



**Nineteenth Meeting of the CAR/SAM Regional Planning and Implementation Group
 (GREPECAS/19)**

Online, 27 – 29 October 2021

Agenda Item 3: GREPECAS Work Programmes, Objectives and Results

3.2 GREPECAS Work Programmes, Objectives and Results

COOPERATION IN NATIONAL REGULATORY PROCESSES FOR METEOROLOGY

(Presented by Costa Rica)

EXECUTIVE SUMMARY	
<p>This note presents the process carried out by the State of Costa Rica to implement the Costa Rican Aeronautical Regulation (RAC-03) on Aeronautical Meteorology Services associated with Annex 3 and the improvements established so that the RAC is updated with the due frequency.</p>	
Action:	As indicated in item 3.1
<i>Strategic Objectives:</i>	<ul style="list-style-type: none"> • Air Navigation Capacity and Efficiency • Safety
<i>References:</i>	<ul style="list-style-type: none"> • Annex 3 - Meteorological Services for international air navigation • ICAO Doc 9734, Safety oversight manual Part A - Establishment and management of a state safety oversight system

1. Introduction

1.1 In the last five years, Annex 3 to the Chicago Convention has been updated through amendments 77A, 77B, 78 and 79, consolidated in its 20th Edition and amendment 80 in progress. ICAO continues to address a wide range of issues, including the development of a new Procedure for Air Navigation Services - Aeronautical Meteorology (PANS-MET), based on a recommendation from the 2014 MET Divisional Meeting, which will bring new benefits to States and industry. It is the responsibility of the States to develop and implement a process to ensure the timely amendment of specific operating regulations, in order to keep pace with the amendments to the Annexes to the Convention.

1.2 Personnel rotation has represented one of the components that limits the most the possibility of some countries maintaining updated national regulations associated with Annex 3. In addition, the limited number of personnel specialized in aeronautical meteorology has deepened this challenge by reducing the possibility of complying with the different obligations that civil aviation authorities are in charge of, with respect to the surveillance of operational safety in compliance with States' obligations as signatories to the Chicago Convention.

1.3 One of the elements in the ANS-MET Area on which the authorities have had to seek compliance alternatives is the promulgation of specific operating regulations adjusted to Annex 3. This component is a fundamental part of the critical elements necessary for the establishment and implementation of a State safety oversight system and hence its relevance to States.

1.4 Most of the surveillance activities have been developed using directly the provisions of Annex 3 and the Protocol of Questions of the ICAO Universal Safety Oversight Audit Program (USOAP). Which, while allowing surveillance, it is not considered an adequate format that allows supervision in MET matters, in accordance with the provisions of ICAO Document 9734 Part A. Faced with this form of surveillance, operational safety risks arise that may not be identified in a timely manner.

2. Analysis

2.1 Despite the circumstances generated by not having up-to-date regulations in meteorology, States maintain their safety oversight obligations.

2.2 In order to maintain an adequate oversight level over the operators, the General Directorate of Civil Aviation of Costa Rica has been promoting the refinement of the process of generation of the Costa Rican aeronautical regulation, identifying the parts of the process that represented deficiencies or even that became bottlenecks causing delays in the publication of the regulation.

2.3 The above review gave way to the adequate establishment of phases that have undoubtedly played a fundamental role in the promulgation and timely amendment of the regulation, and has allowed that those responsible for each part of the process be identified, all under the guidance of a person in charge of regulation; that is, seeing the regulation as a project, a manager is assigned to him who works it from beginning to end. In turn, by establishing execution phases, the process is less affected by possible changes in personnel, since there are more involved in the process to achieve the publication of the regulation.

2.4 In addition, a Regulatory Process was created to face the challenge of centralising and harmonising internal and external execution, consequently as knowledge increased regarding the steps through which a national regulation transits, it was possible to improve the times of each of the phases that depend specifically on the DGAC.

2.5 Subsequently, in order to follow up on each phase that the regulation requires, the benefit of being able to review the amendment following the one published has been identified, while it manages to overcome the obstacles associated with its approval, that is, the following amendment is being worked on almost in parallel to the work of external actors to the DGAC, as required from the national legal framework and on which the DGAC has no direct action.

2.6 On the other hand, it was also achieved that various components of surveillance were improved, such as the minimum qualification and competencies requirements of the inspectors, the annual inspection plan and the checklists of the inspectors, among others.

2.7 It is worth mentioning that the statistics recorded in the Online Framework (OLF) of the Universal Safety Oversight Audit Programme (USOAP) for the Compliance Checklists (CC) in the Electronic Filing of Differences (EFOD) system, regarding Annex 3, Costa Rica reached 98% as of July 2021 (increase from 0% to 98%), indicating that the State has successfully completed the process of amending the SARPs of Annex 3 integrating them into the national legal framework and has notified possible differences facilitating the exchange of information between States through ICAO.

2.8 Some key aspects identified to achieve the formulation and promulgation of the regulation are listed below:

- a) Review of the internal process in the DGAC for the generation of a national regulation, given the challenge that the constant updating of SARPs implies.
- b) Review of the external process of the State for the promulgation of regulations.
- c) Appointment of a project manager with knowledge on Annex 3, and aeronautical meteorologist qualifications and competencies.
- d) Establishment of a legal counterpart with knowledge of the internal and external policies and procedures that the DGAC must face in order to present the regulation in the appropriate state format and that it be the support of the project manager in the external coordination and internal management with managers.
- e) Involvement of shareholders - It was essential to present the directors of the institution with the most critical parts of RAC-03; knowledge of the most sensitive aspects associated with operational safety generated a concern for allocating the necessary resources to streamline the processes at the level of the Ministry and Laws and Decrees in charge of reviewing the draft regulations prior to the signature from the Presidency of the Republic.
- f) Consultation process – It was a collaborative work with the service providers, in order to solve the technical needs for the activities that should be resolved at the time the regulation was published.
- g) Technical guidance, instruments and provision of critical information - It was necessary to inform Providers how the most critical requirements of Annex 3 would be indicated in the regulation, to clarify their approach, the demands of these requirements and to guide their compliance.
- h) Creation of institutional structure - Faced with new amendments to Annex 3, the institutional structure that the process must follow is already in place. The work carried out must have a shorter impact between the amendment of the Annex and the entry into force of the updated regulation.
- i) ICAO technical support - The process was supported by the consultations made to the ICAO NACC Regional Office within the framework of the Systemic Assistance Program, where support was found to clarify requirements that implied a more complex approach in the regulation.

3. Conclusion

3.1 Taking the foregoing into account, the Meeting is invited to consider the following recommendation:

- a) That the States share their experience and best practices on the establishment and implementation of an effective Meteorology regulatory process and an effective and sustainable surveillance system.
- b) That the Meeting consider the strengthening of cooperation programmes in the National Meteorology Regulatory processes, to achieve normative development in countries with fewer specialized personnel resources.
- c) That the Meeting promote the establishment of a platform to share regulatory material as a basis for working on proposals and adapting them to national needs and requirements.