CODEVMET-AFI Project Familiarization Workshop

Nairobi, *6 - 10 March 2023*

Regulatory framework & Organizational structure of CAAs – Required documents

Presented by the Secretariat

Content

- Roles of ICAO and the States
- Regulatory framework
- Organizational structure of the CAA

Complementary Roles of ICAO and States

ICAO

- Develop principles and techniques to be adopted in the Annexes
- Approve regional air navigation plans

States

- Implement Annexes SARPs
- Carry out their safety oversight responsibilities by implementing the eight critical elements
- Establish aviation infratsructure in accordance with the regional plans

Annex 3 to Chicago Convention

- **Requirement for each Contracting State to determine the meteorological service** to provide to Users **in accordance with the provisions of this Annex** and **in accordance with regional air navigation agreement.**
- **Requirement for each Contracting State to designate the authority** to provide or to arrange for the provision of meteorological service for international air navigation on its behalf
- **Requirement for each Contracting State to ensure that the designated meteorological authority complies with the WMO requirements in respect of qualifications, competencies, education and training of meteorological personnel providing service for international air navigation**.
- **Requirement for each Contracting State shall ensure that the designated meteorological authority** has **established and implemented a properly organized quality system** to provide for the quality management of the meteorological information to be supplied to the users.
- **Demonstration of compliance of the quality system applied shall be by audit**. If non-conformity of the system is identified, action shall be initiated to determine and correct the cause. All audit observations shall be evidenced and properly documented.

Safety Oversight

- Function by which ICAO Member State **ensure the effective implementation** of :
  - ICAO Standards and Recommended Practices (SARPs)
  - the critical elements of a safety oversight system
  - relevant safety practices and procedures
- Safety oversight is a **State's responsibility**

Audit Areas

Aircraft Operations
Annexes 2, 6, 18, 19 & PANS-OPS
Personnel Licensing
Annexes 1 & 19
Airworthiness of Aircraft
Annexes 6, 7, 8, 16 & 19
Legislation and Regulations
Chicago Convention & Annex 2
Effective State Safety Oversight System
Organization & Safety Oversight Functions
SAAQ
Aerodromes
Annexes 14 & 19
Accident & Incident Investigation
Annexes 13 & 19
Air Navigation Services
Annexes 2, 3, 4, 5 10, 11, 12, 15, 19 & PANS-ATM

Critical Elements (CEs)

Eight Safety Oversight Critical Elements

Effective safety oversight systems require 8 essential elements.

Five CEs are related to establishing the system and three are related to implementing the system.

Regulatory Framework

ICAO	States
▪ Chicago Convention ▪ Annexes (3) ▪ Docs (MET) ▪ Manuals ▪ Guidance material ▪ Circulars	▪ Constitution ▪ Primary Legislation ▪ Regulation ▪ Procedure ▪ Manuals ▪ Directive ▪ Circulars

State's Legislation & Regulation

- Covers legislation and regulations promulgated by the State to govern its activities in providing meteorological services to air navigation.
- Chicago Convention :
  - **Art. 28 Air Navigation Facilities and Standard Systems**
  - **Art. 37 Adoption of International Standards**
  - **Art. 38 Departures from International Standards and Procedures**
- Annexes 3 and 19

- The Civil Aviation Authority (CAA) is authorized, through the primary aviation legislation, to promulgate regulations accordingly.
- A minister who delegates authority to the CAA has the power to delegate such authority

- Regulations reflect the latest amendments of provisions of Annexes 2,3, 4, 5, 10, 11, 12, 15.

Legislation

- It may be part of general civil aviation **Law**, **Act**, **Code**,… or included in one or more **Specific Law, Act**, …
- The **approval, promulgation and amendments should be well documented**
- **Must contain provisions to enable the State through CAA to regulate and supervise Aeronautical meteorological activities** (establishment, design, development, certification and operation)
- **Must clearly define the authority responsible for regulating and supervising** the provision of meteorological services to international air navigation
- Must include **the delegation of power / authority to MET inspectors**, including the issuance of credentials for unlimited access to facilities, equipment and documents relating MET
- Must include **provisions for enforcement actions** in case of violations, of aeronautical meteorological legislation/regulations

Aeronautical Meteorological Regulations, Procedures, Guidelines and Tools

MET Regulations

- State **shall transpose the provisions of Annexes 3** into its National legal framework
- **Shall be promulgated by the authority** empowered in the legislation and duly published in accordance with national processes/procedures and practices
- **Should cover the entire scope of Annex 3,** including WMO related requirements
- **Define and implement a clear policy for the application of ICAO Recommended Practices to ensure enforceability**
- **Notify to ICAO, differences between Annex 3standards and State regulations/practices** and publish significant differences in the State's AIP
- **Include a formal process for dealing with deviations**, including exemptions and their notification

Procedures, guidelines and tools

- **Technical guidance** in the form of processes, procedures, and job aids, to assist technical experts in implementing national regulations, procedures and practices
- **Technical guidelines on the implementation of applicable regulations and practices** for both the technical staff and MSPs
- **Adequate tools** (facilities, equipment, documentation, transportation means, measurement tools, …) to enable MET regulatory staff/inspectors to perform their safety oversight functions effectively and efficiently

Transposing Annexes into ANS Provisions - *Transposing Annex 3 into National MET Regulation*

The main reasons for transposing Annexes

- A State needs to address its public to constitute enforceability
- Some Annex provisions are **general/contain options** for implementation, requiring determination for promulgation
- Annex containing Recommended Practices (RPs**), the State determines whether to promulgate them** as national requirements
- When **no determination is made, both Standards and RPs are applicable as national requirements**
- **Not all provisions are applicable in the State**

Organizational Structure

- Establish an entity within the CAA, responsible for MET Standards and Safety. The MET regulatory authority should have:
  - An approved organizational structure
  - Defined functions and responsibilities
  - Defined minimum qualification and experience criteria for MET regulatory staff/inspectors and key management personnel
  - Complete job descriptions for MET regulatory staff and inspectors to cover all the Entity functions/responsibilities

Technical Staff

- Individual holding university degree in meteorology or postgraduate programme study degree with proven experience in aeronautical meteorology.
- To support core staff, the CAA may also consider an ANS inspector with other qualifications, experience and knowledge suitable to perform the duties of a MET inspector with adequate minimum training in MET.
- Number of staff – factors to consider include: assigned tasks, total number of MET Offices to be regulated, surveillance activities, work time, training plan, …
- Training policy, programme and plan covering initial, on-the-job, recurrent and specialized training, including a system to keep training record

CODEVMET-AFI Project Regulatory Package

Samples MET regulatory package

- Package relating to safety oversight activities to ensure that aeronautical meteorological information is provided in accordance with the technical specifications described in Annex 3 of the Chicago Convention

- QMS verification and validation procedures

ICAO

THANK YOU