



## ASSEMBLY — 38TH SESSION

### TECHNICAL COMMISSION

#### Agenda Item 30: Aviation Safety – Implementation Support

#### ISSUANCE AND RECOGNITION OF AIR OPERATOR CERTIFICATES (AOC) AND AUTHORIZATIONS

(Presented by the International Air Transport Association)

#### EXECUTIVE SUMMARY

In recent years, IATA member airlines have witnessed an increase in the documentation required by States to authorize operations by airlines that are registered in other States.

The procedures associated with these authorizations require airlines to submit multiple documents that have no relevance to flight safety. Managing a multitude of such non-harmonized requirements adds significantly to cost and administrative burden without justifiable benefit either to safety or efficiency.

**Action:** The Assembly is invited to:

- a) Encourage States to adhere to the standardized content and format for the issuance of AOC's and their associated operations specifications contained in Annex 6.
- b) Encourage Member States to recognize as valid, AOC's and associated operation specifications issued by other States, which meet the requirements in Annex 6

<i>Strategic Objectives:</i>	This working paper relates to the Safety and Environmental Protection and Sustainable Development of Air Transport Strategic Objectives.
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### 1. INTRODUCTION

1.1 A fundamental element in international aviation is the recognition of certificates, licenses and approvals, accompanied by a system of continuous oversight. Based on this underlying principle, IATA has been a strong supporter of the ICAO Universal Safety Oversight Audit Program (USOAP), a programme which promotes systematic and transparent collection and publication of aviation safety data.

1.2 IATA has also provided significant contribution to assist States in their duties (ref. Annex 6 — *Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes*, paragraph 4.2.2.2) to monitor operations in their territories by establishing the IATA Operational Safety Audit (IOSA) programme and making available the list of operators which meet in full the IOSA requirements.

1.3 Assembly Resolution A36-6 inter-alia:

1) “*Reminds* Contracting States of the need for exercising safety oversight of their operators in full compliance with applicable SARPs, as well as assuring themselves that foreign operators flying in their territory receive adequate oversight from their own State and taking appropriate action when necessary to preserve safety;

...

4) *Urges* Contracting States to recognize as valid the Air Operator Certificate (AOC) issued by other Contracting States for the purpose of flight over their territories, including landings and take-offs, provided that the requirements under which the certificate was issued are equal to or above the minimum applicable Standards specified in Annex 6, Parts I and III, Section II;

5) *Urges* the Secretary General to continue to develop guidelines and procedures to verify the conditions for recognition as valid of certificates and licences, in keeping with Article 33 of the Convention and applicable Standards;

6) *Urges* Contracting States to establish operating rules governing the admission of foreign air operators within their territories, in accordance with the Convention and on a non-discriminatory basis, and in harmonisation with ICAO Standards, guidelines and procedures, having due regard to the need to minimize the cost and burden to the Contracting States and to the operator;

7) *Urges* Contracting States to refrain from unilateral implementation of specific operational requirements and measures governing admission of operators from other Contracting States which would adversely affect the orderly development of international civil aviation.”

1.4 Following Item 7 of the abovementioned resolution, ICAO developed Amendment 32 to Annex 6, effective 20 July 2008 and applicable in 20 November 2008, providing further Standards. In addition a review and update of *Doc 8335 — Manual of Procedures for Operations Inspection, Certification and Continued Surveillance* was undertaken. Despite these efforts, individual States are increasingly introducing requirements for foreign operators (Ops Specs) which are not aligned with existing Annex 6 provisions or part to any system of collective data sharing. These requirements have added a significant compliance burden to airlines.

## 2. DISCUSSION

2.1 Due to legitimate safety requirements, aviation has become one of the most regulated commercial activities in the world. It is also among the most global, with airlines having multiple international destinations. These two factors highlight the crucial need for regulatory harmonization.

2.2 It has been therefore of concern that the industry has observed a growing number of States introducing new requirements that are at odds with Annex 6 Standards and relevant guidance and that add limited value to safety and efficiency of the air transport system.

2.3 This is particularly a problem in matters involving an airline’s Aircraft Operator Certificate (AOC) and Operation Specifications, in which regulators in one State issue new requirements

affecting operators that are registered elsewhere Annex 6 provisions are the basis for designing such requirements. In recent years, IATA member airlines have witnessed an increase in these new requirements which call for airlines to submit a wide variety of documents with little relevance to flight safety. One example is the requirement for operators to submit a leasing contract for every foreign aircraft operating to that State.

### 3. CONCLUSION

3.1 Given the global nature of air transport activities and substantial regulatory requirements air operators are subject to, it is essential that a reasonable level of harmonization is achieved. ICAO has provided such harmonization through Annex 6 provisions, as well as substantive guidance. The existing situation of increasing divergence from these provisions, has made compliance onerous and burdensome without justifiable benefit either to safety or efficiency.

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