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| **SADC AVIATION SAFETY ORGANIZATION (SASO)**  **REGULATIONS** |



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| **AIR NAVIGATION SERVICES COMMON REGULATIONS**  **First Edition**  **Month 202x** |

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# RECORD OF REVISIONS

| **Rev. No** | **Date**  **(DD-MM-YYYY)** | **Subject** | **Inserted By**  **(Department-Division)** |
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# GENERAL PROVISIONS

## Citation and commencement

1. These Regulations may be cited as the SASO Model Civil Aviation (Regulation Code) Regulations, 202X
2. These regulations come into operation on the date on which it is published in the [State] Gazette.

## Scope and applicability

This Regulation lays down common requirements for the provision of air navigation services (ANS), in particular for the legal or natural persons and Organisations providing those services.

## Existing certificates

1. Certificates that have been issued in accordance with previous regulations shall be deemed to have been issued in accordance with this Regulation.
2. Member States shall replace the certificates referred to in paragraph 1 with certificates complying with the format laid down in Appendix TBD by 1 January 202X at the latest. .

## Repeal and amendment

The following regulations are repealed:

1. TBD
2. TBD
3. TBD

# ANNEX I – PART-DEFINITIONS

## Definitions and abbreviations

For the purposes of this Regulation, the following definitions shall apply:

1. **Accepting unit**. Air traffic control unit next to take control of an aircraft.
2. **Accident.** An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:
3. a person is fatally or seriously injured as a result of:
4. being in the aircraft, or
5. direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
6. direct exposure to jet blast,

except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

1. b) the aircraft sustains damage or structural failure which:
2. adversely affects the structural strength, performance or flight characteristics of the aircraft, and
3. would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

1. c) the aircraft is missing or is completely inaccessible.
2. **ADS-C agreement**. A reporting plan which establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services unit and frequency of ADS-C reports which have to be agreed to prior to using ADS-C in the provision of air traffic services).
3. **Advisory airspace.** An airspace of defined dimensions, or designated route, within which air traffic advisory service is available.
4. **Advisory route**. A designated route along which air traffic advisory service is available.
5. **Aerodrome.** A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.
6. **Aerodrome control service**. Air traffic control service for aerodrome traffic.
7. **Aerodrome control tower**. A unit established to provide air traffic control service to aerodrome traffic.
8. **Aerodrome traffic.** All traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome.
9. **Aeronautical fixed service (AFS).** A telecommunication service between specified fixed points provided primarily for the safety of air navigation and for the regular, efficient and economical operation of air services.
10. **Aeronautical Information Publication (AIP).** A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.
11. **Aeronautical mobile service (RR S1.32).** A mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft stations may participate; emergency position-indicating radio beacon stations may also participate in this service on designated distress and emergency frequencies.
12. **Aeronautical telecommunication station.** A station in the aeronautical telecommunication service.
13. **Airborne collision avoidance system (ACAS).** An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.
14. **Aircraft.** Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface.
15. **Air-ground communication.** Two-way communication between aircraft and stations or locations on the surface of the earth.
16. **AIRMET information**. Information issued by a meteorological watch office concerning the occurrence or expected occurrence of specified en-route weather phenomena which may affect the safety of low-level aircraft operations and which was not already included in the forecast issued for low-level flights in the flight information region concerned or sub-area thereof.
17. **Air-taxiing**. Movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).
18. **Air traffic.** All aircraft in flight or operating on the manoeuvring area of an aerodrome.
19. **Air traffic advisory service.** A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.
20. **Air traffic control clearance.** Authorization for an aircraft to proceed under conditions specified by an air traffic control unit.
21. **Air traffic control service.** A service provided for the purpose of:
22. preventing collisions:
23. between aircraft, and
24. on the manoeuvring area between aircraft and obstructions; and
25. expediting and maintaining an orderly flow of air traffic.
26. **Air traffic control unit.** A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.
27. **Air traffic controller schedule.** A plan for allocating air traffic controller duty periods and non-duty periods over a period of time, otherwise referred to as a roster.
28. **Air traffic flow management (ATFM).** A service established with the objective of contributing to a safe, orderly and expeditious flow of air traffic by ensuring that ATC capacity is utilized to the maximum extent possible and that the traffic volume is compatible with the capacities declared by the appropriate ATS authority.
29. **Air traffic service.** A generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service).
30. **Air traffic services airspaces.** Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.
31. **Air traffic services reporting office.** A unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure.
32. **Air traffic services unit.** A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.
33. **Airway.** A control area or portion thereof established in the form of a corridor.
34. **ALERFA.** The code word used to designate an alert phase.
35. **Alerting service.** A service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required.
36. **Alert phase.** A situation wherein apprehension exists as to the safety of an aircraft and its occupants.
37. **Alternate aerodrome.** An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at the expected time of use. Alternate aerodromes include the following:
38. **Take-off alternate.** An alternate aerodrome at which an aircraft would be able to land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.
39. **En-route alternate.** An alternate aerodrome at which an aircraft would be able to land in the event that a diversion becomes necessary while en route.
40. **Destination alternate.** An alternate aerodrome at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.
41. **Altitude.** The vertical distance of a level, a point or an object considered as a point, measured from mean sea level.
42. **Approach control service.** Air traffic control service for arriving or departing controlled flights.
43. **Approach control unit.** A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.
44. **Appropriate ATS authority.** The relevant authority designated by the State responsible for providing air traffic services in the airspace concerned.
45. **Apron.** A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.
46. **Apron management service.** A service provided to regulate the activities and the movement of aircraft and vehicles on an apron.
47. **Area control centre.** A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.
48. **Area control service.** Air traffic control service for controlled flights in control areas.
49. **Area navigation (RNAV).** A method of navigation which permits aircraft operation on any desired flight path within the coverage of ground- or space-based navigation aids or within the limits of the capability of self-contained aids, or a combination of these.
50. **Area navigation route.** An ATS route established for the use of aircraft capable of employing area navigation.
51. **ATS route.** A specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services.
52. **Automatic dependent surveillance — broadcast (ADS-B).** A means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.
53. **Automatic dependent surveillance — contract (ADS-C).** A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.
54. **Automatic terminal information service (ATIS).** The automatic provision of current, routine information to arriving and departing aircraft throughout 24 hours or a specified portion thereof:
55. **Data link-automatic terminal information service (D-ATIS).** The provision of ATIS via data link.
56. **Voice-automatic terminal information service (Voice-ATIS).** The provision of ATIS by means of continuous and repetitive voice broadcasts.
57. **Base turn.** A turn executed by the aircraft during the initial approach between the end of the outbound track and the beginning of the intermediate or final approach track. The tracks are not reciprocal.
58. **Calendar.** Discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108\*).
59. **Change-over point.** The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft.
60. **Clearance limit.** The point to which an aircraft is granted an air traffic control clearance.
61. **Conference communications.** Communication facilities whereby direct speech conversation may be conducted between three or more locations simultaneously.
62. **Control area.** A controlled airspace extending upwards from a specified limit above the earth.
63. **Controlled aerodrome.** An aerodrome at which air traffic control service is provided to aerodrome traffic.
64. **Controlled airspace.** An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.
65. **Controlled flight.** Any flight which is subject to an air traffic control clearance.
66. **Controller-pilot data link communications (CPDLC).** A means of communication between controller and pilot, using data link for ATC communications.
67. **Control zone.** A controlled airspace extending upwards from the surface of the earth to a specified upper limit.
68. **Cruising level.** A level maintained during a significant portion of a flight.
69. **Cyclic redundancy check (CRC).** A mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data.
70. **Danger area.** An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.
71. **Data accuracy.** A degree of conformance between the estimated or measured value and the true value.
72. **Data integrity (assurance level).** A degree of assurance that an aeronautical data and its value has not been lost or altered since the origination or authorized amendment.
73. **Data link communications.** A form of communication intended for the exchange of messages via a data link.
74. **Data quality.** A degree or level of confidence that the data provided meets the requirements of the data user in terms of accuracy, resolution and integrity (or equivalent assurance level), traceability, timeliness, completeness and format.
75. **Datum.** Any quantity or set of quantities that may serve as a reference or basis for the calculation of other quantities (ISO 19104\*).
76. **Declared capacity.** A measure of the ability of the ATC system or any of its subsystems or operating positions to provide service to aircraft during normal activities. It is expressed as the number of aircraft entering a specified portion of airspace in a given period of time, taking due account of weather, ATC unit configuration, staff and equipment available, and any other factors that may affect the workload of the controller responsible for the airspace.
77. **DETRESFA.** The code word used to designate a distress phase.
78. **Distress phase.** A situation wherein there is reasonable certainty that an aircraft and its occupants are threatened by grave and imminent danger or require immediate assistance.
79. **Downstream clearance.** A clearance issued to an aircraft by an air traffic control unit that is not the current controlling authority of that aircraft.
80. **Duty.** Any task that an air traffic controller is required by an air traffic services provider to perform. These tasks include those performed during time-in-position, administrative work and training.
81. **Duty period.** A period which starts when an air traffic controller is required by an air traffic services provider to report for or to commence a duty and ends when that person is free from all duties.
82. **Emergency phase.** A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase.
83. **Fatigue.** A physiological state of reduced mental or physical performance capability resulting from sleep loss, extended wakefulness, circadian phase, and/or workload (mental and/or physical activity) that can impair a person’s alertness and ability to perform safety-related operational duties.
84. **Fatigue risk management system (FRMS).** A data-driven means of continuously monitoring and managing fatigue-related safety risks, based upon scientific principles, knowledge and operational experience that aims to ensure relevant personnel are performing at adequate levels of alertness.
85. **Final approach.** That part of an instrument approach procedure which commences at the specified final approach fix or point, or where such a fix or point is not specified,
86. at the end of the last procedure turn, base turn or inbound turn of a racetrack procedure, if specified; or
87. b) at the point of interception of the last track specified in the approach procedure; and ends at a point in the vicinity of an aerodrome from which:
88. a landing can be made; or
89. 2) a missed approach procedure is initiated.
90. **Flight crew member.** A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.
91. **Flight information centre.** A unit established to provide flight information service and alerting service.
92. **Flight information region.** An airspace of defined dimensions within which flight information service and alerting service are provided.
93. **Flight information service.** A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.
94. **Flight level.** A surface of constant atmospheric pressure which is related to a specific pressure datum, 1 013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals.
95. **Flight plan.** Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.
96. **Forecast.** A statement of expected meteorological conditions for a specified time or period, and for a specified area or portion of airspace.
97. **Geodetic datum.** A minimum set of parameters required to define location and orientation of the local reference system with respect to the global reference system/frame.
98. **Gregorian calendar.** Calendar in general use; first introduced in 1582 to define a year that more closely approximates the tropical year than the Julian calendar (ISO 19108\*).
99. **Height.** The vertical distance of a level, a point or an object considered as a point, measured from a specified datum.
100. **Human Factors principles.** Principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.
101. **Human performance.** Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.
102. **IFR.** The symbol used to designate the instrument flight rules.
103. **IFR flight.** A flight conducted in accordance with the instrument flight rules.
104. **IMC.** The symbol used to designate instrument meteorological conditions.
105. **INCERFA.** The code word used to designate an uncertainty phase.
106. **Incident.** An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.
107. **Instrument flight procedure design service.** A service established for the design, documentation, validation, maintenance and periodic review of instrument flight procedures necessary for the safety, regularity and efficiency of air navigation.
108. **Instrument meteorological conditions (IMC).** Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions.
109. **Integrity classification (aeronautical data).** Classification based upon the potential risk resulting from the use of corrupted data. Aeronautical data is classified as:
110. **routine data:** there is a very low probability when using corrupted routine data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe;
111. **essential data:** there is a low probability when using corrupted essential data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe; and
112. **critical data:** there is a high probability when using corrupted critical data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe.
113. **International NOTAM office.** An office designated by a State for the exchange of NOTAM internationally.
114. **Level.** A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.
115. **Manoeuvring area.** That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.
116. **Meteorological office.** An office designated to provide meteorological service for international air navigation.
117. **Movement area.** That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).
118. **Navigation specification.** A set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace. There are two kinds of navigation specifications:
119. **Required navigation performance (RNP) specification.** A navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, e.g. RNP 4, RNP APCH.
120. **Area navigation (RNAV) specification.** A navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1.
121. **Non-duty period.** A continuous and defined period of time, subsequent to and/or prior to duty periods, during which the air traffic controller is free of all duties.
122. **NOTAM.** A notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.
123. **Obstacle.** All fixed (whether temporary or permanent) and mobile objects, or parts thereof, that:
124. are located on an area intended for the surface movement of aircraft; or
125. extend above a defined surface intended to protect aircraft in flight; or
126. stand outside those defined surfaces and that have been assessed as being a hazard to air navigation.
127. **Operator.** A person, organization or enterprise engaged in or offering to engage in an aircraft operation.
128. **Performance-based communication (PBC).** Communication based on performance specifications applied to the provision of air traffic services.
129. **Performance-based navigation (PBN).** Area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace.
130. **Performance-based surveillance (PBS).** Surveillance based on performance specifications applied to the provision of air traffic services.
131. **Pilot-in-command.** The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.
132. **Printed communications.** Communications which automatically provide a permanent printed record at each terminal of a circuit of all messages which pass over such circuit.
133. **Prohibited area.** An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.
134. **Radio navigation service.** A service providing guidance information or position data for the efficient and safe operation of aircraft supported by one or more radio navigation aids.
135. **Radiotelephony.** A form of radiocommunication primarily intended for the exchange of information in the form of speech.
136. **Reporting point.** A specified geographical location in relation to which the position of an aircraft can be reported.
137. **Required communication performance (RCP) specification.** A set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based communication.
138. **Required surveillance performance (RSP) specification.** A set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based surveillance.
139. **Rescue coordination centre.** A unit responsible for promoting efficient organization of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region.
140. **Restricted area.** An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.
141. **Runway.** A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.
142. **Runway visual range (RVR).** The range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.
143. **Safety management system (SMS).** A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.
144. **SIGMET information.** Information issued by a meteorological watch office concerning the occurrence or expected occurrence of specified en-route weather and other phenomena in the atmosphere that may affect the safety of aircraft operations.
145. **Significant point.** A specified geographical location used in defining an ATS route or the flight path of an aircraft and for other navigation and ATS purposes.
146. **Special VFR flight.** A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC.
147. **Station declination.** An alignment variation between the zero degree radial of a VOR and true north, determined at the time the VOR station is calibrated.
148. **Taxiing.** Movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing.
149. **Terminal control area.** A control area normally established at the confluence of ATS routes in the vicinity of one or more major aerodromes.
150. **Time-in-position.** The period of time when an air traffic controller is exercising the privileges of the air traffic controller’s licence at an operational position.
151. **Track.** The projection on the earth’s surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).
152. **Traffic avoidance advice.** Advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision.
153. **Traffic information.** Information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision.
154. **Transfer of control point.** A defined point located along the flight path of an aircraft, at which the responsibility for providing air traffic control service to the aircraft is transferred from one control unit or control position to the next.
155. **Transferring unit.** Air traffic control unit in the process of transferring the responsibility for providing air traffic control service to an aircraft to the next air traffic control unit along the route of flight.
156. **Uncertainty phase.** A situation wherein uncertainty exists as to the safety of an aircraft and its occupants.
157. **VFR.** The symbol used to designate the visual flight rules.
158. **VFR flight.** A flight conducted in accordance with the visual flight rules.
159. **Visual meteorological conditions (VMC).** Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima.
160. **VMC.** The symbol used to designate visual meteorological conditions.
161. **Waypoint.** A specified geographical location used to define an area navigation route or the flight path of an aircraft employing area navigation. Waypoints are identified as either:
162. **Fly-by waypoint.** A waypoint which requires turn anticipation to allow tangential interception of the next segment of a route or procedure, or
163. **Flyover waypoint.** A waypoint at which a turn is initiated in order to join the next segment of a route or procedure.

# ANNEX II – PART-ANS COMMON REQUIREMENTS FOR AIR NAVIGATION SERVICE PROVIDERS

## Scope

This regulation establishes the common requirements to be met by air navigation service providers:

1. Air traffic services providers;
2. Flight procedures design services providers;
3. Meteorological services providers;
4. Aeronautical information services providers;
5. Aeronautical charts services providers;
6. Communications, navigation or surveillance services providers; and
7. Search and rescue services providers.

## Application for a service provider certificate

1. Application for a service provider certificate or an amendment to an existing certificate shall be made in the form and manner established in APPENDIX I FORM xx, taking into account the applicable requirements of this Regulation.
2. To obtain the certificate, the service provider shall comply with:
3. the common requirements set out in this Part;
4. the specific requirements set out in relevant Parts, where those requirements are applicable in light of the services that the service provider provides or plans to provide.
5. In compliance with this Regulation, the application form (Appendix I) must be forwarded together with the following documents and evidence duly numbered:
6. Copy of the company affidavit or evidence of the juristic person which including name, objective, location, and name of the authorized person at the present to certify under the law and which had issued within six months prior to the date on the company affidavit or evidence of juristic person’s incorporation;
7. A statement signed by the CEO, responsible manager or equivalent charge on the adequacy of the organization and all the documentation developed;
8. Certificate of financial position of the applicant issued by a financial institution;
9. Copy of shareholder name list;
10. A statement setting out the services that the applicant proposes to provide;
11. The manual of operations ;
12. A statement setting out the hours during which each service is proposed to be available;
13. Duly signed safety policy of the applicant in accordance with the provisions of this Regulation;
14. Duly signed security policy of the applicant in accordance with the provisions of this Regulation;
15. A list of names and its positions of the directors of the organization in accordance with the provisions of this Regulation;
16. The obligations and responsibilities of the aforementioned directors in relation to the application of the provisions of this Regulation;
17. An organization chart showing the accountability lines in the areas covered by this Regulation
18. A general description of the human resources of the organization;
19. A general description of the facilities and dependencies of the organization;
20. The procedure for notifying the Authority of any changes that may affect compliance with the requirements or the conditions to be attached to the certificate;
21. The appropriated authority fees as applicable; and
22. Other documents or evidence as prescribed and notified by the Authority.

## Validity of the certificate

1. A certificate shall be valid for a period determined by the Authority, which period shall not exceed five (5) years from the date of issuance or renewal thereof.
2. The certificate shall remain in force until it is expired, suspended, or cancelled by the Authority.
3. The holder of a certificate which expires shall forthwith surrender the certificate to the Authority.
4. The holder of a certificate, which is suspended, shall forthwith produce the certificate to the Authority for appropriate endorsement.
5. The holder of a certificate, which is cancelled, shall, within seven (7) days from the date on which the certificate is cancelled, surrender such certificate to the Authority.

## Transferability of the certificate

1. An air navigation service certificate shall not be transferable.
2. A change in ownership of the holder of a certificate shall be deemed to be a change of significance that shall be notified to the Authority.

## Suspension, cancelation, variation or duplication of certificate

An air navigation service provider certificate may be suspended, cancelled or varied in the event of violation of any provision of this Regulation.

## Means of compliance (To be agreed at iSASO level)

1. Alternative means of compliance (AltMOC) to the adopted by the Authority may be used by the service provider to establish compliance with the requirements of this Regulation.
2. When the service provider wishes to use an AltMOC, it shall, prior to implementing it, provide to the Authority with a full description of the AltMOC. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating compliance with the requirements of this Regulation.
3. A service provider may implement these alternative means of compliance subject to prior approval by the Authority.

## Demonstration of compliance

A service provider shall provide all the relevant evidence to demonstrate compliance with the applicable requirements of this Regulation at the request of the Authority.

## Exemptions

1. An air navigation service provider may apply to the Authority for an exemption from any provision of these regulations.
2. Unless in case of emergency, an air navigation service provider requiring exemptions from any of these regulations shall make an application to the Authority at least sixty days prior to the proposed effective date, giving the following information:
3. name and contact address including electronic mail and fax if any;
4. telephone number;
5. a citation of the specific requirement from which the applicant seeks exemption;
6. justification for the exemption;
7. a description of the type of operations to be conducted under the proposed exemption;
8. the proposed duration of the exemption;
9. an explanation of how the exemption would be in the public interest;
10. a detailed description of the alternative means by which the air navigation service provider will ensure a level of safety equivalent to that established by the regulation in question;
11. a safety risk assessment carried out in respect of the exemption applied for;
12. if the applicant handles international operations and seeks to operate under the proposed exemption, an indication whether the exemption would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organization; and
13. any other information that the Authority may require.
14. Where the air navigation service provider seeks emergency processing of an application for exemption, the application shall contain supporting facts and reasons for not filing the application within the time specified in sub regulation (b) and satisfactory reason for deeming the application an emergency.
15. The application for exemption shall be accompanied by a fee prescribed by the Authority.

## Changes - General

1. The notification and management of:
2. a change to the functional system or a change that affects the functional system shall be carried out in accordance with point [ARTICLE CODE] Changes to a functional system;
3. a change to the provision of service, the service provider's management system and/or safety management system, that does not affect the functional system, shall be carried out in accordance with point (b)
4. Any change as referred to in point (a)(2) shall require prior approval before implementation, unless such a change is notified and managed in accordance with a procedure approved by the Authority.

## Changes to a functional system

1. A service provider planning a change to its functional system shall:
2. notify the Authority of the change;
3. provide the Authority, if requested, with any additional information that allows the Authority to decide whether or not to review the argument for the change;
4. inform other service providers and, where feasible, aviation undertakings affected by the planned change.
5. Having notified a change, the service provider shall inform the Authority whenever the information provided in accordance with points (a)(1) and (2) is materially modified, and the relevant service providers and aviation undertakings whenever the information provided in accordance with point (a)(3) is materially modified.
6. A service provider shall only allow the parts of the change, for which the activities required by the procedures referred to in point [ARTICLE CODE] Change management procedures have been completed, to enter into operational service.
7. If the change is subject to the Authority review, the service provider shall only allow the parts of the change for which the Authority has approved the argument to enter into operational service.
8. When a change affects other service providers and/or aviation undertakings, as identified in point (a)(3), the service provider and these other service providers, in coordination, shall determine:
9. the dependencies with each other and, where feasible, with the affected aviation undertakings;
10. the assumptions and risk mitigations that relate to more than one service provider or aviation undertaking.
11. Those service providers affected by the assumptions and risk mitigations referred to in point (e)(2) shall only use, in their argument for the change, agreed and aligned assumptions and risk mitigations with each other and, where feasible, with aviation undertakings.

## Facilitation and cooperation

A service provider shall facilitate inspections and audits by the Authority or by a qualified entity acting on its behalf and it shall cooperate as necessary for the efficient and effective exercise of the powers of the Authority .

## Finding and corrective actions

After receipt of notification of findings from the Authority, the service provider shall:

1. identify the root cause of the non-compliance;
2. define a corrective action plan that meets the approval by the Authority;
3. demonstrate corrective action implementation to the satisfaction of the Authority within the time period proposed by the service provider and agreed with that authority.

## Immediate reaction to a safety problem

A service provider shall implement any safety measures, including safety directives, mandated by the Authority.

## Occurrence reporting

1. A service provider shall report to the Authority, and to any other Organisation required by the reporting regulation, any accident, serious incident or occurrence.
2. Without prejudice to point (a), the service provider shall report to Authority and to the Organisation responsible for the design of any system and it’s constituents, if different from the service provider, any malfunction, technical defect, exceeding of technical limitations, occurrence, or other irregular circumstance that has or may have endangered the safety of services and that has not resulted in an accident or serious incident.
3. The reports referred to in points (a) and (b) shall be made in a form and manner required by the Authority and contain all the pertinent information about the event known to the service provider.
4. Reports shall be made as soon as possible and in any case.
5. within 24 hours for accident or serious incident and
6. within 72 hours for incident or occurrence.
7. Where relevant, the service provider shall produce a follow-up report to provide details of actions it intends to take to prevent similar occurrences in the future, as soon as these actions have been identified. This report shall be produced in a form and manner established by the Authority.

## Contingency plans

A service provider shall have in place contingency plans for all the services it provides in the case of events which result in significant degradation or interruption of its operations.

## Provision of aeronautical data

1. A service provider shall ensure that aeronautical data related to its services is provided in due time to the AIS provider.
2. When aeronautical data related to its services is published, the service provider shall:
3. monitor the data;
4. notify the AIS provider of any changes necessary to ensure that the data is correct and complete; and
5. notify the AIS provider when the data is incorrect or inappropriate.

## Aeronautical data quality management

When originating, processing or transmitting data to the AIS provider, the service provider shall:

1. ensure that aeronautical data of APPENDIX II - Aeronautical data catalogue to this Annex conform to the specifications of the aeronautical data catalogue;
2. meet the following data quality requirements:
3. the accuracy of aeronautical data shall be as specified in the aeronautical data catalogue;
4. the integrity of aeronautical data shall be maintained; and
5. based on the integrity classification specified in the aeronautical data catalogue, procedures shall be put in place so that:
6. for routine data, corruption is avoided throughout the processing of the data;
7. for essential data, corruption does not occur at any stage of the entire process and additional processes are included, as needed, to address potential risks in the overall system architecture to further assure data integrity at this level; and
8. for critical data, corruption does not occur at any stage of the entire process and additional integrity assurance processes are included to fully mitigate the effects of faults identified as potential data integrity risks by thorough analysis of the overall system architecture;
9. the resolution of aeronautical data shall be commensurate with the actual data accuracy;
10. the traceability of aeronautical data shall be ensured;
11. the timeliness of the aeronautical data shall be ensured, including any limits on the effective period of the data;
12. the completeness of the aeronautical data shall be ensured; and
13. the delivered data shall meet the format requirements as specified in the aeronautical data catalogue;
14. transmit aeronautical data by electronic means;
15. establish formal arrangements with:
16. all parties transmitting data to them; and
17. other service providers or aerodrome operators when exchanging aeronautical data and aeronautical information;
18. ensure that the information listed in TBD is provided in due time to the AIS provider;
19. collect and transmit metadata which shall include as a minimum:
20. the identification of the Organisations or entities performing any action of originating, transmitting or manipulating the aeronautical data;
21. the action performed; and
22. the date and time the action was performed;
23. ensure that tools and software used to support or automate aeronautical data and aeronautical information processes perform their functions without adversely impacting the quality of aeronautical data and aeronautical information;
24. with regard to data origination, establish specific formal arrangements that contain instructions for data creation, modification or deletion, which include as a minimum:
25. an unambiguous description of the aeronautical data to be created, modified or deleted;
26. the entity to which the aeronautical data is to be provided;
27. the date and time by which the aeronautical data is to be provided;
28. the format of the data origination report to be used;
29. the format of the aeronautical data to be transmitted; and
30. the requirement to identify any limitation on the use of the data;
31. ensure that data validation and verification techniques are employed to ensure that the aeronautical data meets the associated data quality requirements; in addition:
32. the verification shall ensure that aeronautical data is received without corruption and that corruption does not occur at any stage of the entire aeronautical data process;
33. aeronautical data and aeronautical information entered manually shall be subject to independent verification to detect any errors that may have been introduced; and
34. when using aeronautical data to derive or calculate new aeronautical data, the initial data shall be verified and validated, except when provided by an authoritative source;
35. ensure that digital data error detection techniques are used during the transmission and/or storage of aeronautical data in order to support the applicable data integrity levels;
36. ensure that the transfer of aeronautical data is subject to a suitable authentication process such that recipients are able to confirm that the data has been transmitted by an authorised source; and
37. ensure that errors identified during data origination and after data delivery are addressed, corrected or resolved and that priority is given to managing errors in critical and essential aeronautical data.’.

## Common reference system for air navigation

For the purpose of air navigation, service providers shall use the:

1. World Geodetic System — 1984 (WGS-84) as the horizontal reference system;
2. mean sea level (MSL) datum as the vertical reference system; and
3. Gregorian calendar and coordinated universal time (UTC) as the temporal reference systems.

## Management system

1. A service provider shall implement and maintain a management system that includes:
2. clearly defined lines of responsibility and accountability throughout its Organisation, including a direct accountability of the accountable manager;
3. a description of the overall philosophies and principles of the service provider with regard to safety, quality, and security of its services, collectively constituting a policy, signed by the accountable manager;
4. the means to verify the performance of the service provider's Organisation in light of the performance indicators and performance targets of the management system;
5. a process to identify changes within the service provider's Organisation and the context in which it operates, which may affect established processes, procedures and services and, where necessary, change the management system and/or the functional system to accommodate those changes;
6. a process to review the management system, identify the causes of substandard performance of the management system, determine the implications of such substandard performance, and eliminate or mitigate such causes;
7. a process to ensure that the personnel of the service provider are trained and competent to perform their duties in a safe, efficient, continuous and sustainable manner. In this context, the service provider shall establish policies for the recruitments and training of its personnel;
8. a formal means for communication that ensures that all personnel of the service provider are fully aware of the management system that allows critical information to be conveyed and that makes it possible to explain why particular actions are taken and why procedures are introduced or changed.
9. A service provider shall document all management system key processes, including a process for making personnel aware of their responsibilities, and the procedure for the amendment of those processes.
10. A service provider shall establish a function to monitor compliance of its organisation with the applicable requirements and the adequacy of the procedures. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary.
11. A service provider shall monitor the behaviour of its functional system and, where underperformance is identified, it shall establish its causes and eliminate them or, after having determined the implication of the underperformance, mitigate its effects.
12. The management system shall be proportionate to the size of the service provider and the complexity of its activities, taking into account the hazards and associated risks inherent in those activities.
13. Within its management system, the service provider shall establish formal interfaces with the relevant service providers and aviation undertakings in order to:
14. ensure that the aviation safety hazards entailed by its activities are identified and evaluated, and the associated risks are managed and mitigated as appropriate;
15. ensure that it provides its services in accordance with the requirements of this Regulation.

## Change management procedures

1. A service provider shall use procedures to manage, assess and, if necessary, mitigate the impact of changes to its functional systems in accordance with points TBD, as applicable.
2. The procedures referred to in point (a) or any material modifications to those procedures shall:
3. be submitted, for approval, by the service provider to the Authority;
4. not be used until approved by Authority.
5. When the approved procedures referred to in point (b) are not suitable for a particular change, the service provider shall:
6. make a request to the Authority for an exemption to deviate from the approved procedures;
7. provide the details of the deviation and the justification for its use to the Authority;
8. not use the deviation before being approved by Authority.

## Contracted activities

1. Contracted activities include all the activities within the scope of the service provider's operations, in accordance with the terms of the certificate, that are performed by other Organisations either themselves certified to carry out such activity or if not certified, working under the service provider's oversight. A service provider shall ensure that when contracting or purchasing any part of its activities to external Organisations, the contracted or purchased activity, system or constituent conforms to the applicable requirements.
2. When a service provider contracts any part of its activities to an Organisation that is not itself certified in accordance with this Regulation to carry out such activity, it shall ensure that the contracted Organisation works under its oversight. The service provider shall ensure that the Authority is given access to the contracted Organisation to determine continued compliance with the applicable requirements under this Regulation.

## Personnel requirements

1. A service provider shall appoint an accountable manager, who has the authority over ensuring that all activities can be financed and carried out in accordance with the applicable requirements. The accountable manager shall be responsible for establishing and maintaining an effective management system.
2. A service provider shall define the authority, duties and responsibilities of the nominated post holders, in particular of the management personnel in charge of safety, quality, security, finance and human resources-related functions as applicable.

## Facilities requirements

A service provider shall ensure that there are adequate and appropriate facilities to perform and manage all tasks and activities in accordance with the applicable requirements.

## Record-keeping

1. A service provider shall establish a system of record-keeping that allows adequate storage of the records and reliable traceability of all its activities, covering in particular all the elements indicated in point [ARTICLE CODE] Management system.
2. The format and the retention period of the records referred to in point (a) shall be specified in the service provider's management system procedures.
3. (Records shall be stored in a manner that ensures protection against damage, alteration and theft.

## Operations manuals

1. A service provider shall provide and keep up to date its operations manuals relating to the provision of its services for the use and guidance of operations personnel.
2. It shall ensure that:
3. operations manuals contain the instructions and information required by the operations personnel to perform their duties;
4. relevant parts of the operations manuals are accessible to the personnel concerned;
5. the operations personnel are informed of amendments to the operations manual applying to their duties in a manner that enables their application as of their entry into force.

## Business, annual, and performance plans

1. Business plan
2. With the exception of SAR service providers, air navigation services providers shall produce a business plan covering a minimum period of five years. The business plan shall:
3. set out the overall aims and goals of the air navigation services providers, and their strategy towards achieving them in consistency with any overall longer-term plan of the air navigation services provider and with the relevant requirements of the [State] law for the development of infrastructure or other technology;
4. contain performance targets in terms of safety, capacity, environment and cost- efficiency, as may be required by the Authority .
5. With the exception of SAR service providers, air navigation services providers shall provide safety and business justifications for major investment projects including, where relevant, the estimated impact on the appropriate performance targets referred to in point (1)(ii) and identifying relevant planned investments.
6. Annual plan
7. Air navigation services providers shall produce an annual plan covering the forthcoming year which shall further specify the features of the business plan and describe any changes to it as compared to the previous plan.
8. The annual plan shall cover the following provisions on the level and quality of service, such as the expected level of capacity, safety, environment and cost-efficiency:
9. information on the implementation of new infrastructure or other developments, and a statement on how they will contribute to improving the performance of the air navigation services provider including level and quality of services;
10. performance indicators, as may be applicable, against which the performance level and quality of service may be reasonably assessed;
11. information on the measures foreseen to mitigate the safety risks identified by the air navigation services including safety indicators to monitor safety risk and, where appropriate, the estimated cost of mitigation measures;
12. the air navigation services providers' expected short-term financial position as well as any changes to or impacts on the business plan.
13. Performance part of the plans
14. The air navigation services providers shall make the content of the performance part of their annual plans and if applicable, of their business plans, available to the Authority.

## Security management

1. Air navigation services providers shall, as an integral part of their management system, establish a security management system to ensure:
2. the security of their facilities and personnel so as to prevent unlawful interference with the provision of services;
3. the security of operational data they receive, or produce, or otherwise employ, so that access to it is restricted only to those authorised.
4. The security management system shall define:
5. the procedures relating to security risk assessment and mitigation, security monitoring and improvement, security reviews and lesson dissemination;
6. the means designed to detect security breaches and to alert personnel with appropriate security warnings;
7. the means of controlling the effects of security breaches and to identify recovery action and mitigation procedures to prevent re-occurrence.
8. Air navigation services providers shall ensure the security clearance of their personnel, if appropriate, and coordinate with the relevant civil and military authorities to ensure the security of their facilities, personnel and data.
9. Air navigation services providers shall take the necessary measures to protect their systems, constituents in use and data and prevent compromising the network against information and cyber security threats which may have an unlawful interference with the provision of their service.

## Financial strength — economic and financial capacity

Air navigation services providers shall be able to meet their financial obligations, such as fixed and variable costs of operation or capital investment costs. They shall use an appropriate cost-accounting system. They shall demonstrate their ability through the annual plan as referred to in point [ARTICLE CODE] Business, annual, and performance plans, as well as through balance sheets and accounts, as applicable under their legal statute, and regularly undergo an independent financial audit.

## Liability and insurance cover

1. Air navigation services providers shall have in place arrangements to cover liabilities related to the execution of their tasks in accordance with the applicable law.
2. The method employed to provide the cover shall be appropriate to the potential loss and damage in question, taking into account the legal status of the providers concerned and the level of commercial insurance cover available.
3. Air navigation services providers which avail themselves of services of another service provider shall ensure that the agreements that they conclude to that effect specify the allocation of liability between them.

## Use of psychoactive substances

1. Any person employed by the air navigation service provider performing any function prescribed by these Regulations directly or by contract under the provisions of these Regulations may be tested for drug or alcohol usage.
2. Subject to (a), the air navigation service provider shall facilitate routine drug and alcohol test to all its employees
3. Subject to (a), a person who:
4. refuses to submit to a test to indicate the percentage by weight of alcohol in the blood; or
5. refuses to submit to a test to indicate the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority shall:
6. be denied any Licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to one year from the date of that refusal; or
7. have their Licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.
8. The air navigation service provider shall ensure that any employee who is convicted for the violation of any local or national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, shall:
9. be denied any license, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to one year after the date of conviction; or
10. have their Licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

# APPENDICES TO ANNEX II

## APPENDIX I - Application form for ANS Organisation approval

To be incorporated when finalizing the Regs

## APPENDIX II - Aeronautical data catalogue

[Incorporate PANS-AIM Aeronautical data catalogue]

# ANNEX III – PART-ATS. REGULATIONS FOR AIR TRAFFIC SERVICES PROVIDERS

# ANNEX IV – PART-FPD REGULATIONS FOR FLIGHT PROCEDURES DESIGN SERVICES PROVIDERS

# ANNEX V – PART-MET REGULATIONS FOR METEOROLOGICAL SERVICES PROVIDERS

# ANNEX VI – PART-AIS REGULATIONS FOR AERONAUTICAL INFORMATION SERVICES PROVIDERS

# ANNEX VII – PART-CHARTS REGULATIONS FOR AERONAUTICAL CHARTS SERVICES PROVIDERS

# ANNEX VIII – PART-CNS REGULATIONS FOR COMMUNICATIONS, NAVIGATION OR SURVEILLANCE SERVICES PROVIDERS

# ANNEX IX – PART-SAR REGULATIONS FOR SEARCH AND RESCUE SERVICES PROVIDERS