

## **APPENDIX 9-B**

### **PROCEDURE FOR THE AMENDMENT OF REGIONAL AIR NAVIGATION PLANS (Excluding amendments to Regional Supplementary Procedures)**

*(Approved by Council on 18 June 2014)*

#### **1. Introduction**

1.1. The procedure outlined below has been evolved to provide a means of maintaining the regional air navigation plans using an ANP web based platform.

#### **2. General criteria**

2.1. The Assembly has resolved that regional plans should be revised when it becomes apparent that they are no longer consistent with current and foreseen requirements of international civil aviation and that, when the nature of a required change permits, the associated amendment of the regional plan should be undertaken by correspondence between the Organization and the States and international organizations concerned.

2.2. When a State cannot immediately implement a particular part or a specific detail of a regional plan although it intends to do so, when practicable, this in itself should not lead to the State proposing an amendment to the plan.

2.3. The general structure of the regional plans for the parts which concern an air navigation field in Volumes I and II consists of an "Introduction", "General Regional Requirements" and "Specific Regional Requirements". As the section "General Regional Requirements" is harmonized for all regions, an amendment of the provisions (text) in "General Regional Requirements" will lead to amendment of Volumes I and II of the regional plans of all regions.

2.4. The amendment process of Volume III is under the responsibility of the relevant Planning and Implementation Regional Group (PIRG). The Parts 0 (Introduction) and I (General Planning Aspects) of Volume III are harmonized for all regions and the amendment of these parts should be made following inter-regional coordination.

#### **3. User rights**

3.1. Access to the ANP web based platform to develop and submit amendment proposals to the regional plan and to comment on an officially issued amendment proposal should be provided through controlled access by the State's or international organization's designated Focal Points. The State or international organization should officially inform their respective Regional Office of the registration of their designated Focal Points.

#### **4. States and international organizations to be consulted**

4.1. The Secretary General, through the relevant Regional Office, will determine the States and international organizations to be consulted on the amendment proposal. These will generally only include the provider and user States and international organizations that have a direct and obvious interest in the amendment in question.

## **PART A — AIR NAVIGATION PLANS, VOLUME I**

### **5. Procedure for amendment of Volume I**

5.1. If, in the light of the above general criteria, any State (or group of States) wishes to effect a change in the approved air navigation plan for that region, it should propose to the Secretary General, through the Regional Office accredited to that State, an appropriate amendment to the plan, adequately documented; the proposal should include the facts that lead the State (or group of States) to the conclusion that the amendment is necessary. Such amendments may include additions, modifications or deletions. (This procedure does not preclude a State having previous consultation with other States before submitting an amendment proposal to the Regional Office.) This proposed amendment should be submitted via the web based tool and/or by correspondence to the Regional Office.

5.2. Upon studying the proposal, if the Secretary General considers that the proposed amendment requires further coordination through the relevant Planning and Implementation Regional Group (PIRG), the proposal will be presented, adequately documented, to the PIRG. The views of the PIRG will be coordinated with the originating State and the proposed amendment will be updated via the ANP web based platform for processing proposals for amendment for approval by the Council.

5.3. If the proposal concerns an amendment of the provisions (text) in “General Regional Requirements”, the Secretary General will coordinate and circulate, through all Regional Offices, an amendment of all the regional plans.

5.4. If the Secretary General considers that the proposed amendment conflicts with established ICAO policy, or that it raises questions which the Secretary General considers should be brought to the attention of the Air Navigation Commission, the proposal will be presented, adequately documented, to the Commission. In such cases, the Commission will decide the action to be taken on the proposal.

5.5. The Secretary General, through the Regional Office, will circulate the proposal, adequately documented, with a request for comments to all provider and user States of the region considered affected as well as to user States outside the region and international organizations which may be invited to attend suitable ICAO meetings and which may be concerned with the proposal. The States and international organizations concerned should either send their comments/agreement/objection via the ANP web based platform and/or by correspondence to the Regional Office. Any comment or objection should be adequately supported by reasons for the comment or objection.

5.6. If, in reply to the Secretary General's inquiry, no objection is raised to the proposal by a specified date, the proposal should be submitted to the President of the Council, who is authorized to approve the amendment on behalf of the Council. The approved amendment should be incorporated into Volume I of the regional plan.

5.7. If, in reply to the Secretary General's inquiry, any objection is raised, and if objection remains after further consultation, the matter will be documented for discussion by the respective planning and implementation regional group (PIRG) and, ultimately for formal consideration by the Air Navigation Commission, if it remains unresolved. If the Commission concludes that the amendment is acceptable in its original or other form, it will present appropriate recommendations to the Council.

5.8. Proposals for the amendment of Volume I of the regional plan submitted by international organizations directly concerned with the operation of aircraft, which may be invited to attend suitable ICAO meetings and which attended the meeting(s) where the relevant regional plan is managed, will be dealt with in the same manner as those received from States, except that, before circulating a proposal to States and selected international organizations, the Secretary General will ascertain whether it has adequate

support from the State or States whose facilities will be affected. If such support is not forthcoming, the proposal will be presented to the Commission, and the Commission will decide on the action to be taken on the proposal.

5.9. Proposals for the amendment of Volume I of the regional plan may also be initiated by the Secretary General, through the Regional Office accredited to that State, provided that the State or States whose facilities will be affected have expressed their concurrence with the proposal.

5.10. Amendments to Volume I of the regional plan which have been approved in accordance with the above procedure will be published in the ANP web based platform at convenient intervals.

## **PART B — AIR NAVIGATION PLANS, VOLUME II**

### **6. Procedure for amendment of Volume II**

6.1. Amendments of Volume II of the regional plan should be effected on the basis of an adequately documented proposal submitted by a State (or a group of States) or the relevant PIRG to the Secretary General, through the Regional Office accredited to that State. The proposal should include the facts that lead to the conclusion that the amendment is necessary. Such amendments may include additions, modifications or deletions to Volume II of the regional plan. (This procedure does not preclude a State having previous consultation with other States before submitting an amendment proposal to the Regional Office.) This proposed amendment should be submitted via the ANP web based platform and/or by correspondence to the Regional Office.

6.2. If the proposal concerns an amendment of the provisions (text) in “General Regional Requirements”, the Secretary General will coordinate and circulate, through all Regional Offices, an amendment of all the regional plans.

6.3. The ICAO Regional Office will circulate the proposal, adequately documented, with a request for comments to all provider and user States of the region considered affected as well as to user States outside the region and international organizations which may be invited to attend suitable ICAO meetings and which may be concerned with the proposal. The States and international organizations concerned should either send their comments/agreement/objection via the ANP web based platform and/or by correspondence to the Regional Office. Any comment or objection should be adequately supported by reasons for the comment or objection.

6.4. If, in reply to the ICAO Regional Office’s inquiry, no objection is raised to the proposal by a specified date, it will be deemed that a regional agreement (involving the relevant PIRG) on the subject has been reached and the proposed amendment should be incorporated into Volume II of the regional plan.

6.5. If, in reply to the ICAO Regional Office’s inquiry, any objection is raised, and if objection remains after further consultation, the matter will be documented for discussion by the respective planning and implementation regional group (PIRG) and, ultimately for formal consideration by the Air Navigation Commission, if it remains unresolved. If the Commission concludes that the amendment is acceptable in its original or other form, it will present appropriate recommendations to the Council.

6.6. Proposals for the amendment of Volume II of the regional plan submitted by international organizations directly concerned with the operation of aircraft, which may be invited to attend suitable ICAO meetings, where the relevant regional plan is managed, will be dealt with in the same manner as those received from States, except that, before circulating a proposal to States and selected international organizations, the Secretary General will ascertain whether the proposal has adequate support from the

State or States whose facilities or services will be affected. If such support is not forthcoming, the proposal will not be pursued.

6.7. Proposals for the amendment of Volume II of the regional plan may also be initiated by the Secretary General, through the Regional Office accredited to that State, provided that the State or States whose facilities or services will be affected have expressed their concurrence with the proposal.

6.8. Amendments to Volume II of the regional plan which have been approved in accordance with the above procedure will be published in the ANP web based platform at convenient intervals.

## **PART C — AIR NAVIGATION PLANS, VOLUME III**

### **7. Procedure for amendment of Volume III**

7.1. Amendments of Volume III of the regional plan are under the responsibility of the relevant Planning and Implementation Regional Group (PIRG) and not subject to a formal application of the procedure for amendment of the ANP described in Parts A and B above. However, the amendment of the provisions of Part 0 - “Introduction” and Part I - “General Planning Aspects” needs special coordination, as specified in 7.4 below. Since these two Parts are harmonized for all regions, an amendment of the provisions contained there-in will lead to amendment of Parts 0 and I of Volume III of the regional plans of all regions.

7.2. Amendments of Volume III of the regional plan should be effected on the basis of an adequately documented proposal submitted to the ICAO Regional Office concerned by:

- a State (or a group of States); or
- the relevant Planning and Implementation Regional Group (PIRG) of the region(s); or
- the ICAO Secretariat; or
- international organisations directly concerned with the operation of aircraft, which may be invited to attend suitable ICAO meetings and/or which attended the meeting(s) where the relevant Volume III amendments were agreed.

7.3. This procedure does not preclude a State (or group of States) having previous consultation with other States before submitting an amendment proposal to the Regional Office. Such amendments may include additions, modifications or deletions to Volume III of the regional plan. In addition, the facts that led to the conclusion that the amendment should be included.

7.4. If the proposal concerns an amendment of the provisions in Part 0 - “Introduction” or Part I - “General Planning Aspects”, the ICAO Regional Office concerned will submit the proposal to ICAO Headquarters (Air Navigation Bureau) for coordination with all ICAO Regional Offices. The views of the ICAO Regional Offices will be taken into consideration in the consolidation/approval of the amendment by the ANB. The approved amendment will be published in Volume III of all regional plans at convenient intervals.

7.5. The mechanism for the amendment of Part II of Volume III of the regional plan should be developed, agreed by the relevant PIRG and reflected in the corresponding PIRG Handbook.

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