



International  
Civil Aviation  
Organization

Organisation  
de l'aviation civile  
internationale

Organización  
de Aviación Civil  
Internacional

Международная  
организация  
гражданской  
авиации

منظمة الطيران  
المدني الدولي

国际民用  
航空组织

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Ref.: AN 3/1-12/9

4 April 2012

**Subject:** Adoption of Amendment 6 to Annex 7

**Action Required:** a) Notify any disapproval before 16 July 2012; b) Notify any differences and compliance before 15 October 2012; c) Consider the use of the Electronic Filing of Differences System (EFOD) for notification of differences and compliance

Sir/Madam,

1. I have the honour to inform you that Amendment 6 to the *International Standards and Recommended Practices, Aircraft Nationality and Registration Marks* (Annex 7 to the Convention on International Civil Aviation) was adopted by the Council at the fifth meeting of its 195th Session on 7 March 2012. Copies of the Amendment and the Resolution of Adoption are available as attachments to the electronic version of this State letter on the ICAO-NET (<http://portal.icao.int>).

2. When adopting the amendment, the Council prescribed 16 July 2012 as the date on which it will become effective, except for any part concerning which a majority of Contracting States have registered their disapproval before that date. In addition, the Council resolved that Amendment 6, to the extent it becomes effective, will become applicable on 15 November 2012.

3. Amendment 6 arises from the Secretariat, with the assistance of the Unmanned Aircraft Systems Study Group (UASSG) and is related to remotely piloted aircraft (RPA).

4. The amendment classifies remotely piloted aircraft as aircraft and makes provision for the diverse size and configuration of airframes which may be ill suited for traditional markings. This amendment gives the State of Registry authority to determine the measurement of the nationality, common and registration marks on these aircraft taking into account the need for easy identification.

5. In accordance with the decision of the 26th Session of the Assembly, I would like to bring to your attention the Organization's long-standing practice of providing documentation to States

upon request. In this regard, I wish to refer you to the ICAO-NET website (<http://portal.icao.int>) where you can access all relevant documentation. The practice of dispatching printed copies of such documentation has now been discontinued.

6. In conformity with the Resolution of Adoption, may I request:

- a) that before 16 July 2012 you inform me if there is any part of the adopted Standards and Recommended Practices (SARPs) amendments in Amendment 6 concerning which your Government wishes to register disapproval, using the form in Attachment B for this purpose. Please note that only statements of disapproval need be registered and if you do not reply it will be assumed that you do not disapprove of the amendment;
- b) that before 15 October 2012 you inform me of the following, using the form in Attachment C for this purpose:
  - 1) any differences that will exist on 15 November 2012 between the national regulations or practices of your Government and the provisions of the whole of Annex 7, as amended by all amendments up to and including Amendment 6, and thereafter of any further differences that may arise;
  - 2) the date or dates by which your Government will have complied with the provisions of the whole of Annex 7, as amended by all amendments up to and including Amendment 6.

7. With reference to the request in paragraph 6 a) above, it should be noted that a registration of disapproval of Amendment 6 or any part of it in accordance with Article 90 of the Convention does not constitute a notification of differences under Article 38 of the Convention. To comply with the latter provision, a separate statement is necessary if any differences do exist, as requested in paragraph 6 b) 1). It is recalled in this respect that international Standards in Annexes have a conditional binding force, to the extent that the State or States concerned have not notified any difference thereto under Article 38 of the Convention.

8. With reference to the request in paragraph 6 b) above, it should be also noted that the Council, at the third meeting of its 192nd Session on 4 March 2011, agreed that pending the development of a concrete policy and operational procedures governing the use of EFOD, this system be used as an alternative means for filing of differences to all Annexes, except for Annex 9 — *Facilitation* and Annex 17 — *Security — Safeguarding International Civil Aviation against Acts of Unlawful Interference*. EFOD is currently available on the USOAP restricted website (<http://www.icao.int/usoap>) which is accessible by all Member States (AN 1/1-11/28 refers) and you are invited to consider using this for notification of compliance and differences.

9. Guidance on the determination and reporting of differences is given in the Note on the Notification of Differences in Attachment D.

10. Please note that a detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.

11. I would appreciate it if you would also send a copy of your notifications, referred to in paragraph 6 b) above, to the ICAO Regional Director accredited to your Government.

12. As soon as practicable after the amendment becomes effective on 16 July 2012, replacement pages incorporating Amendment 6 will be forwarded to you.

Accept, Sir/Madam, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'R. Benjamin'.

Raymond Benjamin  
Secretary General

**Enclosures:**

- A — Amendment to the Foreword of Annex 7
- B — Form on notification of disapproval of all or part of Amendment 6 to Annex 7
- C — Form on notification of compliance with or differences from Annex 7
- D — Note on the Notification of Differences



ATTACHMENT A to State letter AN 3/1-12/9

AMENDMENT TO THE FOREWORD OF ANNEX 7, FIFTH EDITION

Add the following at the end of Table A:

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject</i>	<i>Adopted/Approved Effective Applicable</i>
6	Secretariat; Unmanned Aircraft Systems Study Group (UASSG)	Remotely piloted aircraft.	7 March 2012 16 July 2012 15 November 2012

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NOTIFICATION OF DISAPPROVAL OF ALL OR PART OF  
AMENDMENT 6 TO ANNEX 7

To: The Secretary General  
International Civil Aviation Organization  
999 University Street  
Montréal, Quebec  
Canada H3C 5H7

(State) \_\_\_\_\_ hereby wishes to disapprove the following parts of  
Amendment 6 to Annex 7:

Signature \_\_\_\_\_

Date \_\_\_\_\_

*NOTES*

- 1) If you wish to disapprove all or part of Amendment 6 to Annex 7, please dispatch this notification of disapproval to reach ICAO Headquarters by 16 July 2012. If it has not been received by that date it will be assumed that you do not disapprove of the amendment. **If you approve of all parts of Amendment 6, it is not necessary to return this notification of disapproval.**
- 2) This notification should not be considered a notification of compliance with or differences from Annex 7. Separate notifications on this are necessary. (See Attachment C.)
- 3) Please use extra sheets as required.

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**NOTIFICATION OF COMPLIANCE WITH OR DIFFERENCES  
FROM ANNEX 7  
(including all amendments up to and including Amendment 6)**

To: The Secretary General  
International Civil Aviation Organization  
999 University Street  
Montréal, Quebec  
Canada H3C 5H7

1. No differences will exist on \_\_\_\_\_ between the national regulations and/or practices of **(State)** \_\_\_\_\_ and the provisions of Annex 7, including all amendments up to and including Amendment 6.

2. The following differences will exist on \_\_\_\_\_ between the regulations and/or practices of **(State)** \_\_\_\_\_ and the provisions of Annex 7, including Amendment 6 (Please see Note 3) below.)

<b>a) Annex Provision</b> (Please give exact paragraph reference)	<b>b) Difference Category</b> (Please indicate A, B, or C)	<b>c) Details of Difference</b> (Please describe the difference clearly and concisely)	<b>d) Remarks</b> (Please indicate reasons for the difference)
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(Please use extra sheets as required)

3. By the dates indicated below, **(State)** \_\_\_\_\_ will have complied with the provisions of Annex 7, including all amendments up to and including Amendment 6 for which differences have been notified in 2 above.

<b>a) Annex Provision</b> (Please give exact paragraph reference)	<b>b) Date</b>	<b>c) Comments</b>
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(Please use extra sheets as required)

Signature \_\_\_\_\_

Date \_\_\_\_\_

*NOTES*

- 1) If paragraph 1 above is applicable to you, please complete paragraph 1 and return this form to ICAO Headquarters. If paragraph 2 is applicable to you, please complete paragraphs 2 and 3 and return the form to ICAO Headquarters.
- 2) Please dispatch the form to reach ICAO Headquarters by 15 October 2012.
- 3) A detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.
- 4) Guidance on the notification of differences from Annex 7 is provided in the Note on the Notification of Differences at Attachment D.
- 5) Please send a copy of this notification to the ICAO Regional Director accredited to your Government.

\_\_\_\_\_

**NOTE ON THE NOTIFICATION OF DIFFERENCES TO ANNEX 7  
AND FORM OF NOTIFICATION**

*(Prepared and issued in accordance with instructions of the Council)*

1. *Introduction*

1.1 The Assembly and the Council, when reviewing the notification of differences by States in compliance with Article 38 of the Convention, have repeatedly noted that the state of such reporting is not entirely satisfactory.

1.2 With a view to achieving a more comprehensive coverage, this note is issued to facilitate the determination and reporting of such differences and to state the primary purpose of such reporting.

1.3 The primary purpose of reporting of differences is to promote safety and efficiency in air navigation by ensuring that governmental and other agencies, including operators and service providers, concerned with international civil aviation are made aware of all national regulations and practices in so far as they differ from those prescribed in the ICAO Standards.

1.4 Contracting States are, therefore, requested to give particular attention to the notification before 15 October 2012 of differences with respect to Standards in Annex 7. The Council has also urged Contracting States to extend the above considerations to Recommended Practices.

1.5 Contracting States are asked to note further that it is necessary to make an explicit statement of intent to comply where such intent exists, or where such is not the intent, of the difference or differences that will exist. This statement should be made not only to the latest amendment but to the whole Annex, including the amendment.

1.6 If previous notifications have been made in respect of this Annex, detailed repetition may be avoided, if appropriate, by stating the current validity of the earlier notification. States are requested to provide updates of the differences previously notified after each amendment, as appropriate, until the difference no longer exists.

2. *Notification of differences to Annex 7 including Amendment 6*

2.1 Past experience has indicated that the reporting of differences to Annex 7 has in some instances been too extensive since some appear merely to be a different manner of expressing the same intent.

2.2 Guidance to Contracting States in the reporting of differences to Annex 7 can only be given in very general terms. Where the national regulations of States call for compliance with procedures that are not identical but essentially similar to those contained in the Annex, no difference should be reported since the details of the procedures existing are the subject of notification through the medium of aeronautical information publications. Although differences to Recommended Practices are not notifiable under Article 38 of the Convention, Contracting States are urged to notify the Organization of the differences between their national regulations and practices and any corresponding Recommended Practices contained in an Annex. States should categorize each difference notified on the basis of whether the corresponding national regulation is:

- a) ***More exacting or exceeds the ICAO Standard or Recommended Practice (SARP) (Category A)***. This category applies when the national regulation is more demanding than the corresponding SARP, or imposes an obligation within the scope of the Annex which is not covered by a SARP. This is of particular importance where a State requires a higher standard which affects the operation of aircraft of other Contracting States in and above its territory;
- b) ***Different in character or other means of compliance (Category B)\****. This category applies when the national regulation is different in character from the corresponding ICAO SARP, or when the national regulation differs in principle, type or system from the corresponding SARP, without necessarily imposing an additional obligation; and
- c) ***Less protective or partially implemented/not implemented (Category C)***. This category applies when the national regulation is less protective than the corresponding SARP; or when no national regulation has been promulgated to address the corresponding SARP, in whole or in part.

2.3 When a Contracting State deems an ICAO Standard concerning aircraft, operations, equipment, personnel, or air navigation facilities or services to be not applicable to the existing aviation activities of the State, notification of a difference is not required. For example, a Contracting State that is not a State of Design or Manufacture and that does not have any national regulations on the subject, would not be required to notify differences to Annex 8 provisions related to the design and construction of an aircraft.

2.4 For States that have already fully reported differences from Annex 7 or have reported that no differences exist, the reporting of any further differences occasioned by the amendment should be relatively straightforward; however, attention is called to paragraph 1.5 wherein it is indicated that this statement should be not only to the latest amendment but to the whole Annex, including the amendment.

### 3. *Form of notification of differences*

3.1 Differences should be notified in the following form:

- a) ***Reference:*** The number of the paragraph or subparagraph in Annex 7 as amended which contains the Standard or Recommended Practice to which the difference relates;
- b) ***Category:*** Indicate the category of the difference as A, B or C in accordance with paragraph 2.2 above.
- c) ***Description of the difference:*** Clearly and concisely describe the difference and its effect;
- d) ***Remarks:*** Under “Remarks” indicate reasons for the difference and intentions including any planned date for implementation.

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\*The expression “different in character or other means of compliance” in b) would be applied to a national regulation which achieves, by other means, the same objective as that of the corresponding ICAO SARPs and so cannot be classified under a) or c).

3.2 The differences notified will be recorded in a Supplement to the Annex, normally in the terms used by the Contracting State when making the notification. In the interest of making the supplement as useful as possible, please make statements as clear and concise as possible and confine remarks to essential points. Comments on implementation, in accordance with paragraph 4 b) 2) of the Resolution of Adoption, should not be combined with those concerning differences. The provision of extracts from national regulations cannot be considered as sufficient to satisfy the obligation to notify differences. General comments that do not relate to specific differences will not be published in Supplements.

— END —



**AMENDMENT No. 6**

**TO THE**

**INTERNATIONAL STANDARDS**

**AIRCRAFT NATIONALITY AND  
REGISTRATION MARKS**

**ANNEX 7**

**TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

The amendment to Annex 7 contained in this document was adopted by the Council of ICAO on **7 March 2012**. Such parts of this amendment as have not been disapproved by more than half of the total number of Contracting States on or before **16 July 2012** will become effective on that date and will become applicable on **15 November 2012** as specified in the Resolution of Adoption. (State letter AN 3/1-12/9 refers.)

**MARCH 2012**

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**





**AMENDMENT 6 TO THE INTERNATIONAL STANDARDS**

**AIRCRAFT NATIONALITY AND  
REGISTRATION MARKS**

**RESOLUTION OF ADOPTION**

*The Council*

Acting in accordance with the Convention on International Civil Aviation, and particularly with the provisions of Articles 37, 54 and 90 thereof,

1. *Hereby adopts* on 7 March 2012 Amendment 6 to the International Standards contained in the document entitled *International Standards, Aircraft Nationality and Registration Marks* which for convenience is designated Annex 7 to the Convention;

2. *Prescribes* 16 July 2012 as the date upon which the said amendment shall become effective, except for any part thereof in respect of which a majority of the Contracting States have registered their disapproval with the Council before that date;

3. *Resolves* that the said amendment or such parts thereof as have become effective shall become applicable on 15 November 2012;

4. *Requests the Secretary General:*

a) to notify each Contracting State immediately of the above action and immediately after 16 July 2012 of those parts of the amendment which have become effective;

b) to request each Contracting State:

1) to notify the Organization (in accordance with the obligation imposed by Article 38 of the Convention) of the differences that will exist on 15 November 2012 between its national regulations or practices and the provisions of the Standards in the Annex as hereby amended, such notification to be made before 15 October 2012, and thereafter to notify the Organization of any further differences that arise; and

2) to notify the Organization before 15 October 2012 of the date or dates by which it will have complied with the provisions of the Standards in the Annex as hereby amended.

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**NOTES ON THE PRESENTATION OF THE  
AMENDMENT TO ANNEX 7**

1. The text of the amendment is arranged to show deleted text with a line through it and new text highlighted with grey shading, as shown below:

1. ~~Text to be deleted is shown with a line through it.~~ text to be deleted
2. **New text to be inserted is highlighted with grey shading.** new text to be inserted
3. ~~Text to be deleted is shown with a line through it~~ followed **by the replacement text which is highlighted with grey shading.** new text to replace existing text

**TEXT OF AMENDMENT 6 TO THE  
INTERNATIONAL STANDARDS**

**AIRCRAFT NATIONALITY AND REGISTRATION MARKS**

**ANNEX 7  
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

**1. DEFINITIONS**

...

***Remotely piloted aircraft (RPA)***. An unmanned aircraft which is piloted from a remote pilot station.

...

**2. CLASSIFICATION OF AIRCRAFT**

2.1 Aircraft shall be classified in accordance with Table 1.

2.2 An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.

2.3 Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.

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*Move Table 1. Classification of aircraft here.*

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*Renumber all subsequent sections.*

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**45. MEASUREMENTS OF NATIONALITY,  
COMMON AND REGISTRATION MARKS**

...

**45.1 Lighter-than-air aircraft**

...

45.1.3 *Special cases*. If a lighter-than-air aircraft does not possess parts of sufficient size to accommodate the marks described in 45.1.1, the measurements of the marks shall be determined by the State of Registry, taking account of the need for the aircraft to be identified readily.

...

**45.2 Heavier-than-air aircraft**

...

45.2.3 *Special cases*. If a heavier-than-air aircraft does not possess parts corresponding to those mentioned in 45.2.1 and 45.2.2, or if the parts are too small to accommodate the marks described

therein, the measurements of the marks shall be such that determined by the State of Registry, taking account of the need for the aircraft ~~and~~ to be identified readily.

...

## **89. IDENTIFICATION PLATE**

**9.1** An aircraft shall carry an identification plate inscribed with at least its nationality or common mark and registration mark. The plate shall be made of fireproof metal or other fireproof material of suitable physical properties ~~and~~.

**9.2** The identification plate shall be secured to the aircraft in a prominent position near the main entrance or;

- a) in the case of an unmanned free balloon, affixed conspicuously to the exterior of the payload; ~~and~~
- b) in the case of a remotely piloted aircraft, secured in a prominent position near the main entrance or compartment or affixed conspicuously to the exterior of the aircraft if there is no main entrance or compartment.

...

— END —