the subject as per table 1 in paragraph 5.6.

7.4 Nominations to meetings/workshops/training/seminars shall take cognizance of representation from the Regulator, ANSP and other stakeholders. The regulator shall be represented in every forum to enhance the oversight function.

7.5 All nominations from the sections heads shall be forwarded to the DASSR for consolidation and final approval by the DG where necessary.

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Civil Aviation Authority