



**CIVIL AVIATION REGULATIONS
AIR NAVIGATION SERVICES**

Part 16

Governing

**PROCEDURE DESIGN SERVICES
(PANS-OPS)**

CIVIL AVIATION AUTHORITY OF THE PHILIPPINES

Old MIA Road, Pasay City 1301

Metro Manila

Republic of the Philippines
CIVIL AVIATION REGULATIONS
AIR NAVIGATION SERVICES
(CAR-ANS)

Part 16

Governing

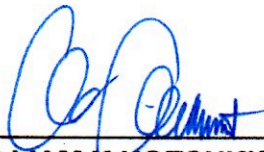
PROCEDURE DESIGN SERVICES
(PANS-OPS)

12 MAY 2015

EFFECTIVITY

Part 16 of the Civil Aviation Regulations-Air Navigation Services is issued under the authority of Republic Act 9497 and shall take effect upon approval by the Board of Directors of the Civil Aviation Authority of the Philippines.

APPROVED BY:



LT GEN WILLIAM K HOTCHKISS III AFP (RET)
Director General
Civil Aviation Authority of the Philippines

MAR 16 2016

DATE

FOREWORD

This Civil Aviation Regulations-Air Navigation Services Part 16 (CAR-ANS Part 16) was formulated in accordance with Republic Act No. 9497 otherwise known as the Civil Aviation Authority Act of 2008 and issued by the Civil Aviation Authority of the Philippines (CAAP), prescribing guidelines, rules and procedures in the provision of Procedure Design Services in order to ensure safety, regularity and efficiency of air navigation within the airspace jurisdiction of the Philippines.

This Civil Aviation Regulation provides guidance for Procedure Design Service Providers and the CAAP in the provision of flight procedure design and implementation within the Manila Flight Information Region.

The procedures embodied herein are issued by authority by the Director General of the CAAP and will be complied with by all concerned.

As used in this Civil Aviation Regulation, "Appropriate Authority" means the Director General of the Civil Aviation Authority of the Philippines.

The procedures embodied herein shall apply to all those involved in the development, design and utilization of *flight procedures* for departure, arrival and en route phases in aircraft flight operations.

Whenever an apparent conflict arises between the regulations in this CAR and instructions / guidelines in other agency issuances, the appropriate or concerned flight procedure design entity should seek clarification from the regulatory authority. Normally, the provisions in any promulgated CAR shall prevail.

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16.1 DEFINITIONS

16.1.1 Definitions of Terms

In this regulation, the terms listed below have the following meanings whenever they appear:

Authorization – process of granting an approval or access to proceed under the specified or stated conditions.

Authorized designer - an authorized designer is a procedure design service provider who is a holder of a procedure design certificate of authorization that is in force.

Design work - in relation to an instrument flight procedure, means any of the following work:

- a) designing the procedure or a part of the procedure
- b) verifying, maintaining, reviewing or amending the procedure
- c) supervising a person carrying on any work mentioned in paragraph (a) or (b).

Employee - of an authorized designer, includes a person who carries on design work on a terminal instrument flight procedure for the designer in the course of performing services for the designer.

ICAO Doc. 8168 (PANS-OPS) - means Doc.8168-OPS/611 Volume II (Procedures for Air Navigation Services – Construction of Visual and Instrument Flight Procedures) approved and published by decision of the Council of the International Civil Aviation Organization, as in force from time to time.

Manual of Standards means the document called '*Manual of Standards (MOS) for Flight Procedure Design*' (MOSFPD), published by CAAP, as in force from time to time.

Note: The Manual of Standards for Flight Procedure Design is currently being developed and shall be made available for download at CAAP's official website at:

www.caap.gov.ph

Manual of Operations - in relation to a Procedure Designer Service Providers, means the manual maintained by the PDSP under regulation.

Procedure Design Service Provider (PDSP) - a person or organization who engages in the design, development, changes to, or modification of instrument flight procedures.

Regulatory Authority – hereinafter referred to as the Director General of the CAAP with the exclusive determination and recommendation from the AANSOO and FSIS.

Type of instrument flight procedure - means a type of instrument flight procedure mentioned in the Manual of Standards.

16.2 APPLICABILITY

- 16.2.1 This Part:
- a) provides for the standards that apply for the design of instrument flight procedures within the Philippine airspace; and
 - b) applies to person or organization who want to become, or are, authorized designers of instrument flight procedures.
- 16.2.2 This Part also sets out certain rules that apply to CAAP in administering procedure design certificate of authorizations.

16.3 Procedure Design Certificate of Authorization

- 16.3.1 A procedure design certificate is a certificate that:
- a) is granted by the CAAP Regulatory Authority to a procedure design service provider under this Part; and
 - b) certifies that the procedure design service provider is authorized to carry on design work on an instrument flight procedure of a type covered by the certificate subject to any conditions set out in the certificate.

16.4 Procedure Design Authorization

- 16.4.1 A procedure design authorization is an authorization that:
- a) is granted by the CAAP Regulatory Authority to an authorized designer under this Part; and
 - b) authorizes him to carry on either of the following activities subject to any conditions set out in the authorization.
 - i) review or amend an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the IFR at, or within the Manila Flight Information Region (FIR);
 - ii) carry on design work on an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the IFR at, or within the Manila Flight Information Region (FIR).

16.5 Requirement for Authorization as a Procedure Designer Service Provider (PDSP)

- 16.5.1 No person or organization, shall design procedures or publish such procedures for air navigation services in Philippine airspace and aerodromes unless he or she belongs to any of the under mentioned categories or holds a certificate of authorization issued by the CAAP Regulatory Authority in accordance with this section:

- a) the person or organization has a co-operation arrangement with an authorized designer; or
- b) there is a commercial agreement with an authorized.

16.6 Privileges of an Authorized Designer

- 16.6.1 An approval for procedure design service provider issued under these regulations authorizes the person or organization to carry on either of the following activities subject to any condition set out in the approval to the person or organization:
- a) review, amend or make changes to an instrument flight procedure that is of a type covered by the authorization and is for use by civil aircraft operating under the IFR within the Manila FIR;
 - b) carry on design work on an instrument flight procedure that is of a type covered by the authorization and is for use by civil aircraft operating under the IFR within the Manila FIR.
- 16.6.2 An application for authorization as a procedure designer shall be made in the form specified in 16.10.2 of this regulation.

16.7 Responsibilities of the Holder of Certificate of Authorization

- 16.7.1 The holder of a procedure design certificate of authorization shall:
- 16.7.1.1 Provide for the development and maintenance of a Manual of Operations (MANOPs);
- 16.7.1.1.1 A Procedure Design Service Provider shall develop and maintain Manual of Operations (MANOPs) that meets the standards for Manual of Operations set out in the Manual of Standards for Flight Procedure Design (MOS-FPD).
- 16.7.1.1.2 A Procedure Design Service Provider:
- a) shall keep the MANOPs in a readily accessible form; and
 - b) shall ensure that each employee of the PDSP whose duties include carrying on design work under the PDSP's procedure design certificate has ready access to the MANOPs; and
 - c) shall amend the MANOPs whenever it is necessary to do so to keep it up-to-date.
- 16.7.1.1.3 A PDSP shall ensure:
- a) that all amendments of the MANOPs are incorporated in all copies of the manual kept by the PDSP; and
 - b) that copies of the amendments are given to the CAAP.
- 16.7.1.2 Provide the services listed in its MANOPs, in accordance with the procedures as prescribed in these regulations;

- 16.7.1.3 Comply with all procedures detailed in its Manual of Operations, and with the Manual of Standards for Flight Procedure Design (MOS-FPD) prescribed by the CAAP Regulatory Authority, in the provision of procedure design for air navigation services;
- 16.7.1.4 Continue to comply with the appropriate requirements prescribed in these Regulations;
- 16.7.1.5 Provide facilities:
- 16.7.1.5.1 A PDSP must provide and maintain adequate facility/ies for carrying on design work on instrument flight procedures under the PDSP's procedure design certificate, including:
- a) providing premises and equipment appropriate for the PDSP's employees to carry on the design work; and
 - b) ensuring that those employees have access to all necessary data for designing the procedures including:
 - (1) accurate and current databases or charts detailing terrain and obstacle information; and
 - (2) accurate and current navigation aid coordinate data; and
 - (3) accurate and current aerodrome reference point and threshold data.
- 16.7.1.5.2 A PDSP must, if an aeronautical database and aeronautical data is required for designing a terminal instrument flight procedure under the designer's procedure design certificate, have and put into effect, procedures to ensure the integrity of the database and the data;
- 16.7.1.6 Maintain an appropriate organization with a sound and effective management structure to enable the designer to carry on design work on terminal instrument flight procedures under the designer's procedure design certificate in accordance with these Regulations;
- 16.7.1.7 Have sufficient personnel;
- 16.7.1.7.1 A PDSP must employ a sufficient number of personnel to enable the designer to carry on design work of instrument flight procedures under the designer's procedure design certificate in accordance with these Regulations; and must ensure that those personnel:
- a) are suitably qualified and competent to perform their duties; and
 - b) are trained in accordance with the Manual of Standards and the designer's operations manual.
- 16.7.1.8 Provide training and checking program
- A PSDP must provide a training and checking program that is of an adequate standard to ensure that the employees of the designer maintain their competence and are provided with ongoing training appropriate to their duties.

- 16.7.1.9 Maintain reference materials:
- 16.7.1.9.1 A PDSP must maintain reference materials of the kinds specified in the Manual of Standards;
- 16.7.1.9.2 A PDSP must keep the reference materials up-to-date and in a readily accessible form;
- 16.7.1.9.3 Each employee of the certified designer who carries on design work on a terminal instrument flight procedure under the certified designer's procedure design certificate must have ready access to the reference materials.
- 16.7.1.10 Keep documents and records:
- 16.7.1.10.1 A PDSP must keep documents and records of the kinds specified in the Manual of Standards for Flight Procedure Design (MOS-FPD);
- 16.7.1.10.2 A document or record must be retained for as long as the Manual of Standards specifies for the particular kind of document or record;
- 16.7.1.10.3 The PDSP shall, at CAAPs request, make the documents and records, or copies of them or extracts from them, available for inspection by CAAP.
- 16.7.1.11 Have document and record control system:
- 16.7.1.11.1 A PDSP must establish, and put into effect, a system for controlling documents and records relating to the instrument flight procedures on which the designer carries on design work under the PDSP's procedure design certificate, including the policies and procedures for making, amending, preserving and disposing of those documents and records;
- 16.7.1.11.2 The system must be in accordance with the standards set out in the Manual of Standards for Flight Procedure Design (MOS-FPD).
- 16.7.1.12 Keep the records of all regular internal and external inspections/audits for a period of five (5) years from the date of each inspection.

16.8 Display of Procedure Design Certificate of Authorization

- 16.8.1 The holder of a procedure design certificate of authorization shall display the certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval is displayed, it shall produce the original to the officials of the CAAP Regulatory Authority, if so requested.

16.9 Safety Inspections and Audits

- 16.9.1 An applicant for the issuance of procedure design certificate of authorization shall permit an ATM Inspectorate Division (ATMID) Inspector to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations.
- 16.9.2 The holder of procedure design certificate of authorization shall permit a PANS-OPS Aviation Safety Services Inspector (ASSI) to carry out such safety inspections and audits as may be necessary to determine compliance with the appropriate requirements prescribed in this CAR-ANS.

16.10 Application for Approval, Amendment or Renewal

- 16.10.1 An applicant is eligible to become authorized designer if the applicant is able to comply with the requirements of these Regulations.
- 16.10.2 An application for the issuance of procedure design services approval, or an amendment thereof, shall:
- a) be made to the CAAP Regulatory Authority in the form and manner prescribed by the Authority;
 - b) be accompanied by a copy of the applicant's Manual of Operations;
 - c) include a written statement setting out design procedures that the applicant proposes to provide;
 - d) contain enough information to identify, for each procedure design:
 - 1) the location for which the service is proposed to be provided;
 - 2) if the service is to be provided within a particular airspace – the airspace;
 - 3) if the service is to be provided for an aerodrome – the name of the aerodrome;
 - e) include a written statement describing the arrangements the applicant has made to comply with the requirements of these Regulations;
 - f) include the appropriate fees prescribed by the CAAP Regulatory Authority.
- 16.10.3 In the case of approval renewal, the holder of an approval shall ensure that the process for renewal is commenced at least sixty (60) days prior to the date on which such approval expires.
- 16.10.4 If a procedure design service provider's approval is subject to conditions, the provider shall comply with the conditions so specified.

16.11 Manual of Operations

- 16.11.1 The Manual of Operations of a Procedure Design Service Provider (PDSP) shall contain the following information:
- a) personnel requirements and the responsibilities of personnel;
 - b) training and checking of staff and how that information is tracked;
 - c) quality assurance/safety management system;
 - d) contingency plans developed for part or total system failure for which the organization provides a service;
 - e) security plan;
 - f) facilities and equipment and how those facilities are maintained;
 - g) fault and defect reporting;
 - h) maintenance of documents and records; and
 - i) any other information requested by the CAAP Regulatory Authority.

16.12 Issuance of Procedure Design Certificate of Authorization

- 16.12.1 The CAAP Regulatory Authority shall issue a procedure design certificate of authorization for the provision of design work if the applicant complies with the requirements prescribed in these Regulations.
- 16.12.2 The CAAP Regulatory Authority shall issue the certificate of authorization in the appropriate form.
- 16.12.3 A certificate issued under this Part shall include the following information:
- a) the procedure design service provider's name and address of its principal place of business;
 - b) a list of the procedure design services covered by the procedure design service provider's approval; and
 - c) for each procedure design service provider, the type of service that is proposed to be provided.

16.13 Scope and Variation of Approvals

- 16.13.1 The holder of a procedure design approval shall be entitled to provide any service or combination of services listed in its manual of operation.

- 16.13.2 If a procedure design provider for ANS wants to vary its approval, it shall apply to the CAAP Regulatory Authority under this Regulation for that purpose:
- a) the application must contain, or have with it, a copy of the proposed variation;
 - b) if the CAAP Regulatory Authority approves the variation, the variation shall take effect from the day proposed by the applicant;
 - c) where no date is proposed by the applicant, the effective date of the variation shall be the date the approval notice is given to the provider.

16.14 Period of Validity of Authorization

- 16.14.1 An authorization shall be valid for a period determined by the CAAP Regulatory Authority, which period shall not exceed five (5) years, calculated from the date of issuance or renewal thereof.
- 16.14.2 The authorization shall remain in force until it expires, is suspended, or cancelled by the CAAP Regulatory Authority.
- 16.14.3 The holder of certificate of authorization which has expired, shall forthwith surrender the approval to the CAAP Regulatory Authority.
- 16.14.4 The holder of an approval, which is suspended, shall forthwith produce the approval certificate to the Authority CAAP Regulatory Authority for appropriate endorsement.
- 16.14.5 The holder of an approval, which is suspended, shall forthwith produce the approval certificate to the Authority CAAP Regulatory Authority for appropriate endorsement.

16.15 Transferability of Approval

- 16.15.1 Subject to the provisions of these Regulations, an approval shall not be transferable.
- 16.15.2 A change in ownership of the holder of an approval shall be deemed to be a change of significance that must be notified to the CAAP Regulatory Authority.

16.16 Notice of Recommendation for Suspension of Approval Certificate

- 16.16.1 A procedures design inspector (ASSI) may recommend suspension, for a period not exceeding thirty (30) days, of a procedure design provider for air navigation service approval issued under this Part, if:

- a) after a safety inspection and audit carried out in terms of these Regulations, it is evident that the holder of the approval does not comply with the requirements prescribed in this Part, and such a holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the AT MID/PANS-OPS inspector to do so; or
- b) the PANS-OPS inspector (ASSI) is prevented by the holder of the approval from carrying out a safety inspection and audit in accordance with those Regulations.

16.17 Suspension, Cancellation or Variation of Procedure Design Service Provider Approval Certificate by the CAAP Regulatory Authority

16.17.1 The CAAP Regulatory Authority may, arising from the recommendation of a PANS-OPS Inspector, by written notice given to a procedure designer suspend, cancel or vary the procedure design service provider's certificate if there are reasonable grounds for believing that the certificate holder:

- a) has breached a condition of the certificate; or
- b) has contravened a provision of this CAR-ANS; or
- c) does not meet, or continue to meet, a requirement of this CAR-ANS for getting or holding the certificate; or
- d) has otherwise been guilty of conduct that renders the procedure design service provider's continued holding of the certificate likely to have an adverse effect on the safety of air navigation.

16.17.2 Before suspending, cancelling or varying a procedure design service provider's certificate, the CAAP Regulatory Authority:

- a) must give written notice to the certificate holder of the facts and circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the certificate; and
- b) must invite the certificate holder to show cause in writing, within thirty (30) days after the date of the notice, why the certificate should not be suspended, cancelled or varied; and
- c) must take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the procedure design service provider explaining why the certificate should not be cancelled.

16.18 Right of Appeal of an Authorized Designer

16.18.1 The holder of an approval who feels aggrieved by the suspension of the approval may file his motion for reconsideration against such suspension to the CAAP Regulatory Authority, within 5 days after such holder becomes aware of such suspension, and in case of denial, may file his appeal to the CAAP Board of Directors within 10 days.

- 16.18.2 An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should not be upheld or should be set aside.
- 16.18.3 The appellant shall submit a copy of the appeal and any document or record supporting such appeal, to the PAN-OPS inspector concerned and shall furnish proof of such submission for the information of the CAAP Regulatory Authority.
- 16.18.4 The PANS-OPS inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in paragraph (3), deliver to the Director General his or her written reply.
- 16.18.5 The DG may:
- a) adjudicate the appeal on the basis of the documents submitted; or
 - b) order the appellant and the PANS-OPS inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the DG, to give evidence
- 16.18.6 The DG may confirm, vary or set aside the suspension referred to in subsection 16.17 of this CAR-ANS.
- 16.18.7 The DG shall:
- a) confirm the suspension in line with this regulation; or
 - b) if an approval is suspended in line with Subsection 16.17 of these Regulations and the holder thereof does not appeal against such suspension, cancel the approval concerned.

16.19 Registry of Authorizations

- 16.19.1 The Authority shall maintain a register of all authorized designer issued under this CAR-ANS.
- 16.19.2 The register shall contain the following particulars:
- a) the full name of the authorized designer;
 - b) the business address of the authorized designer;
 - c) the postal address of the authorized designer;
 - d) the date on which the authorization was issued or renewed;
 - e) the type of procedure design service in respect of which the authorization was issued;
 - f) the date on which the authorization was suspended, if applicable; and
 - g) the date on which the authorization expires.

16.19.3 The particulars referred to in paragraph 16.19.2 shall be recorded in the register within seven days from the date on which the CAAP Regulatory Authority issues the certificate of authorization.

16.19.4 The register shall be kept in a safe place at the office of the Chief, ATMID-AANSOO.

16.19.5 A copy of the register shall be furnished by the CAAP Regulatory Authority on payment of the appropriate fees as prescribed from time to time.

16.20 Substitution of another Procedure Designer for Air Navigation

16.20.1 The CAAP Regulatory Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of a procedure design certificate of authorization as a substitute provider to carry on activities specified in 16.6.1 in respect of an authorization that has been suspended or cancelled by the CAAP Regulatory Authority under this part, for the duration of such suspension or cancellation.

16.21 Standards for design of instrument flight procedures

16.21.1 A PDSP designing an instrument flight procedure under its certificate of authorization must ensure that the procedure is designed in accordance with:

- a) the applicable standards set out in the Manual of Standards for Flight Procedure Design (MOS-FPD);
- b) the applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS); and
- c) any applicable standards set out or referred to in ICAO approved documents and materials.

16.22 Maintenance of instrument flight procedures

16.22.1 The airport or aerodrome authority takes responsibility for the protection of the Obstacle Limitation Surfaces (OLS). When these surfaces are infringed, close cooperation with the designer for obstacle assessment on the IFP is needed. It is important to set up an agreement for relevant airport/obstacle data to be provided to the procedure designer. In the case where an obstacle will not infringe OLS surfaces, the procedure designer should also conduct an obstacle assessment to ensure that the procedures will not be affected.

16.22.2 Continuous maintenance of the procedure shall be the joint responsibility of all the stakeholders concerned such as ADMS, ATS, CNS, AIS, Aerodrome Operators, etc., to ensure that significant changes to obstacles, aerodrome, aeronautical and navaid data are assessed for their impact on the IFP.

- 16.22.3 An authorized designer's responsibility for maintaining an IFP as designed under the designer's procedure design certificate of authorization shall be governed by the Manual of Standards for Flight Procedure Design.
- 16.22.4 The authorized designer ceases to be responsible for the maintenance of the procedure:
- 16.22.4.1 If the authorized designer has notified CAAP, that the designer has ceased to have that responsibility:
- a) within 30 days when the notice is given; or
 - b) if a later day is specified in the notice—on the later day; or
- 16.22.4.2 If the authorized designer's responsibility for the maintenance of the procedure is transferred to another authorized designer in accordance with this regulation—on the day when the responsibility is transferred; or
- 16.22.4.3 If the authorized designer has notified CAAP, that the designer has ceased to design the type of terminal instrument flight procedure concerned:
- a) on the day when the notice is given; or
 - b) if a later day is specified in the notice—on the later day; or
- 16.22.4.4 If the authorized designer ceases to be an authorized designer—on the day when the designer ceases to be an authorized designer.
- 16.23 Periodic Review**
- 16.23.1 On a periodic basis (but no longer than five (5) years) the IFP shall be subjected to periodic review to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are assessed.
- 16.23.2 On a periodic basis ensure that all changes to criteria, user requirements and depiction standards are assessed.
- 16.23.3 It is mandatory to keep the quality assurance documentation for an adequate period of time to allow traceability for later purposes.
- 16.23.4 The CAAP thru AANSOO, shall designate to an authorized designer, whether a unit under CAAP or an authorized designer (3rd Party), the conduct of periodic review an IFP to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are properly assessed.
- 16.23.5 An authorized designer's responsibility for the periodic review of an IFP as designed under the designer's procedure design certificate of authorization or an IFP delegated by the CAAP for the periodic review shall be governed by the Manual of Standards for Flight Procedure Design.

- 16.23.6 The authorized designer ceases to be responsible for the periodic review of the procedure:
- 16.23.6.1 If the authorized designer has notified CAAP, that the designer has ceased to have that responsibility:
- a) within 30 days when the notice is given; or
 - b) if a later day is specified in the notice—on the later day; or
- 16.23.6.2 If the authorized designer's responsibility for the periodic review of the procedure is transferred to another authorized designer in accordance with this regulation—on the day when the responsibility is transferred; or
- 16.23.6.3 If the authorized designer has notified CAAP, that the designer has ceased to design the type of terminal instrument flight procedure concerned:
- a) on the day when the notice is given; or
 - b) if a later day is specified in the notice—on the later day; or
- 16.23.6.4 If the authorized designer ceases to be an authorized designer—on the day when the designer ceases to be an authorized designer.
-