



**WORKING PAPER**

**FACILITATION PANEL (FALP)**

**FIFTH MEETING**

**Montréal, 31 March to 4 April 2008**

**Agenda Item 3: Other amendments to Annex 9**

**FLIGHT OPERATIONS AND CABIN SAFETY INSPECTORS**

**(Presented by the United States)**

**SUMMARY**

This paper presents a proposal to amend provisions of Annex 9 – Facilitation relating to the application of arrival and departure formalities to flight operations and cabin safety inspectors. These changes to the Annex are aimed at better facilitating and enhancing civil aviation safety.

**Action by the FAL Panel:**

The Panel is invited to consider and agree to the proposed amendments to Annex 9 as indicated in the Appendix.

**1. INTRODUCTION**

1.1 Annex 9, Chapter 3, Section O contains four Recommended Practices (paragraphs 3.73 to 3.76, both inclusive) that relate to the application of arrival and departure formalities to government safety inspectors in the performance of their official duties.

**2. DISCUSSION**

2.1 The current provisions envisage that the inspectors would be treated in essentially the same manner as flight crew members. However, in actual practice, Federal Aviation Administration (FAA) safety inspectors have occasionally not been accorded such treatment, episodes that have resulted in flight delays while customs/immigration officials determined the inspector's status.

2.2 Another unfortunate occurrence has been the inability of an inspector to board a flight and conduct a planned en route inspection because his/her departure was delayed by customs/immigration officials, again unsure of the inspector's status.

2.3 In order to prevent recurrences and eliminate any customs/immigration hindrances that obstruct the performance of such critical safety inspector duties, it is proposed (as shown in the Appendix) that:

- a) the four Recommended Practices in Section O of Chapter 3 that apply to flight operations and cabin safety inspectors be upgraded to Standards;
- b) a new Standard to require that government safety inspectors be included and identified in the General Declaration (Appendix 1) along with flight crew members. This is particularly important for cargo-only flights since there are normally no passengers on such flights; and
- c) a new definition for such inspectors be included in Chapter 1.

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## APPENDIX

*Add the following new definition to Annex 9, Chapter 1:*

***Flight operations and cabin safety inspector.*** An individual employed by a Contracting State as a government safety inspector charged with providing governmental oversight of air transport operators and other aviation entities subject to supervision by that Contracting State.

*Amend the provisions of Annex 9, Chapter 3 as follows:*

3.73 **~~Recommended Practice.~~**— Contracting States ~~should~~ **shall** provide that flight operations and cabin safety inspectors of another Contracting State, when engaged on inspection duties, be treated in the same manner as crew members when proceeding through departure or arrival formalities.

3.74 **~~Recommended Practice.~~**— Contracting States ~~should~~ **shall** provide their flight operations and cabin safety inspectors with an identity document in the format set forth in Appendix 8.

3.75 **~~Recommended Practice.~~**— Flight operations inspectors and cabin safety inspectors ~~should~~ **shall** carry the identity document specified in 3.74, a copy of the inspector's itinerary issued by the State that employs the inspector, and a valid passport.

3.76 **~~Recommended Practice.~~**— Contracting States ~~should~~ **shall** extend the privileges of temporary admission, as described in 3.72 for crew members, to flight operations and cabin safety inspectors of another Contracting State, provided that they carry the documents listed in 3.75 (e.g. identity document, itinerary and valid passport), and depart after a normal period of rest.

3.76.1 To facilitate the identification of flight operations and cabin safety inspectors, Contracting States shall ensure their inclusion and identification as government safety inspectors on the General Declaration, in instances when the presentation of this document is required by a Contracting State.

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