



WORKING PAPER

**DANGEROUS GOODS PANEL (DGP)
WORKING GROUP MEETING (DGP-WG/24)**

Montreal, 21 to 25 October 2024

Agenda Item 8: Coordination with other Air Navigation Commission panels

**INTERPANEL COORDINATION: PROPOSED AMENDMENT TO ANNEX 6, PARTS I AND III
FOR RAMP INSPECTION OF FOREIGN OPERATORS**

(Presented by the Secretary)

SUMMARY

This working paper contains draft amendments to Annex 6, Parts I and III related to ramp inspections of foreign operators that were developed by the Flight Operations Panel (FLTOPSP). DGP-WG/24 is invited to review and comment on the draft amendments for onward submission to FLTOPSP.

Action by the DGP-WG: Action by the DGP-WG is in paragraph **Error!**
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1. INTRODUCTION

1.1 Annex 6 — *Operation of Aircraft*, Part I — *International Commercial Air Transport — Aeroplanes* and Part III — *International Operations — Helicopters*, have no detailed provisions on the oversight of foreign operators, instead relying on the requirement that “States shall establish a programme with procedures for the surveillance of operations in their territory by a foreign operator and for taking appropriate action when necessary to preserve safety” and including guidance on how this should be conducted in the *Manual of Procedures for Operations Inspection, Certification and Continued Surveillance* (Doc 8335).

1.2 Due to the lack of a specific provision requiring that the procedures for surveillance within an oversight programme includes a ramp inspection programme, not all States are implementing such programme. Whereas many others are now actively developing ramp inspection programmes, with only guidance contained on how these should be set up and administered in Doc 8335, there is a possibility that significant variation will be seen in these programmes as Doc 8335 is guidance only, and mandatory elements required for standardization and harmonization is not contained in the Standards and Recommended Practices (SARPs). From an operator’s perspective, different ramp inspection programmes could yield different results even though based on a consistent operation, leading to confusion about whether the items raised as “findings” by one State but not another State are items which require action by the operator.

1.3 Specific Standards in Annex 6 will provide a clear requirement for the establishment of a ramp inspection programme.

2. FUTURE WORK

2.1 Annex 6 — *Operation of Aircraft, Part IV — International Operations — Remotely Piloted Aircraft Systems* includes similar provisions regarding surveillance of foreign operators but is not included on the current job card FLTOSP.046.03 Ramp Inspections. The international operation of RPAS has unique aspects that need to be considered in the development of Standards for ramp inspection. Therefore, FLTOSP intends to propose an update to the job card to work on Part IV at a later stage.

2.2 In order to ensure harmonization in programmes that have been and will be established, a revision of Doc 8335 is needed for the ‘technical aspects’, as well as Doc 9734, *Safety Oversight Manual, Part A — The Establishment and Management of a State Safety Oversight System* and Part B — *The Establishment and Management of a Regional Safety Oversight System* for the integration of the programme in State Safety Oversight Systems and for allowing those systems to be administered at regional level through Regional Safety Oversight Organizations (RSOOs).

2.3 The associated guidance updates are still in development by the FLTOSP and will be coordinated with DGP at a later time.

3. ACTION BY THE DGP-WG

3.1 FLTOSP is inviting DGP to review and comment on the proposed amendments to Annex 6, Parts I and III as shown in Appendices A and B to this working paper along with a consequential amendment to Annex 18 as shown in Appendix C to this working paper by **15 November 2024** using the dedicated comment matrix document.

APPENDIX A

PROPOSED AMENDMENT TO ANNEX 6, PART I

NOTES ON THE PRESENTATION OF THE AMENDMENT

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:

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**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

ANNEX 6 OPERATION OF AIRCRAFT

PART I INTERNATIONAL COMMERCIAL AIR TRANSPORT - AEROPLANES

CHAPTER 1. DEFINITIONS

Regional Accident and Incident Investigation Organization (RAIO). An organization that enables the coordination and collaboration between States of a region or sub region for accident and incident investigation.

Regional Safety Oversight Organization (RSOO). An organization that enables the coordination and collaboration between States of a region or sub region for safety oversight.

CHAPTER 3. GENERAL

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3.1 DELEGATION OF CERTAIN FUNCTIONS AND ACTIVITIES

Notwithstanding its responsibilities under the Chicago Convention, the State may delegate state safety programme functions and activities to another State, Regional Safety Oversight Organization (RSOO) or Regional Accident and Incident Investigation Organization (RAIO), as appropriate.

Note – Each State retains responsibility for state safety programme functions and activities delegated to another State, RSOO, or RAIO. Refer to Annex 19, for state safety programme delegation of functions and activities. Examples of such delegations include but are not limited to:

- Issuance of an air operator certificate; and
- Surveillance of operators and foreign operators.

<i>Origin:</i> FLTOPSP	<i>Rationale:</i> Although RAIOS and RSOOs have been established and mentioned in several documents, their existence was never formally recognised by including references to the task delegation possibilities in the relevant Annexes.
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3.12 COMPLIANCE WITH LAWS, REGULATIONS AND PROCEDURES

3.2.1 An operator shall meet and maintain the requirements established by the States in which the operations are conducted.

3.12.12 The An operator shall ensure that all employees when abroad know that they must comply with the laws, regulations and procedures of those States in which operations are conducted.

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Editorial Note - Remaining sections in Chapter 3 to be renumbered.

<i>Origin:</i> FLTOPSP	<i>Rationale:</i> 4.2.2.3 contained an obligation for operators, whereas 4.2 is about obligations addressed to the State. The operator obligation is considered to be better placed in 3.1, which is now renumbered to 3.2.
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CHAPTER 4. FLIGHT OPERATIONS

4.2 OPERATIONAL CERTIFICATION AND SUPERVISION

4.2.2 Surveillance of operations by a foreign operator

Note – For the purposes of this section, the term “foreign operator” refers to any operator that holds an AOC issued by one State and that operates, or seeks to operate, into, within, or out of the territory of another State.

4.2.2.1 ~~Contracting~~ Each States shall recognize as valid an air operator certificate issued by another ~~Contracting~~ State, provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in this Annex and in Annex 19.

4.2.2.2 Each States shall establish, as part of its State safety oversight system, a programme with procedures for the surveillance of operations in their territory by a foreign operator and for taking appropriate action when necessary to preserve safety. The programme shall include ramp inspections of aircraft operated by foreign operators in accordance with Appendix X.

4.2.2.3 ~~The operator shall meet and maintain the requirements established by the States in which the operations are conducted.~~

~~*Note— Guidance on the surveillance of operations by foreign operators may be found in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335).*~~

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Editorial Note.— Insert new Appendix as follows

APPENDIX X. RAMP INSPECTIONS OF AIRCRAFT OPERATED BY FOREIGN OPERATORS

(Chapter 4, 4.2.2.2 refers)

Note— Guidance on the ramp inspection of aircraft operated by foreign operators is contained in the [Add all appropriate references].

1. Aviation legislation

Each State shall enact and implement regulations for ramp inspections of foreign operators conducting commercial air transport operations.

2. Risk-based ramp inspection programme of foreign operators

2.1 Each State shall, as part of their State safety oversight system, implement a risk-based ramp inspection programme as part of the surveillance of foreign operators, ensuring their operations remain in compliance with the relevant Annexes to the Convention on International Civil Aviation.

2.2 The ramp inspection programme of foreign operators shall, as a minimum, include the following:

- a) personnel licensing;
- b) operation of aircraft;
- c) aircraft nationality and registration;
- d) airworthiness of aircraft; and
- e) transportation of dangerous goods.

3. Adequate resources and qualified technical personnel

3.1 Each State shall ensure adequate inspector personnel are available to effectively conduct the ramp inspection programme.

3.2 Each State shall ensure that inspectors have adequate support, credentials, transportation and access to aerodromes to accomplish, independently, their ramp inspection tasks of foreign operators.

3.3 Each State shall ensure that the inspector qualifications and experience are adequate for the ramp inspection of aircraft operated by foreign operators.

3.4 Each State shall establish and maintain a training programme for inspectors conducting ramp inspections of foreign operators.

3.4.1 **Recommendation.** – *The training programme for inspectors should include the following:*

a) *Initial training*
i) *Appropriate specific theoretical and practical training in one or more of the following areas of inspection:*

- (A) *flight deck;*
- (B) *cabin safety;*
- I aircraft condition; and*
- (D) *cargo; and*

ii) *Appropriate on-the-job training delivered by an adequately qualified ramp inspector.*

b) *Recurrent training, at intervals not exceeding three years covering, at least the following elements:*

- i) *regulatory and procedural developments;*
- ii) *operational practices; and*
- iii) *standardisation and harmonisation issues.*

4. Technical guidance, tools, and provision of safety-critical information

4.1 Each State shall ensure that inspectors are provided with technical guidance, tools and safety-critical information containing the policies, procedures, checklists and standards to be used in:

a. the ramp inspection of foreign operators; and

b. the resolution of safety issues, including enforcement relevant to foreign operators.

4.2 Each State shall ensure that inspectors are provided with technical guidance that addresses ethics, personal conduct, and the avoidance of actual or perceived conflicts of interest in the performance of official duties related to the ramp inspection of foreign operators.

5. Ramp inspection obligations

Each State shall, based on risk assessment, prioritize and plan ramp inspections of foreign operators to confirm continued compliance with the relevant safety standards.

6. Resolution of safety issues

Each State shall develop processes and procedures, taking into account Chapter 3, 3.2, to monitor and record progress in resolving identified safety issues of foreign operators within their State.

Note. — Provisions for the resolution of safety issues are contained in Appendix 1 to Annex 19.

<p><i>Origin:</i> FLTOPSP</p>	<p><i>Rationale:</i> The jump from a high-level Standard 4.2.2.2 to Doc 8335, was considered not to create legal certainty/clarity on what to promulgate in national law. Creating an appendix with SARPs would provide further clarity on the minimum to be addressed when implementing a ramp inspection programme. This would also greatly facilitate a harmonised approach amongst the States when implementing such a programme, and in addition promote regional cooperation in doing so. Harmonisation of such programmes would also benefit operators, as those operating to multiple States, would then find themselves subjected to programmes with very little differences.</p>
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APPENDIX B

PROPOSED AMENDMENT TO ANNEX 6, PART III

NOTES ON THE PRESENTATION OF THE AMENDMENT

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:

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**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

ANNEX 6 OPERATION OF AIRCRAFT

PART III INTERNATIONAL OPERATIONS - HELICOPTERS

SECTION I GENERAL

CHAPTER 1. DEFINITIONS

Regional Accident and Incident Investigation Organization (RAIO). An organization that enables the coordination and collaboration between States of a region or sub region for accident and incident investigation.

Regional Safety Oversight Organization (RSOO). An organization that enables the coordination and collaboration between States of a region or sub region for safety oversight.

SECTION II INTERNATIONAL COMMERCIAL AIR TRANSPORT

CHAPTER 1. GENERAL

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1.1 DELEGATION OF CERTAIN FUNCTIONS AND ACTIVITIES

Notwithstanding its responsibilities under the Chicago Convention, the State may delegate state safety programme functions and activities to another State, Regional Safety Oversight Organization (RSOO) or Regional Accident and Incident Investigation Organization (RAIO), as appropriate.

Note – Each State retains responsibility for state safety programme functions and activities delegated to another State, RSOO, or RAIO. Refer to Annex 19, for state safety programme delegation of functions and activities. Examples of such delegations include but are not limited to:

- Issuance of an air operator certificate; and
- Surveillance of operators and foreign operators.

<i>Origin:</i> FLTOPSP	<i>Rationale:</i> Although RAIOS and RSOOs have been established and mentioned in several documents, their existence was never formally recognised by including references to the task delegation possibilities in the relevant Annexes.
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1.1.2 COMPLIANCE WITH LAWS, REGULATIONS AND PROCEDURES

1.1.2.1 An operator shall meet and maintain the requirements established by the States in which the operations are conducted.

1.1.2.2 The An operator shall ensure that all employees when abroad know that they must comply with the laws, regulations and procedures of those States in which operations are conducted.

...

Editorial Note - Remaining sections in Chapter 1 to be renumbered.

<p><i>Origin:</i> FLTOPSP</p>	<p><i>Rationale:</i> 2.2.2.3 contained an obligation for operators, whereas 2.2 is about obligations addressed to the State. The operator obligation is considered to be better placed in 1.1, which is now renumbered to 1.2.</p>
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CHAPTER 2. FLIGHT OPERATIONS

2.2 OPERATIONAL CERTIFICATION AND SUPERVISION

2.2.2 Surveillance of operations by a foreign operator

Note – For the purposes of this section, the term “foreign operator” refers to any operator that holds an AOC issued by one State and that operates, or seeks to operate, into, within, or out of the territory of another State.

2.2.2.1 ~~Contracting~~ Each States shall recognize as valid an air operator certificate issued by another ~~Contracting~~ State, provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in this Annex and in Annex 19.

2.2.2.2 Each States shall establish, as part of its State safety oversight system, a programme with procedures for the surveillance of operations in their territory by a foreign operator and for taking appropriate action when necessary to preserve safety. The programme shall include ramp inspections of aircraft operated by foreign operators in accordance with Appendix X.

2.2.2.3 ~~The operator shall meet and maintain the requirements established by the States in which the operations are conducted.~~

Note – ~~Guidance on the surveillance of operations by foreign operators may be found in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335).~~

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Editorial Note.— Insert new Appendix as follows

APPENDIX X. RAMP INSPECTIONS OF AIRCRAFT OPERATED BY FOREIGN OPERATORS

(Section II, Chapter 2, 2.2.2.2 refers)

Note— Guidance on the ramp inspection of aircraft operated by foreign operators is contained in the [Add all appropriate references].

1. Aviation legislation

Each State shall enact and implement regulations for ramp inspection of foreign operators conducting **commercial air transport operations**.

2. Risk-based systems for surveillance of foreign operators

2.1 Each State shall, as part of their State safety oversight system, implement a risk-based ramp inspection programme as part of the surveillance of foreign operators, ensuring their operations remain in compliance with the relevant Annexes to the Convention on International Civil Aviation.

2.2 The ramp inspection programme of foreign operators shall, as a minimum, include the following:

- a) personnel licensing;
- b) operation of aircraft;
- c) aircraft nationality and registration;
- d) airworthiness of aircraft; and
- e) transportation of dangerous goods.

3. Adequate resources and qualified technical personnel

3.1 Each State shall ensure adequate inspector personnel are available to effectively conduct the ramp inspection programme.

3.2 Each State shall ensure that inspectors have adequate support, credentials, transportation and access to aerodromes to accomplish, independently, their ramp inspection tasks of foreign operators.

3.3 Each State shall ensure that the inspector qualifications and experience are adequate for the ramp inspection of aircraft operated by foreign operators.

3.4 Each State shall establish and maintain a training programme for inspectors conducting ramp inspection of foreign operations.

3.4.1 **Recommendation.** - *The training programme for inspectors should include the following:*

a) Initial training
i) Appropriate specific theoretical and practical training in one or more of the following areas of inspection:

- (A) flight deck;*
- (B) cabin safety;*
- (C) aircraft condition; and*
- (D) cargo; and*

- ii) *Appropriate on-the-job training delivered by an adequately qualified ramp inspector.*
- b) *Recurrent training, at intervals not exceeding three years, covering at least the following elements:*
 - i) *regulatory and procedural developments;*
 - ii) *operational practices; and*
 - iii) *standardisation and harmonisation issues.*

4. Technical guidance, tools, and provision of safety-critical information

4.1 Each State shall ensure that inspectors are provided with technical guidance, tools and safety-critical information containing the policies, procedures, checklists and standards to be used in:

- a. the ramp inspection of foreign operators; and
- b. the resolution of safety issues, including enforcement relevant to foreign operators.

4.2 Each State shall ensure that inspectors are provided with technical guidance that addresses ethics, personal conduct, and the avoidance of actual or perceived conflicts of interest in the performance of official duties related to the ramp inspection of foreign operators.

5. Ramp inspection obligations

Each State shall, based on risk assessment, prioritize and plan ramp inspection of foreign operators to confirm continued compliance with the relevant safety standards.

6. Resolution of safety issues

Each State shall develop processes and procedures, taking into account Section II, Chapter 1, 1.2, to monitor and record progress in resolving identified safety issues of foreign operators within their State.

Note. — Provisions for the resolution of safety issues are contained in Appendix 1 to Annex 19.

<p><i>Origin:</i> FLTOPSP</p>	<p><i>Rationale:</i> The jump from a high-level Standard 4.2.2.2 to Doc 8335, was considered not to create legal certainty/clarity on what to promulgate in national law. Creating an appendix with SARPs would provide further clarity on the minimum to be addressed when implementing a ramp inspection programme. This would also greatly facilitate a harmonised approach amongst the States when implementing such a programme, and in addition promote regional cooperation in doing so. Harmonisation of such programmes would also benefit operators, as those operating to multiple States, would then find themselves subjected to programmes with very little differences.</p>
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APPENDIX C

PROPOSED AMENDMENT TO ANNEX 18

NOTES ON THE PRESENTATION OF THE AMENDMENT

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:

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PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES
ANNEX 18
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION
THE SAFE TRANSPORT OF DANGEROUS GOODS BY AIR
CHAPTER 10. TRAINING PROGRAMMES

10.2 Approval of training programmes

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10.2.3 **Recommendation.**— *Dangerous goods training programmes required for entities other than operators and designated postal operators should be approved as determined by the appropriate national authority.*

Note 1.— See 11.4 for dangerous goods by mail.

Note 2.— See 4.2.2 of Annex 6 — Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes and 2.2.2 of Annex 6 Part III – International Commercial Air Transport – Helicopters for surveillance of operations by a foreign operator.

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<i>Origin:</i> Comments to State Letter AN 11/6.1.10/23/57 thru FLTOPSP	<i>Rationale:</i> Adding reference to Annex 6, Part III for helicopters, using the revised title from Amendment 26 to Part III.
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APPENDIX D
COMMENT MATRIX

