



CIVIL AVIATION REGULATIONS
AIR NAVIGATION SERVICES

Part 1

Governing

**AERODROME AND AIR NAVIGATION
SERVICE SAFETY OVERSIGHT**

CIVIL AVIATION AUTHORITY OF THE PHILIPPINES
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Republic of the Philippines

CIVIL AVIATION REGULATIONS AIR NAVIGATION SERVICES (CAR-ANS)

Part 1

AERODROME AND AIR NAVIGATION SERVICE SAFETY OVERSIGHT

16 AUGUST 2016

EFFECTIVITY

Part 1 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.



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22 SEP 2016

DATE

FOREWORD

The Aerodrome and Air Navigation Safety Oversight Office (AANSOO) provides a set of regulatory requirements for the implementation of effective Safety Oversight functions in Aerodromes and ANS (CNS / ATM i.e. AIS, SAR, ATS, MET). Its provisions support a process approach to the safety oversight of CNS/ATM service providers and Aerodrome operators and define the minimum elements that must exist in the safety oversight processes operated by CAAP.

This document is designed to support the implementation of oversight regulatory function of the CAAP by allowing the development of ANS Safety Oversight within the regulatory framework defined in the CAR-ANS and Aerodrome Safety Oversight under the CAR-Aerodromes.

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1.1 RULES OF CONSTRUCTION

1.1.1 RULES OF CONSTRUCTION OF THE CAR-ANS

Through these regulations the following word usage applies:

- a) *Shall* indicate a mandatory requirement.
- b) *May* indicates that discretion can be used when performing an act described in a regulation.
- c) *Will* indicates an action incumbent upon the Authority.
- d) *Includes* means “includes but is not limited to”.
- e) *Approved* means the Authority has reviewed the method, procedure or policy in question and issued a formal written approval.
- f) *Acceptable* means the Authority had reviewed the method, procedure or policy and has, neither objected to nor approved its proposed use or implementation.
- g) *Prescribed* means the Authority has issued written policy or methodology which imposes either a mandatory requirement if the written policy or methodology states ‘shall’, or a discretionary requirement if the written policy or methodology states “may”.
- h) *Should* indicate a recommended practice.
- i) *Civil Aviation Act* means Republic Act No. 9497, otherwise known as Civil Aviation Authority Act of 2008.

1.1.2 APPLICABILITY

- a) This regulation applies to Aerodrome and ANS safety oversight which specifies the universal functions and obligations required in the management and implementation of safety related provisions based on ICAO SARPs.
- b) ANS Service Providers and aerodrome operators shall serve as guidance in the implementation of safety oversight with regards to their operation.

1.1.3 ORGANIZATION OF REGULATIONS

These regulations comprise the following:

- a) *Appendices* comprising material grouped separately for convenience but forming part of the National regulation;
- b) *Definitions* of terms use in these regulations which are not self-explanatory, in that they do not have accepted dictionary meanings.
- c) *Tables and Figures* which add to or illustrate a regulation and which are referred to therein, form part of the associated

regulation and have the same status.

- d) *Forewords* comprising historical and explanatory material based on the action of the Council and including an explanation of the obligations of the States with regard to the application of the SARPs ensuing from the Convention and the Resolution of Adoption.
- e) *Introductions* comprising explanatory material introduced at the beginning of these regulation to assist in the understanding of the application of the text.
- f) *Notes* included in the texts, where appropriate, to factual information or references bearing on the regulations in question, but not constituting part of the regulations.
- g) *Attachments* comprising material supplementary to the regulations, or included as a guide to their application.

1.1.4 REGULATION AMENDMENT PROCEDURE

1.1.4.1 The following procedure is prescribed to incorporate an amendment to these Regulations.

1.1.4.2 There shall be an ANS Regulations Review Committee (the RR-Committee), consisting of the representatives from the Aerodrome and Air Navigation Safety Oversight Committee (AANSOO), the Enforcement and Legal Service (ELS), the Office of the ICAO and External Relations (IER), and the concerned Services/Directorates of the Authority. The concerned Services/Directorates shall file a requirement for an amendment to these Regulations to the ANS RR-Committee. An operator/service provider or a member of public may send their request for an amendment to these Regulations to the Director General for the attention of the ANS RR-Committee. The Amendment cycle shall be twice every year, in January and July, commencing in January 2010. When there is a requirement to issue an immediate amendment to the Regulations, it can be done by promulgating a "Temporary Amendment" in coloured pages by a Memorandum Circular. Such Temporary Amendment shall be merged in the next regular Amendment Cycle, and the Temporary Amendment/Memorandum Circular shall stand automatically cancelled thereafter. An example of processing an amendment is stated in the succeeding paragraphs.

1.1.4.3 For example, as and when the International Civil Aviation Organization (ICAO) issues an amendment to Annexes 3, 4, 10, 11, 12 and 15 or other safety-related Annexes, the AANSOO shall review the contents of each amendment with the corresponding Part(s) of the CAR-ANS, assess its applicability to Republic of the Philippines, and accordingly advise the RR-Committee. The other Services/Directorates shall do the same in respect of their related Annexes. The ANS RR-Committee shall deliberate and decide whether to "accept" the Annex-amendment or to file a difference with the ICAO and advise the Director General accordingly. When the Annex amendment is to be "accepted", the IER shall arrange to notify the ICAO accordingly, and file difference(s), if any,

separately with ICAO, in accordance with the prescribed procedure (Refer to 1.1.7). The Secretariat of the RR-Committee shall maintain necessary documentation related to each Annex amendment and CAR-ANS amendment, including records such as, (record of discussions in respect of industry and other consultations).

- 1.1.4.4 The AANSOO shall work out a suitable amendment text for the CARANS and CAR-Aerodromes, based on the “accepted” part of the Annex amendment and put up to the Director General, through the RR-Committee. As prescribed by the Civil Aviation Authority Act of 2008 (Republic Act No. 9497) Section (j) and 25, on recommendation of the Director General, the Board will approve the CAR-ANS amendment for promulgation. The CAAP will then publish the CAR-ANS amendment in accordance with the prescribed procedure.
- 1.1.4.5 The RR-Committee shall ensure that whenever an amendment to these Regulations is issued, the copy of CAR-ANS on the website is updated accordingly.
- 1.1.4.6 The AANSOO shall ensure that the CAR-ANS amendments are distributed among the recipients/copy-holders of the CAR-ANS in a timely manner.
- 1.1.4.7 The Technical Library shall maintain a current copy of these regulations (CAR-ANS), fully updated, at all times.
- 1.1.4.8 A typical CAR-ANS amendment shall contain the following:
- a) Letter of Transmittal: A letter to all recipients/CAR-ANS copyholders, describing the purpose and location of the amendment in relation to the existing Regulation(s).
 - b) Instructions: The instructions to “insert” and/or “delete” the affected pages of each Part stating page number(s) and their effective date(s).
 - c) Replacement pages of CAR-ANS: The replacement pages of the CAR-ANS giving effect to the Annex-amendment. As these regulations are printed on both sides of paper, whenever some text undergoes a change, the reverse side page will also need a reprint, except that the effective date of the reverse side page may remain unchanged.
 - d) Updated Table of Contents: The effective dates of the changed pages shall be incorporated in the Contents of each Part as well as in the main Table of Contents.
 - e) Recording of Amendments: Instructions for recording the insertion of the CAR-ANS amendment in the “Record of Amendment” in the Table of Contents Parts.
 - f) Updating a Controlled Documents: The prescribed procedure for updating a “Controlled Document” shall be adhered to while transmitting and incorporating each CAR-ANS amendment.

1.1.5 **PROCEDURE FOR THE FORMULATION AND DISTRIBUTION OF GUIDANCE MATERIALS**

1.1.5.1 INTRODUCTION

This contains procedures for the formulation and distribution of guidance materials on civil air navigation regulations to CNS/ATM Service providers and Aerodrome Operators.

The effectiveness of a safety oversight system and the implementation of national and international standards need to be supported by guidance materials which will provide the technical experts with guidance on how to accomplish their specific functions. ICAO has developed and public technical guidance to assist States in implementing annexes provisions.

States also need to develop and publish their own technical guidance materials to assist their technical experts in implementing national regulations, procedures and practices.

1.1.5.2 OBJECTIVES

1.1.5.2.1 To effectively help the CAAP's Aerodrome and Air Navigation Safety Oversight Office in performing their functions; in relation to their task to provide the concerned Service Providers and Operators alike; the guidance in the implementation of national and international standards; regulations, operational procedures, policies, directives, processes, etc.

1.1.5.2.2 To foster safety in the aviation operational environment through an effective dissemination of safety-critical information.

1.1.6 **DOCUMENT TRANSACTION FLOW AND DISTRIBUTION PROCESS**

1.1.6.1 Incoming guidance materials related to Aerodrome and Air Navigation Services (CNS/ATM) with relevant information that are applicable on how to facilitate adopt processes of acquiring licenses, ratings, certifications, implementing regulations and policies leading to the certification and surveillance of license of certificate holders. Guidance materials also include standard operating procedures for the evaluation of documentation and demonstration of the operational suitability for initial and continued certification originated from ICAO, must be coursed through AANSOO, who shall:

1.1.6.1.1 Accept the guidance material documents concerning amendments to Annex provisions, manual revisions, proposals to procedures, processes, directives, etc.

1.1.6.1.2 Review and evaluate guidance material information and identify matters that need to be addressed by Aerodrome and ANS (CNS/ATM) Oversight, and adopted by Service Providers and

- 1.1.6.1.3 Aerodrome Operators.
Review and evaluate Service Providers' and Aerodrome Operators' existing and documented operating procedures, regulations and adopted practices, etc. and identify applicability and adoptability to ICAO's concerns.
- 1.1.6.1.4 Notify the Service Providers and/or Aerodrome Operators for the purpose of informing and discussing with them ICAO's document revisions, amendment proposals, etc.
- 1.1.6.1.5 Shall approve the distribution of guidance materials that are applicable to the Service Providers and Aerodrome Operators.
- 1.1.6.1.6 Shall distribute guidance materials to the Service Providers and Aerodrome Operators.
- 1.1.6.2 The Service Providers and Aerodrome Operators shall conform to the guidance materials and shall initiate the reproduction and distribution of such, to their respective facilities, Unit stations, etc. to be used as guiding reference in enhancing operational procedures, implementation of regulations, improving office policies and directives, and etc.
- 1.1.6.3 To ensure a safety-operating environment, AANSOO shall provide guidance materials to Service Providers and Aerodrome Operators regarding amendment updates on its aviation-related publications such as aeronautical maps, etc.
- 1.1.6.3.1 Distribution process of safety-critical information shall adopt the same procedures specified in 1.1.6.1.1 – 1.1.6.1.6 above.
- 1.1.6.3.2 The Service Providers and Aerodrome Operators shall conform to the guidance materials on safety-critical information and shall initiate the updating aviation-related publication, reproduction and distribution of such as part of their dissemination process.
- 1.1.6.4 AANSOO shall continue to accept, gather, review guidance materials and related documents for distribution to the Service Providers and Aerodrome operators and aid the AANSOO's oversight technical experts to accomplish their specific functions.
- 1.1.7 MECHANISM FOR THE REVIEW AND ELIMINATION OF DEFICIENCIES IDENTIFIED WITHIN THE FRAMEWORK OF PLANNING AND IMPLEMENTATION REGIONAL GROUPS (PIRGs)**
- 1.1.7.1 INTRODUCTION
- 1.1.7.1.1 This mechanism for the review and elimination of deficiencies identified within the framework of PIRGS will be accorded very high priority by the AANSOO.

- 1.1.7.1.2 The AANSOO in recognition of its responsibilities, for the safe air navigation services undertake to increase its efforts in the review and elimination of air navigation deficiencies identified by within the framework of PANPIRG.
- 1.1.7.1.3 The AANSOO will keep a list of deficiencies that exists in the Philippine air navigation service and adopt the necessary procedures for the collection of information in order to identify, evaluate and classify deficiencies, assigning priorities patterned after the Uniform Methodology for the Identification, Assessment and Reporting of Air Navigation Deficiencies approved by the ICAO Council.
- 1.1.7.1.4 The International Civil Aviation Coordinating Staff (ICACS) of the CAAP shall submit the updated information to the AANSOO, and AANSOO will coordinate with the service providers concerned for the elimination of deficiencies in conformity with the SARPs.
- 1.1.7.1.5 The AANSOO and its respective sub-groups, as part of their responsibilities, shall intensify its efforts in dealing with deficiencies with a higher focus on prioritization and monitoring of corrective actions taken by the service providers responsible.
- 1.1.7.1.6 For the purpose of this mechanism, the definition of deficiencies is as follows:
- A deficiency is a situation where a facility, service or procedure does not comply with a regional air navigation plan approved by the Council, or with related ICAO Standards and Recommended Practices, and which situation has a negative impact on the safety, regularity and/or efficiency of international civil aviation (ICAO Council).
- 1.1.7.2 OBJECTIVE
- 1.1.7.2.1 The main objective of this mechanism is to provide for a systematic approach to the management of deficiencies in the provision of Aerodrome & Air Navigation Services in the Philippines by detailing the procedures to be followed by the AANSOO and the service providers.
- 1.1.7.2.2 It is also the objective of this mechanism to provide definition of the responsibilities and obligations of the parties involved in the management of deficiencies.
- 1.1.7.3 OVERSIGHT PROCEDURES FOR THE REVIEW AND ELIMINATION OF DEFICIENCIES
- The AANSOO, after it shall have received reports from the ICACS, shall implement a modified ICAO approved Uniform Methodology for the Identification, Assessment and Reporting of Air Navigation Deficiencies as follows:

- a) Verification/ validation
 - b) Assessment and Prioritization
 - c) Review of action plans
 - d) Monitoring of follow-up actions
 - e) Elimination of Deficiency and removal from the List
- 1.1.7.3.1 PROCEDURE
- 1.1.7.3.1.1 Verification/ validation
- 1.1.7.3.1.1.1 The AANSOO carries out a check of the noted deficiency against the requirements of ICAO SARPs, Regional Air Navigation Plan (ANP).
- 1.1.7.3.1.2 Assessment and prioritization
- 1.1.7.3.1.2.1 Evaluation of the effect on:
- a) Safety
 - b) Efficiency
 - c) Regularity
- 1.1.7.3.1.2.2 Assignment of priority by the AANSOO
- 1.1.7.3.1.2.2.1 A general guideline would be to have three levels of priority organized on the basis of safety, regularity and efficiency assessment as follows:
- “U” priority - Urgent requirements having a direct impact on safety and requiring immediate corrective actions.**
- Urgent requirement consisting of any physical, configuration, material, performance, personnel or procedures specification, the application of which is considered necessary for air navigation safety.
- “A” priority - Top priority requirements necessary for air navigation safety.**
- Top priority requirement consisting of any physical, configuration, material, performance, personnel or procedures specification, the application of which is necessary for air navigation safety.
- “B” priority - Intermediate requirements necessary for air Navigation regularity and Efficiency.**
- Intermediate priority requirement consisting of any physical, configuration, material, performance, personnel or procedures, specification, the application of which is considered necessary for air navigation regularity and efficiency.
- 1.1.7.3.1.2.2.2 Service providers concerned are notified by the AANSOO on the deficiency and findings.

- 1.1.7.3.1.2.2.3 In the event of serious cases of deficiencies, the AANSOO shall notify the DG as a matter of priority.
- 1.1.7.3.1.3 Review of action plans
 - 1.1.7.3.1.3.1 The AANSOO provides advice on the Plan, if necessary.
 - 1.1.7.3.1.3.2 The deficiency is recorded in the AANSOO Safety Database.
 - 1.1.7.3.1.4 Monitoring of follow-up actions
 - 1.1.7.3.1.4.1 AANSOO reports on the progress of the plan to the DG and the ICAO through the ICACS.
 - 1.1.7.3.1.4.2 AANSOO conducts annual assessment on the status of deficiencies.
 - 1.1.7.3.1.4.3 AANSOO submits assessment report to the ICAO through ICACS.
 - 1.1.7.3.1.5 Elimination of Deficiency and Removal from the List
 - 1.1.7.3.1.5.1 Service providers, upon receipt of the AANSOO assessment, will develop an action plan appropriate to the AANSOO recommendations detailing among others, the corrective action plan that will be taken in the rectification/elimination of such deficiencies.
 - 1.1.7.3.1.5.2 AANSOO validates the action taken by the service providers.
 - 1.1.7.3.1.5.3 Deficiency status updated with actions taken and validations.
 - 1.1.7.3.1.5.4 AANSOO recommends to ICAO through ICACS removal from the list of deficiencies.
- 1.1.7.4 RESPONSIBILITIES OF THE PARTIES INVOLVED
 - 1.1.7.4.1 AANSOO
 - 1.1.7.4.1.1 As a primary tool in the management of deficiencies the AANSOO shall establish a database on the implementation of the requirements stated in the ASPAC Basic ANP. Such database would provide for immediate identification of non-compliance that should be further assessed against the definition of deficiency.
 - 1.1.7.4.1.2 The AANSOO shall be pro-active in collecting information on deficiencies for keeping the database up-to-date.
 - 1.1.7.4.1.3 The AANSOO database should contain information on the differences filed by CAAP.

- 1.1.7.4.1.4 One of the primary functions of the AANSOO is to assist service providers in the resolution of air navigation deficiencies. In this regard, staff of the AANSOO, to the extent practicable, establish regular correspondences with and perform regular visits to service providers to assist in the rectification of deficiencies. These visits which will be result-oriented and will also be used to identify other deficiencies for subsequent review.
- 1.1.7.4.2 Service Providers
- 1.1.7.4.2.1 Service providers upon receipt of the notification of deficiencies from AANSOO shall review, validate and comment on, and where actions have already been taken provide the necessary details to the list of identified deficiencies, assessed and prioritized by the AANSOO.
- 1.1.7.4.2.2 Service providers, shall develop an action plan detailing, among others, the corrective action plan that shall be taken in the rectification/elimination of such deficiencies.
- 1.1.7.4.2.3 Service providers are required to respond promptly to the deficiencies identified so that the necessary details can be provided to the AANSSO working groups for deliberations and necessary actions.
- 1.1.7.4.2.4 The information provided through this mechanism process will include:
- a) A description of the deficiency
 - b) Safety Risk Assessment
 - c) Possible solutions
 - d) Timelines
 - e) Responsible party
 - f) Agreed action to be taken
 - g) Report on actions already taken
- 1.1.7.4.3 Users
- 1.1.7.4.3.1 Aviation organizations, in their capacity as users of air navigations facilities, should provide a list of deficiencies on a regular basis to the AANSOO for validation and action.
- 1.1.7.4.3.2 Aviation organizations concerned as one of the sources in highlighting deficiencies, should provide assistance in the verification of remedial actions taken by service providers, once the AANSOO had accomplished the necessary review and assessment process.
- 1.1.7.5 **AIR NAVIGATION MEETING TO SUPPORT THE RESOLUTION OF DEFICIENCIES**

1.1.7.5.1 APANPIRG, as the only coordinating body in Asia and the Pacific regions for all activities conducted within ICAO concerning the air navigations systems, meets at regular intervals. One of its terms of reference is to, among others, identify specific problems in the air navigation field and propose in appropriate form, actions aimed at solving these problems. Working papers on deficiencies form part of the core papers and are required to be presented at each meeting of APANPIRG.

APANPIRG reviews deficiencies in the air navigation field and develop recommendations for remedial actions.

1.1.7.5.2 In order to ensure this mechanism, service providers and regulators must be fully committed to these mechanisms through participation in various meetings.

1.1.7.6 OTHER MECHANISMS FOR THE RESOLUTIONS OF DEFICIENCIES

1.1.7.6.1 Various working groups and task forces meetings will be utilized to discuss matters related to identification and elimination of deficiencies.

1.1.7.6.2 Audits, inspections and surveys to be conducted by the AANSOO should be taken as an opportunity to address the issues of deficiencies.

1.2 DEFINITION OF TERMS

AANSOO means Aerodrome and Air Navigation Service Safety Oversight Office.

Acceptable level of safety means either a quantified target, qualitative target or standard identified in relation to the safe provision of ATM services and established through the existing regulatory framework consistently with applicable safety regulatory requirements.

Applicable safety regulatory requirements means the requirements for the provision of CNS ATM services, applicable to the specific situation under consideration, and established through the existing rulemaking framework concerning, inter alia:

- a) Technical and operational competence and suitability to provide ATM services;
- b) Systems and processes for safety management;
- c) Technical systems, their constituents and associated procedures

Air Traffic management (ATM) means the aggregation of the airborne and ground-based functions (air traffic services, airspace management and air traffic flow management) required to ensure the safe and efficient movement of aircraft during all phases of operations.

ATM service means a service for the purpose of ATM.

ATM service provider means any public or private entity providing ATM services for general air traffic.

ATM system means the part of the ANS system composed of a ground-based ATM component and an airborne ATM component. The ATM system includes human, technical systems and procedures, and assumes the existence of a supporting CNS system.

Certificate means a document issued by CAAP in any form complying with national law, which confirms that an ANS service provider meets the requirements for providing a specific service.

Corrective action means action to eliminate the cause of a detected nonconformity or other undesirable situation.

Process means a set of interrelated or interacting activities which transforms inputs or outputs.

Safety argument means the demonstration and evidence that a proposed change can be implemented within the applicable acceptable levels of safety.

Safety directive means a document issued or adopted by AANSOO which mandates actions to be performed on a system to restore an acceptable level of safety, when evidence shows that aviation safety may otherwise be compromised.

Safety objective means a quantitative or qualitative statement that defines the maximum probability at which a hazard can be expected to occur.

Safety oversight is defined as a function by means of which States ensure the effective implementation of the safety-related Standards and Recommended Practices (SARPs) and associated procedures contained in the Annexes to the Convention on International Civil Aviation and related ICAO documents.

Safety regulatory audit means a systematic and independent examination conducted by, or on behalf of, AANSOO to determine whether complete safety-related arrangements or elements thereof, to processes and their results, products or services, comply with required safety-related arrangements and whether they are implemented effectively and are suitable to achieve expected results.

Safety regulatory requirement means the formal stipulation by the regulator of a safety-related specification.

Safety-related condition means a specific objective or measure, identified consistently with safety regulatory requirements, whose implementation is found necessary to ensure safety.

Safety requirement means a risk mitigation means, defined from the risk mitigation strategy that achieves a particular safety objective, including organizational, operational, procedural, functional, performance and interoperability requirements or environment characteristics.

Serious incident means an incident involving circumstances indicating that an accident nearly occurred.

System means a combination of technical systems, procedures and human resources organized to perform a function.

Technical system means the aggregation of airborne and ground-based constituents, as well as space-based equipment that provides support for ATM services for all phases of flight.

Verification means confirmation through the provision of objective evidence that specified requirements have been fulfilled.

1.3 BASIC FUNCTIONS OF AANSOO

Safety oversight is a function by which CAAP ensures the effective implementation of safety-related standards and associated procedures contained in the CAR-ANS Parts 1-15, CAR-Aerodromes, Manual of Standards (MOS), and applicable Annexes to the Chicago Convention.

Safety oversight is exercised by the AANSOO as part of the supervision of regulatory requirements applicable to the provision of ANS and Aerodrome operations to ensure that the national aviation industry provides a safety level equal to or better than, that defined by the SARPS.

Supervision of regulatory requirements applicable to Aerodrome operators and ANS service providers, which include;

- a) the implementation of CAAP Safety Programme concerning Aerodrome and ANS (Refer to 1.10)
- b) monitoring the safety provision of ANS services and Aerodrome operations;
- c) verifying that the applicable safety regulatory requirements and any arrangements needed to implement them are effectively met.

1.3.1 SAFETY MONITORING

- a) AANSOO shall provide regular monitoring and assessment of the levels of safety achieved against the acceptable level of safety (ALoS) determined for and by CAAP, service providers, aerodrome operators and other stakeholders concerned.
- b) AANSOO shall use the result of safety monitoring to determine areas where verification of compliance with safety regulatory requirements is necessary as a matter of priority.

1.3.2 VERIFICATION OF COMPLIANCE

1.3.2.1 AANSOO shall establish a process in order to verify:

- a) Compliance with applicable safety regulatory requirements prior to the **issuance or renewal of a certificate** by the AANSOO recognizing the capability of an organization to provide ANS services and Aerodrome operations.
- b) Continuous compliance of ANS service providers and Aerodrome operators with applicable safety regulatory requirements.
- c) The implementation of safety objectives, safety requirements and other safety-related conditions identified in:
 - I. CAR-ANS and CAR-Aerodromes
 - II. State Safety Programme; and

- III. Risk assessment and mitigation documentation, related or not to items **a** and **b**.
- d) The implementation of safety directives issued by the AANSOO.

1.3.2.2

That process shall:

- a) Use documented procedures to eliminate discrepancies in its application.
- b) Be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions.
- c) Provide the ANS service providers and Aerodrome operators concerned with an indication of the results of the safety oversight activity.
- d) Base the verification of compliance on the use of safety regulatory audits conducted in accordance with requirement of **1.4** below.
- e) Undertake the verification referred to in 1.3.2.1(b) above.
 - i. In the context of the review of safety arguments conducted in accordance with the requirements of **1.5** in relations to systems or changes under consideration.
 - ii. As a part of safety regulatory auditing conducted to verify continuous compliance of ANS services and Aerodrome operations with applicable safety regulatory requirements.
- f) Provide the AANSOO with the evidence needed to support further action in situations where safety regulatory requirements are not being complied with, or where successful compliance cannot be expected.

1.4 SAFETY AUDIT

1.4.1 AANSOO shall conduct the safety regulatory audits foreseen in 1.3.2.1(d) above.

Safety regulatory audits shall:

- a) Provide AANSOO with the evidence of compliance with applicable safety regulatory requirements and relate arrangements by evaluating the need for improvement or corrective action.
- b) Be undertaken under the managerial responsibility and overall control of the AANSOO independently of the internal auditing activities undertaken by ANS service providers and Aerodrome operators as part of their safety management arrangements.
- c) Be conducted by auditors of the AANSOO.
- d) Depending upon the case, apply to, but not be limited to, complete arrangements or elements thereof, to processes, products or services.
- e) Be used to determine the conformity or non-conformity of:
 - i. Established arrangements against required arrangements;
 - ii. The implemented arrangements and their results against the established arrangements and their expected results.
- f) Provide the auditee with an opportunity to correct non-conformities and improve the safety of the area under consideration.

1.4.2 AANSOO shall establish safety regulatory audit programme on a regular basis to:

- a) Cover all the areas of potential safety concern.
- b) Focus, but not exclusively, on those areas where problems have been identified as a result of monitoring safety performance.
- c) Conduct audits to address all the ANS service providers and Aerodrome operators.
- d) Conduct sufficient audits, at least once every two years, to check the compliance of all ANS service providers and Aerodrome operators under their responsibility with applicable safety regulatory requirements in all the functional areas of relevance; and
- e) Follow up the implementation of corrective actions intended to address non-conformities found in previous audits.

1.4.3 The programme shall be designed to allow for the modification of the objectives of pre-planned audits, and the inclusion of additional audits to those originally programmed, wherever that need is identified on the safety oversight of the AANSOO.

1.4.4 AANSOO shall decide which arrangements, elements, services, products, physical locations and organizational activities are to be audited within a specified timeline.

In safety regulatory audit:

- a) Audit observations and identified non-conformities shall be documented, supported by evidence, and identified in terms of the applicable safety regulatory requirements or related arrangements against which the audit has been conducted.
- b) An audit report, including the details of the non-conformities, shall be forwarded to a designated point of responsibility within the AANSOO.
- c) The point of responsibility within the AANSOO shall:
 - i. Ensure that the audit findings are communicated to the senior management of the organization audited;
 - ii. Require corrective actions to address the non-conformities identified with a timeline.
 - iii. Undertake additional actions as required.
- d) Auditors shall only be responsible for identifying the need for corrective actions. The auditee shall be responsible for determining and initiating corrective actions needed to correct a non-conformity or to correct the cause of a non-conformity.
- e) The AANSOO shall assess the corrective actions determined by the auditee and accept them if the assessment concludes that they are sufficient to address the non-conformities found in the audit.
- f) Corrective actions and subsequent follow up audits shall be completed within a time period specified by AANSOO.

1.5 CHANGES TO THE CNS/ ATM SYSTEM

- 1.5.1 For the purposes of this Regulatory Requirement, AANSOO shall classify the new systems or changes to the CNS/ATM system proposed by ANS service providers and Aerodrome operators into two main categories:
- 1.5.2 The category of 'major change' shall include, as a minimum, any new system or change whose;
- a) Assessment of the potential effects of hazards on the safety of aircraft, identifies hazards with potential to lead to an accident or serious incident, or
 - b) Implementation introduces a need for new aircraft standards.
- 1.5.3 The implementation of major changes shall be subject to the acceptance of AANSOO.
- 1.5.4 The use of procedures conducted by ANS service providers and Aerodrome operators to decide the implementation of 'minor change' shall be subject to:
- a) Acceptance of such procedures by the AANSOO;
 - b) The inclusion in such procedures of a step to notify the AANSOO of any minor changes implemented; and
 - c) Regular safety regulatory auditing conducted as part of the verification of continuous compliance of ANS services and Aerodrome operations with applicable safety regulatory requirements.
- 1.5.5 AANSOO shall review, as a minimum, those safety arguments associated with new systems or changes to the CNS/ATM system which are classified as a major change.
- 1.5.6 That review shall:
- a) Use documented procedures to eliminate discrepancies in its application.
 - b) Be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions.
 - c) Consider the safety objectives, safety requirements and other safety related conditions that are related to the change under consideration which have been identified in:
 - I. CAR-ANS and Administrative Order no. 139;
 - II. State Safety Programme; and
 - III. Risk assessment and mitigation documentation, related or not to items a) and b).

- d) Provide a rationale for the acceptance or non-acceptance, of major changes referred to in 1.5.3 above.
- e) Wherever needed, identify additional safety-related conditions associated to the implementation of the change.
- f) Assess whether the safety arguments presented demonstrate that the proposed changes can be implemented within the applicable tolerable levels of safety. Such assessment shall address:
 - i. the completeness and correctness of the list of hazards;
 - ii. the consistency of the allocation of severity classes;
 - iii. the validity of the safety objectives;
 - iv. the validity, effectiveness and feasibility of safety requirements and any other safety-related conditions identified;
 - v. the demonstration that the safety objectives, safety requirements and other safety-related conditions are met and will continue to be met;
 - vi. the demonstration that the process used meets the applicable safety regulatory requirements.
- g) Involve auditing to verify the processes used by ANS service providers and Aerodrome operators in relation to the new system or change under consideration.
- h) Identify the need for the verification of compliance referred to in 1.3.2.2 (f) above.
- i) Involve any necessary coordination activities with the authorities responsible for the safety oversight of airworthiness and flight operations, i.e. Flight Standards and Inspectorate Service (FSIS).

1.6 SAFETY OVERSIGHT CAPABILITIES

- 1.6.1 AANSOO shall have access to the ANS service providers and Aerodrome operators' organization, facilities and documentation when safety regulatory audits are conducted.
- 1.6.2 AANSOO shall ensure that all persons involved in safety oversight activities are competent to perform the required function.

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1.7 SAFETY DIRECTIVES

- 1.7.1 AANSOO shall recommend to the Director General for issuance of safety directives when an unsafe condition has been determined to exist in a system.
- 1.7.2 A safety directive shall contain, as a minimum, the following information:
- a) The identification of the unsafe condition
 - b) The identification of the affected system
 - c) The actions required and their rationale
 - d) The compliance time for the required actions and
 - e) The date of entry into force.

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1.8 RECORDS

- 1.8.1 AANSOO shall keep, or maintain access to, the appropriate records related to the safety oversight processes, including the reports of all safety regulatory audits and other safety-related records related to certificates, and acceptance of major changes.

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1.9 ISSUANCE OF ANF CERTIFICATION

1.9.1

Pursuant to Section 24 (j), Chapter V of R.A. 9497, and Section 27 (g) of the IRR, the Aerodrome and Air Navigation Service Safety Oversight Office, by approval of the Director General, shall promulgate rules and regulations as may be necessary in the interest of safety in air commerce pertaining to the issuance of certificate for such air navigation facility and aerodrome.

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1.10 IMPLEMENTATION OF CAAP STATE PROGRAMME

Within the context of this CAR-ANS, the term “State” refers to CAAP and the “service provider” refers to Aerodrome operators and ANS service providers.

This regulation introduces a framework for the implementation and maintenance of the State Safety Programme (SSP). The framework consists of the following four components and eleven elements:

- 1.10.1 **State safety policy and objectives.** A description of how the State will oversee the management of safety in the aviation activities of the State.
 - 1.10.1.1 State safety legislative framework
 - 1.10.1.2 State safety responsibilities and accountabilities
 - 1.10.1.3 Accident and incident investigation
 - 1.10.1.4 Enforcement policy
- 1.10.2 **State’s safety risk management.** A description of how the State will identify hazards and assess the safety risks of the consequences of hazards in the State’s aviation operations. This includes the establishment of controls (rules and/or regulations) which govern how the State will manage safety, the rules and/or regulations which govern how the service provider’s SMS operates, as well as agreement on the safety performance of the service provider’s SMS.
 - 1.10.2.1 Safety requirements for service providers SMS
 - 1.10.2.2 Agreement on service providers’ safety performance
- 1.10.3 **State’s safety assurance.** A description of how the State will ensure that safety management within the State and the operation of the service provider’s SMS follow established controls (regulatory compliance), how realistic implementation of the SSP (ALoS) will be achieved, though a combination of safety measurement by the State and safety performance measurement by service providers, and how the actual performance of the service provider’s SMS (safety performance) will be demonstrated (safety performance measurement). This includes the establishment of the necessary arrangements (oversight, inspections, audits, safety data analysis and so forth) necessary to verify compliance and measure performance.
 - 1.10.3.1 Safety oversight
 - 1.10.3.2 Safety data collection, analysis and exchange

- 1.10.3.3 Safety-data-driven targeting of oversight of areas of greater concern or need
- 1.10.4 **State's safety promotion.** A description of the arrangements by the State to ensure that safety training, communication and dissemination of safety information take place. Under an SSP, this is a dual-track promotion; both within the State's aviation organizations as well as among the service providers it oversees. This includes the establishment of the necessary means to provide training and communicate safety information.
 - 1.10.4.1 Internal training, communication and dissemination of safety Information
 - 1.10.4.2 External training, communication and dissemination of safety information