

## ADJUNTO A



Organización de Aviación Civil Internacional  
Oficina para Norteamérica, Centroamérica y Caribe

Proyecto Regional de Cooperación Técnica para el  
Programa de Asistencia Multi-Regional para la  
Aviación Civil **MCAAP RLA09801**

### **Reunión del Grupo de Tarea de Expertos del Sistema de Vigilancia de la Seguridad Operacional (SOS) – Preparación de la Herramienta de Evaluación de Documentos de Referencia Cruzada (CRDET) del Estado**

Ciudad de México, México, del 27 de febrero al 3 de marzo de 2023

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#### **Sumario de Discusiones**

<b>Fechas</b>	27 de febrero al 3 de marzo de 2023
<b>Sede</b>	Oficina Regional NACC de la OACI, Ciudad de México, México
<b>Participantes</b>	Asistieron 5 representantes de 3 Estados/Territorios y una Organización Internacional/Organizaciones Internacionales de las Regiones NAM/CAR. La lista de participantes se muestra en el <b>Apéndice A</b> .

#### **1. Referencias**

1.1 Propuesta de Asistencia Técnica para la Movilización de Recursos Asistencia a los Estados NACC para la Mejora de su Sistema de Vigilancia de la Seguridad Operacional (SOS)

#### **2. Objetivos**

2.1 El objetivo principal de esta actividad fue establecer la metodología y las normas que el Grupo de Tarea SOS (SOS/TF) deberá utilizar en el desarrollo de la Herramienta de Evaluación de Documentos de Referencia Cruzada (CRDET). La CRDET a desarrollarse será la de las secciones de Legislación aeronáutica básica y reglamentos de aviación civil (LEG) y la Organización de la aviación civil (ORG) del documento. Resultado entregable: Herramienta de Evaluación de Documentos de Referencia Cruzada (CRDET)

#### **3. Introducción**

3.1 Para continuar con la implementación del Proyecto de mejora del SOS y abordar los desafíos identificados para los Estados de la Región del Caribe (CAR), tales como la falta de personal calificado y de entendimiento del alcance las Preguntas de Protocolo (PQ), el Proyecto RLA/09/801 – Programa de Asistencia Multi-Regional para la Aviación Civil (MCAAP) aprobó la reunión del Grupo de Tarea (TF) de Expertos del Sistema de Vigilancia de la Seguridad Operacional (SOS) para desarrollar la CRDET.

3.2 El CRDET servirá como guía maestra para evaluar a los Estados de la Región CAR para ayudarlos a identificar posibles incumplimientos de las Normas y Métodos Recomendados (SARPS) de la OACI, tomando en consideración otras metodologías de auditoría, como la Evaluación de la Seguridad

Operacional en la Aviación Internacional (IASA), IATA, Evaluación de la Seguridad Operacional de Aeronaves Extranjeras (SAFA). Al pasar por la CRDET, los Estados pueden estar preparados para enfrentar auditorías con la confianza de cumplir con las más altas normas.

3.3 Con el uso de esta herramienta, el Proyecto podrá brindar una guía técnica y un programa de trabajo para que los Estados resuelvan las discrepancias encontradas durante la evaluación.

#### 4. Horario y actividades

4.1 El horario fue de 8:30 am a 3:00 pm, la cual incluyó las siguientes actividades:

- Identificación de las posibles metodologías para la comparación y cruce de referencias de los protocolos de auditoría
- Selección de la metodología a ser utilizada por el TF
- Revisión de las referencias proporcionadas por las organizaciones a cada una de las PQ
- Evaluación de las PQ para identificar y seleccionar aquellas más restrictivas
- Evaluación de la orientación brindada para mejorar su contenido tanto para el/la evaluador/a como para los Estados
- Establecimiento de la Pregunta Normalizada (Protocolo SOS) para cada área

4.2 A partir de esta sesión, una página web del Proyecto de Mejora del SOS será desarrollada y ubicada en:

<https://www.icao.int/NACC/Pages/tf-2023-sos.aspx>

4.3 El Programa de Trabajo del SOS/TF y sus fechas de entregables son:

Fases	Descripción de Actividades	Fechas aproximadas	Responsable
1	<b>Desarrollo de una Herramienta de Evaluación de Documentos de Referencia Cruzada (CRDET) de los diferentes tipos de auditorías:</b> Con base en las listas de verificación establecidas por IASA, USOAP, IATA y EASA, el TF desarrollará un documento maestro que se utilizará como base para la mejora de las técnicas de auditoría del TF y una mejor comprensión de las mismas por los Estados.	Junio de 2023	TF y OACI
2	<b>Establecimiento de un programa de evaluación operativa:</b> Con base en eventos tales como la necesidad del Estado de prepararse para una próxima auditoría (USOAP, IASA, EASA, etc.), resultados negativos de una auditoría o indicadores negativos durante una autoevaluación del Estado, la Oficina Regional NACC con la colaboración del TF establecerá un programa de evaluación SOS para medir el nivel de implementación en cada Estado y para determinar la asistencia requerida a los Estados y	Junio de 2023	TF y OACI

Fases	Descripción de Actividades	Fechas aproximadas	Responsable
	coordinar el apoyo técnico que debe lograr el cuadro de expertos/as capacitados/as/calificados/as.		
3	<p><b>Evaluación de los Estados participantes:</b></p> <ul style="list-style-type: none"> <li>• Evaluación del Estado de acuerdo con el Programa de Trabajo (las evaluaciones pueden ser presenciales o virtuales)</li> <li>• Después de la evaluación, el suministro de apoyo técnico según sea necesario para resolver las deficiencias encontradas</li> <li>• Para 2023 se están programando dos evaluaciones</li> </ul>	Septiembre a octubre de 2023	TF y OACI

## 5. Resultados/Recomendaciones

5.1 Para el desarrollo de la CRDET, se adoptaron las siguientes consideraciones sobre la metodología:

- Verificación de la referencia para cada Pregunta de Protocolo (PQ) y proceso de enmienda según corresponda.
- Se utilizará la norma más restrictiva (entre todas las metodologías de la auditoría)
- La información de orientación se utilizará para el documento.
- Siempre que una norma vaya más allá de las Normas y métodos recomendados (SARPS) de la OACI, se indicará como tal.
- Los/as expertos/as seleccionados/as para participar en la fase dos del Proyecto serán capacitados/as en la versión final del CRDET.
- Previo a la ejecución de las evaluaciones a los Estados, el documento también será socializado con las autoridades respectivas.

5.2 Se terminó la LEG CRDET y se inició el documento ORG (40%). El CRDET está disponible en la siguiente página web: <https://www.icao.int/NACC/Pages/tf-2023-sos.aspx>

5.3 Los logros de la reunión fueron:

1. el establecimiento de la metodología a ser utilizada para el documento a desarrollar;
2. el desarrollo de la CRDET de la sección LEG (**Apéndice B**); y
3. la revisión inicial de la sección ORG de la CRDET.

5.4 El SOS/TF recomienda que los Estados proporcionen comentarios del CRDET a más tardar el 2 de junio de 2023.

## APPENDIX A/APÉNDICE A



International Civil Aviation Organization  
North American, Central American and Caribbean Office

Regional Technical Cooperation Project for the  
Multi-Regional Civil Aviation Assistance Programme  
**MCAAP RLA09801**

**Safety Oversight System (SOS) Experts Task Force Meeting – Preparation of the State Evaluation  
Tool (Cross Reference Documents) /  
Reunión del Grupo de Tarea de Expertos del Sistema de Vigilancia de la Seguridad Operacional  
(SOS) – Preparación de la Herramienta de Evaluación del Estado (Documentos de Referencia  
Cruzada)**

27 February to 3 March 2023 / 27 de febrero al 3 de marzo de 2023

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### LIST OF PARTICIPANTS / LISTA DE PARTICIPANTES

#### **Aruba**

Corine Martis

#### **Costa Rica**

Luis Diego García Palma

#### **Curaçao/Curazao**

Cydric Desbarida

#### **COCESNA**

José Carlos Rodríguez  
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#### **ICAO/OACI**

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LIST OF PARTICIPANTS / LISTA DE PARTICIPANTES

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**APPENDIX B/APÉNDICE B**

ICAO PQ NUMBER	PPQ	CE	ICAO PROTOCOL QUESTION	Revised References ICAO & FAA combined	IASA PQ NUMBER	FAA IASA	SOS Checklist Number	Suggested Standardized Question (SOS Protocol)	Guidance for Review of Evidence
1.001	YES	1	1.001) Has the State promulgated primary aviation legislation to enable it to address its obligations as a signatory to the Chicago Convention?	CC: Part I  STD: Annex 19, 3.2.1.1 & Appendix 1, 1.1  GM: Doc. 9734, Part A, Chapter 2 & 3 Doc. 9760, Part II, Chapter 1, 1.2 Doc. 8335, Part I, Chapter 3, 3.1	1.001 1.002 1.004	1.001) Does the State specifically promulgate primary aviation legislation (civil aviation act, civil aviation code, rules of the air, etc.) to enable it to implement the provisions of the Convention on International Civil Aviation (Chicago Convention) and its Annexes?  1.002) Specify the highest level of government at which the primary aviation legislation was promulgated.  1.004) When was the legislation last amended/re-issued to maintain uniformity with new standards established or re-established from time to time under the Chicago Convention?	1.001	A) Does the State specifically promulgate primary aviation legislation (civil aviation act, civil aviation code, rules of the air, etc.) to enable it to implement the provisions of the Convention on International Civil Aviation (Chicago Convention) and its Annexes?  B) Specify the highest level of government at which the primary aviation legislation was promulgated.  C) When was the legislation last amended/re-issued to maintain uniformity with new standards established or re-established from time to time under the Chicago Convention?	1) Confirm title, date of promulgation and last amendment of all primary aviation legislation.  2) Verify that the content of the primary aviation legislation is consistent, sufficient (addressing all audit areas as needed) and properly organized.
1.005	YES	1	1.005) Does the primary aviation legislation provide for the introduction/adoption and subsequent promulgation of specific operating regulations?	CC: Part I  STD: Annex 6, Appendix 5, 2 Annex 19, 3.2.1.1, 3.2.2 & Appendix 1, section 2  GM: Doc. 9734, Part A, Chapter 3 Doc. 9760, Part II, Chapter 1, 1.2 Doc. 8335, Part I, Chapter 3, 3.1	1.005	Describe the provisions of the primary aviation legislation that provide for the introduction/adoption of national aviation regulations and the promulgation thereof.	1.005	Describe the provisions of the primary aviation legislation that provide for the introduction/adoption of national aviation regulations and the promulgation thereof.	Verify that provisions allow for the introduction/adoption of specific operating regulations and at least cover all Annexes in the areas of PEL, OPS (including dangerous goods), AIR, AIG, ANS and AGA.

ICAO PQ NUMBER	PPQ	CE	ICAO PROTOCOL QUESTION	Revised References ICAO & FAA combined	IASA PQ NUMBER	FAA IASA	SOS Checklist Number	Suggested Standardized Question (SOS Protocol)	Guidance for Review of Evidence
1.007 1.009	YES	2	<p>1.007) Has the State established a rulemaking process to enable the timely development and promulgation of specific operating regulations in compliance with the Annexes?</p> <p>1.009) Has the State established a process for amending its specific operating regulations or, if necessary, its primary aviation legislation, taking into consideration, among others, ICAO provisions and their amendments?</p>	<p>CC: Art. 37 &amp; 38</p> <p>STD: Annex 19, 3.2.1.1, 3.2.2 &amp; Appendix 1</p> <p>GM Doc. 9734, Part A, Chapter 3 Doc. 8335, Part I, Chapter 3, 3.1.2.2 Doc. 9379, Part I, Chapter 3, 3.4 Doc. 9760, Part II, Chapter 1, 1.2, Chapter 2, 2.2.3 &amp; Chapter 4, 4.3</p>	1.003 1.017	<p>1.003) Describe procedures established by the Civil Aviation Authority (CAA) for the amendment of its primary aviation legislation.</p> <p>1.017) Describe the procedure for implementing amendments to Standards and Recommended Practices (SRPs) of Annexes 1, 6, and 8 and for listing and notifying the differences, if any, to ICAO.</p>	1.007	<p>Has the State established a process for developing/amending and promulgating its specific operating regulations in a timely manner and/or, if necessary, its primary aviation legislation, taking into consideration, among others, ICAO provisions and their amendments?</p>	<p>a) Review the established process for evaluating amendments to all Annexes and for determining the need to amend specific operating regulations or, if necessary, the primary aviation legislation.</p> <p>b) Verify that the process includes all applicable steps and timelines, including the necessary coordination between the relevant technical and legal experts when necessary</p> <p>c) Verify the procedures or other means of compliance require that current specific operating regulations repeal previous specific operating regulations, if required; and</p> <p>d) Verify that all relevant entities (safety oversight entities/investigation authority) are included in the process (during the development and/or consultation) for PEL, OPS (including dangerous goods), AIR, AIG, ANS and AGA.</p>
1.011		5	<p>Does the State make the primary aviation legislation, specific operating regulations, directives, orders, circulars, publications, etc. readily available to the public?</p>	<p>CC: Art. 12</p> <p>STD: Annex 19, 3.2.1.1, 3.2.2 &amp; 3.2.5</p> <p>GM: Doc. 9734, Part A, Chapter 3 Doc. 9379, Part I, Chapter 3 Doc. 9760, Part II, Chapter 4, 4.9</p>	1.018	<p>Are the primary aviation legislation, the national aviation regulations, and the associated operating regulations and rules available to all users?</p>	1.011	<p>Does the State make the primary aviation legislation, specific operating regulations, directives, orders, circulars, publications, etc. readily available to the public?</p> <p>If yes, by what methods and means are they available?</p>	<p>Review the means for making the following documents available to the public:</p> <p>a) primary aviation legislation; b) specific operating regulations; and c) directives, orders, circulars, publications, etc.</p>

ICAO PQ NUMBER	PPQ	CE	ICAO PROTOCOL QUESTION	Revised References ICAO & FAA combined	IASA PQ NUMBER	FAA IASA	SOS Checklist Number	Suggested Standardized Question (SOS Protocol)	Guidance for Review of Evidence
1.013	YES	1	Does the primary aviation legislation provide for the establishment of a civil aviation organization(s) and the appointment of Director General(s) (DGs)/Chief Executive Officer(s) (CEOs)?	STD: Annex 19, 3.2.1.1 & Appendix 1  GM: Doc. 8335, Part I, Chapter 2 & 3 Doc. 9734, Part A, Chapter 3, 3.1, 3.3 & 3.3.1	1.006 1.007	1.006) Describe the State’s legal basis for the establishment of the CAA in accordance with the articles of the Chicago Convention.  <b>1.007) Describe the provisions of the primary aviation legislation that provides for the establishment of a CAA to be headed by a Director General, or other equivalent title/position, and the grant of power to that Director General to exercise authority over civil aviation matters.</b>	1.013	Does the primary aviation legislation provide for the establishment of a civil aviation organization(s) and the appointment of Director General(s) (DGs)/Chief Executive Officer(s) (CEOs)?	1) Review relevant legislation (primary aviation legislation for autonomous CAAs or appropriate legal basis in other cases).  2) Verify the level of authority delegated to the CAA(s).
1.015	YES	1	Does the primary aviation legislation clearly delegate authority to each Director General (DG)/Chief Executive Officer (CEO) who has a safety oversight responsibility?	STD: Annex 19, 3.2.1.1 & Appendix 1  GM: Doc. 8335, Part I, Chapter 2 & 3 Doc. 9734, Part A, Chapter 3, 3.1, 3.3 & 3.3.1	1.007 1.008	1.007) Describe the provisions of the primary aviation legislation that provides for the establishment of a CAA to be headed by a Director General, or other equivalent title/position, <b>and the grant of power to that Director General to exercise authority over civil aviation matters.</b>  1.008) Describe the provisions of the primary aviation legislation that provides for the delegation of the necessary authority and the assignment of corresponding responsibility to the Director General to develop, issue, and revise operating regulations and rules (including orders/directives, and/or instructions) consistent with the provisions of the Annexes to the Chicago Convention.	1.015	Does the primary aviation legislation clearly delegate authority to each Director General (DG)/Chief Executive Officer (CEO) who has a safety oversight responsibility to exercise authority over civil aviation matters, including to develop, issue, and revise operating regulations and rules (including orders/directives, and/or instructions) consistent with the provisions of the Annexes to the Chicago Convention?	1) Review relevant legislation (primary aviation legislation for autonomous CAAs or appropriate legal basis in other cases).  2) Verify that: a) The legislation stipulates delegated authority; b) The legislation includes all DGs/CEOs dealing with civil aviation safety oversight; and c) The authority delegated covers the following audit areas: PEL, OPS (including dangerous goods), AIR, ANS and AGA.
Not in ICAO LEG				GM Doc 8335, Part I, Chapter 3, 3.1.2.1 e)	1.012	Describe the provisions of the primary aviation legislation that requires commercial air transport operations to be conducted in accordance with any conditions the State may consider applicable in the interests of safety?  Provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.	1.015-1	Describe the provisions of the primary aviation legislation that requires commercial air transport operations to be conducted in accordance with any conditions the State may consider applicable in the interests of safety?	Verify the specific citation to the relevant statute, regulation, and any guidance material used in reference to the response.
Not in ICAO LEG				GM Doc 8335, Part I, Chapter 3, 3.2 d)	1.014	Describe how the CAA/Ministry determines the technical and financial capability of the operator to conduct proposed operations.	1.015-2	Describe how the CAA/Ministry determines the technical and financial capability of the operator to conduct proposed operations.	



ICAO PQ NUMBER	PPQ	CE	ICAO PROTOCOL QUESTION	Revised References ICAO & FAA combined	IASA PQ NUMBER	FAA IASA	SOS Checklist Number	Suggested Standardized Question (SOS Protocol)	Guidance for Review of Evidence
Not in ICAO LEG				GM Doc 8335, Part I, Chapter 3, 3.2 e) Doc 9760, Part IV, Chapter 2, 2.1.6.5.1	1.015	Describe the legal basis as to how the Director General can issue an air operator certificate and operations specifications in the interests of safety for a particular operation.  Provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.	1.015-3	Describe the legal basis as to how the Director General can issue an air operator certificate and operations specifications in the interests of safety for a particular operation.	Verify the specific citation to the relevant statute, regulation, and any guidance material used in reference to the response.
1.019		1	If the State has transferred safety oversight responsibilities to a State/regional or supranational organization, is there an appropriate legal basis for this transfer?	STD: Annex 19, 3.2.1.1 & Appendix 1  GM: Doc. 8335, Part I, Chapter 2 & 3 Doc. 9734, Part A, Chapter 3, 3.1, 3.3, 3.3.1 & Part B Doc. 9946	Not in IASA CE-1		1.019	If the State has transferred safety oversight responsibilities to a State/regional or supranational organization, is there an appropriate legal basis for this transfer?	1) Identify the legal instrument(s) for the transfer. 2) Confirm notification to ICAO of the transfer of responsibilities.
Not in ICAO LEG				GM Doc 9734 Part A, C3, 3.3.1.3 & 3.3.4	1.010	Is there an overlap of civil aviation responsibilities among any government agencies or entities, in addition to the CAA (e.g., Ministry of Transportation, etc.)?  If yes, explain the overlap of responsibilities, and whether any of these government agencies or entities have the authority to issue civil aviation regulations. Provide the legal citation for such authority.	1.019-1	Is there an overlap of civil aviation responsibilities among any government agencies or entities, in addition to the CAA (e.g., Ministry of Transportation, etc.)?  If yes, explain the overlap of responsibilities, and whether any of these government agencies or entities have the authority to issue civil aviation regulations.	Verify the legal citation for such authority.
1.023	YES	1	Does the primary aviation legislation provide for the issuance of additional binding instruments, such as orders and directives, in support of safety oversight activities?	STD: Annex 19, 3.2.1.1 & Appendix 1  GM: Doc. 8335, Part I, Chapter 2 & 3 Doc. 9734, Part A, Chapter 3, 3.1, 3.3, 3.3.1 & Part B	1.008	1.008) Describe the provisions of the primary aviation legislation that provides for the delegation of the necessary authority and the assignment of corresponding responsibility to the Director General <b>to develop, issue, and revise operating regulations and rules (including orders/directives, and/or instructions) consistent with the provisions of the Annexes to the Chicago Convention.</b>	1.023	Does the primary aviation legislation provide the responsibility for the development, issuance and revision of operating regulations and additional binding instruments, such as orders and directives, in support of safety oversight activities?	Verify: a) The inclusion of provisions for the issuance of additional binding instruments in the primary aviation legislation; b) The enforcement capability for non-compliance; and c) The relevant delegation of authority for the issuance of additional binding instruments, including orders and directives.

ICAO PQ NUMBER	PPQ	CE	ICAO PROTOCOL QUESTION	Revised References ICAO & FAA combined	IASA PQ NUMBER	FAA IASA	SOS Checklist Number	Suggested Standardized Question (SOS Protocol)	Guidance for Review of Evidence
1.025	YES	2	Has the State established procedures for identifying and notifying to ICAO differences between ICAO SARPs and its legislation and practices, if any?	CC: Art. 38  STD: Foreword to Annexes to CC  GM: Doc. 9734, Part A, Chapter 3, 3.2.3 Doc. 9760, Part II, 2.2.3 Doc. 10055	1.017	Describe the procedure for implementing amendments to Standards and Recommended Practices (SARPs) of Annexes 1, 6, and 8 and <b>for listing and notifying the differences, if any, to ICAO.</b>	1.025	Has the State established procedures for identifying and notifying to ICAO differences between ICAO SARPs and its legislation and practices?  Describe the method used to outline the differences between ICAO SARPs and national regulations and to notify ICAO of such differences.	
1.027 1.028	YES	2	1.027) Does the legislation provide for the granting of exemptions?  1.028) Has the State established a policy and associated procedures for the granting of exemptions?	STD: Annex 19, 3.2.2 & 3.2.5  GM: Doc. 9734, Part A, Chapter 3, 3.2.7	1.011	Does the primary aviation legislation provide for the issuance of exemptions/exceptions to the air navigation regulations and associated operating regulations?  If yes, describe the procedure for the issuance of the exemption (including exceptions/deviations/extensions) with limitations. Include criteria used for the risk assessment before granting the exemption.  If no, describe the CAA's process to address requests to deviate from the air navigation regulations and associated operating regulations.	1.027	Does the primary aviation legislation provide for the issuance of exemptions/exceptions to the air navigation regulations and associated operating regulations?  Describe the procedure for the issuance of the exemption (including exceptions/deviations/extensions) with limitations. Include criteria used for the risk assessment before granting the exemption.	Verify: a) That the legislation provides for the granting of exemptions. b) The criteria for the conduct and review of risk assessments, analyses, aeronautical studies, etc.; c) The limitations or other conditions imposed, as applicable, when an exemption is granted; and d) The recording and publication of exemptions granted.
1.029		2	If the State has adopted specific operating regulations from another State/organization, has it established processes for ensuring that its specific operating regulations are amended as needed subsequent to an Annex amendment or an amendment by the originating State/organization?	CC: Arts. 37 & 38  STD Annex 19, Chapter 3, 3.2.2.2  GM Doc. 9734, Part A, Chapter 3, 3.2.2	1.017	Describe the procedure for implementing amendments to Standards and Recommended Practices (SARPs) of Annexes 1, 6, and 8 and for listing and notifying the differences, if any, to ICAO.  <b>If the State has adopted another State's regulations, describe the method used to outline the differences between ICAO SARPs and the adopted regulations and to notify ICAO of the differences that have been reproduced in the national regulations.</b>	1.029	If the State has adopted specific operating regulations from another State/organization, has it established processes for ensuring that its specific operating regulations are amended as needed subsequent to an Annex amendment or an amendment by the originating State/organization?	1) Determine if the State has adopted specific operating regulations.  2) Verify that the processes take into consideration the latest amendments to the Annexes to the Chicago Convention, including filing of differences.

ICAO PQ NUMBER	PPQ	CE	ICAO PROTOCOL QUESTION	Revised References ICAO & FAA combined	IASA PQ NUMBER	FAA IASA	SOS Checklist Number	Suggested Standardized Question (SOS Protocol)	Guidance for Review of Evidence
1.051	YES	1	Does the primary aviation legislation provide for the enforcement of applicable legislation?	CC: Art. 12  STD Annex 19, 3.2.1.1, Appendix 1, 1.1  GM: Doc. 9734, Part A, Chapter 3 Doc. 8335, Part I, Chapter 3, 3.1.2.1, d)	1.013	<b>Describe the provisions of the primary aviation legislation that provides for the enforcement of the air navigation regulations and associated operating regulations, and for the rules specifying any penalty to be applied in the event of violation.</b>  Provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.	1.051	Describe the provisions of the primary aviation legislation that provides for the enforcement of the applicable legislation, air navigation regulations and associated operating regulations, and for the rules specifying any penalty to be applied in the event of violation.	Verify that: a) Enforcement provisions are included in the primary aviation legislation (additional provisions may be contained in the specific operating regulations); b) The legislation specifies penalties; c) The penalties are sufficient to serve as a deterrent; and d) The above is in place for the following audit areas: PEL, OPS (including dangerous goods), AIR, ANS and AGA.
1.053	YES	1	Does the legislation provide authority for:  a) The issuance of aviation documents, b) Suspension and/or revocation of aviation documents, and c) Restrictions to be imposed on their validity for non-compliance with the applicable requirements?	STD: Annex 19, 3.2.2  GM: Doc. 9734, Part A, Chapter 3, 3.1.7, 3.8.3	1.016	Describe legal basis as to how the Director can refuse, withdraw, revoke, suspend, or amend any license, authorization, or operation authorized by the air operator certificate (AOC), if it is necessary in the interest of safety?  Provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.	1.053	Does the legislation provide authority for:  a) The issuance of aviation documents, such as, certificates, authorizations, approvals, etc. b) Suspension and/or revocation of aviation documents, and c) Restrictions to be imposed on their validity for non-compliance with the applicable requirements?	Verify that the legislation addresses the issuance, suspension and/or revocation and restrictions in the following documents: 1) Personnel licences 2) Air operator certificates (AOCs) 3) Certificates of registration 4) Certificates of airworthiness 5) Aircraft radio station licences 6) Aerodrome certificates 7) Authorizations 8) Permits.  Verify the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.
1.055		5	Has the CAA established an enforcement policy and associated procedures?	CC: Art. 12  STD: Annex 19, 3.2.2 & 3.2.5, Appendix 1  GM: Doc 9734, Part A, Chapter 3	Not in IASA CE-1		1.055	Has the CAA established an enforcement policy and associated procedures?	Verify that: 1) The policy and procedures call for enforcement actions (e.g. requests for corrective actions within specific timelines, administrative penalties or other) that are commensurate with the level/type of infraction or violation identified; and 2) The procedures address coordination with the CAA's legal experts when needed.

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									Verify the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response
Not in ICAO LEG				CC Art. 12  GM Doc 8335, Part I, Chapter 3, 3.1.2.1 d) Doc 9734, Part A, Chapter 3, 3.1.7 & 3.8.3	1.101	Who is responsible for the enforcement of the primary aviation legislation and how is enforcement implemented?	1.055-1	Who is responsible for the enforcement of the primary aviation legislation and how is enforcement implemented?	Verify the legal basis
Not in ICAO LEG				CC Art. 12  GM Doc 8335, Part I, Chapter 3, 3.1.2.1 d) Doc 9734, Part A, Chapter 3, 3.1.5, 3.1.7 & 3.8.3	1.102	Who is responsible for the enforcement of national aviation regulations pertaining to:  Airworthiness? Operations? Personnel licensing?	1.055-2	Who is responsible for the enforcement of national aviation regulations pertaining to:  Airworthiness? Operations? Personnel licensing?	Verify the legal basis
Not in ICAO LEG				CC Art. 12  GM Doc 8335, Part I, Chapter 3, 3.1.2.1 d) Doc 9734, Part A, Chapter 3, 3.1.5, 3.1.7 & 3.8.3	1.103	Provide an overview of enforcement action(s) taken during the last twelve months?	1.055-3	Provide an overview of enforcement action(s) taken during the last twelve months	A brief summary of the enforcement actions in the last twelve months is considered satisfactory

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1.101 1.103		1	<p>1.101) Does the primary aviation legislation enable civil aviation inspectors to have unrestricted and unlimited access to aircraft and aviation facilities, as applicable, for the performance of their functions and duties?</p> <p>1.103) Does the primary aviation legislation enable inspectors to access and inspect aviation documents in accordance with their functions and duties?</p>	<p>CC: Art. 16</p> <p>STD: Annex 6, Part I, Appendix 5 &amp; Part III, Appendix 1 Annex 19, 3.2.1.1, Appendix 1</p> <p>GM Doc. 9734, Part A, Chapter 3, 3.1 Doc. 9774, Chapter 2, 2.2 g) &amp; Chapter 3, Section D Doc. 8335, Part I, Chapter 3 (PQ 1.103)</p>	1.201	<p><b>A) Do the laws of the State provide the CAA’s inspectors with complete and uninterrupted access to an air operator’s personnel, aircraft, operations, facilities, and associated records for the purpose of certification and continued surveillance, and resolution of safety issues?</b></p> <p>B) Does the civil aviation law or civil aviation regulations require the CAA to issue inspector credentials that authorizes inspectors to independently accomplish their certification and surveillance duties?</p> <p>If yes, provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.</p>	1.101	<p>A) Do the laws of the State provide the CAA’s inspectors with complete and uninterrupted access to an air operator’s personnel, aircraft, operations, facilities, and associated records for the purpose of certification and continued surveillance, and resolution of safety issues?</p>	<p>1) The inclusion of related provisions in the primary aviation legislation (additional provisions may be contained in the specific operating regulations); and 2) That the legislation addresses access to:</p> <ul style="list-style-type: none"> <li>a) Aircraft</li> <li>b) Aerodromes</li> <li>c) Air navigation services facilities</li> <li>d) Hangars</li> <li>e) Approved maintenance organizations (AMOs)</li> <li>f) Workshops</li> <li>g) Ramps</li> <li>h) Fuel storage facilities</li> <li>i) Air operator offices</li> <li>j) Cargo handling areas</li> <li>k) Aviation training organizations facilities.</li> </ul> <p>3) Examples of documents include:</p> <ul style="list-style-type: none"> <li>a) Manuals</li> <li>b) Certificates, approvals, authorizations, permits</li> <li>c) Procedures</li> <li>d) Technical files</li> <li>e) Personnel files</li> <li>f) Personnel licence</li> </ul>
1.107		1	<p>Does the legislation provide for a clear delegation of sufficient legal authority to civil aviation inspectors?</p>	<p>CC: Art. 16</p> <p>STD: Annex 19, 3.2.1.1</p> <p>GM: Doc. 8335, Part I, Chapter 3 &amp; Chapter 5 Doc. 9734, Part A, Chapter 3 Doc. 9774, Chapter 2 &amp; Chapter 3</p>	1.009	<p>Describe the provisions of the primary aviation legislation that provides delegation of sufficient legal authority to the CAA and also CAA inspectors.</p>	1.107	<p>Describe the provisions of the primary aviation legislation that provides delegation of sufficient legal authority to the CAA and also CAA inspectors.</p>	<p>1) Verify provisions in the legislation on delegation of authority to inspectors, either directly or through a sub-delegation (e.g. Director General/Chief Executive Officer).</p> <p>2) Confirm that inspectors are empowered to carry out surveillance activities (e.g. periodic and random inspections, audits, testing, etc.).</p>

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1.109	YES	1	Has the State established legislation to empower inspectors to prevent an aircraft from flying, when justified, for safety reasons, either directly or by using an established process that can be applied in a timely manner?	STD: Annex 8, Part II, 3.6 Annex 19, 3.2.1.1  GM: Doc 9734, Part A, Chapter 3 Doc 9379, Part II, 10.4 Doc 9760, Part II, 4.7.3 o)	1.202	Does an inspector have the right to detain aircraft and impose prohibitions and conditions in relation to non-compliance with CAA regulations?  If yes, describe the process used by an inspector to detain aircraft and impose prohibitions and conditions in relation to non-compliance with CAA regulations. Provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.	1.109	Has the State established legislation to empower inspectors to prevent an aircraft from flying, and impose prohibitions and conditions, when justified, for safety reasons, either directly or by using an established process that can be applied in a timely manner?	Verify: 1) The inclusion of provisions in the primary aviation legislation (additional provisions may be contained in the specific operating regulations); 2) The process established by the CAA and used by an inspector (empowered or not) to detain aircraft and impose prohibitions and conditions in relation to non-compliance with CAA regulations; and 3) That the process in place can be applied in a timely manner.
1.111	YES	1	Has the State established legislation to empower inspectors to prohibit any person from exercising the privileges of any aviation licence, certificate or other document, for just cause, either directly or by using an established process that can be applied in a timely manner?	STD: Annex 1, 1.2.5 Annex 19, 3.2.1.1  GM: Doc 9734, Part A, Chapter 3 Doc. 9379, Part II, Chapter 10, 10.4.1	1.203	Does an inspector have the right to prohibit any person from exercising the privileges of any aviation license, certificate, or document, in relation to non-compliance with CAA regulations?  If yes, describe the process used by an inspector to prohibit any person from exercising the privileges of any aviation license, certificate, or document in relation to non-compliance with CAA regulations. Provide the specific citation to the relevant statute, regulation, and any guidance material used in reference to your response.	1.111	Has the State established legislation to empower inspectors to prohibit any person from exercising the privileges of any aviation licence, certificate or other document, when justified, for safety reasons, either directly or by using an established process that can be applied in a timely manner?	Verify: 1) The inclusion of provisions in the primary aviation legislation (additional provisions may be contained in the specific operating regulations); 2) The process used by an inspector to prohibit any person from exercising the privileges of any aviation license, certificate, or document in relation to non-compliance with CAA regulations; and 3) That the process in place can be applied in a timely manner.
1.151		1	If the State has ratified Article 83 bis of the Chicago Convention, has it modified its primary aviation legislation and related specific operating regulations to address the transfer of functions and duties as envisaged by Article 83 bis of the Chicago Convention?	CC Art. 81 & 83 bis  STD Annex 6, Part I, Appendix 10  GM Doc 10059 Cir 295	1.019	Has the State ratified Article 83bis?  If yes, describe how the State revised or modified the primary aviation legislation and operating regulations in order to:  Recognize certificates of airworthiness and/or personnel licenses issued/renewed by the State of the Operator Transfer its State of Registry's responsibilities to the State of the Operator  If the State has any agreements regarding the transfer of responsibilities from the State of Registry to the State of the Operator under	1.151	If the State has ratified Article 83 bis of the Chicago Convention, has it modified its primary aviation legislation and related specific operating regulations to address the transfer of functions and duties as envisaged by Article 83 bis of the Chicago Convention?  List the countries, and provisions, with which such agreements exist.  Describe the process used by the State to notify and register these agreements with ICAO as specified in Doc. 7300, Art. 81, 83 and ICAO Circular 295	Verify: 1) That the primary aviation legislation (detailed provisions may be contained in the specific operating regulations) enables the State to recognize the validity of crew licences, certificates of airworthiness and/or radio station licences issued or rendered valid by the State of the Operator under an Article 83 bis agreement. 2) The list of countries involved 3) Process of notification and registration with ICAO

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						<p>the provisions of Article 83bis then:</p> <p>List the countries, and provisions, with which such agreements exist.</p> <p>Describe the process used by the State to notify and register these agreements with ICAO as specified in Doc. 7300, Art. 81, and ICAO Circular 295</p>			
1.205	YES	2	<p>Has the State established and implemented a process to ensure the identification and publication in the State's AIP of significant differences between the SARPs/PANS/SUPPS and the State's regulations and practices?</p>	<p>STD Annex 15, 5.2.2 PANS Doc 10066 (AIM), Appendix 2</p> <p>GM Doc 8126, Chapter 5, 5.8 &amp; Appendix to Chapter 5, AIP GEN 1.7 Doc 8126, Part III, Chapter 2, Appendix B Doc 10055</p>	Not in IASA CE-1		1.205	<p>Has the State established and implemented a process to ensure the identification and publication in the State's AIP of significant differences between the SARPs/PANS/SUPPS and the State's regulations and practices?</p>	<p>Verify:</p> <p>1) the establishment and effective implementation of procedures and guidelines for identifying significant differences (including coordination with all concerned entities); and</p> <p>2) the establishment and implementation of procedures for publishing significant differences in the AIP, including coordination with the AIS provider.</p>