

# Democratic Socialist Republic of Sri Lanka



## Civil Aviation Authority of Sri Lanka

### Implementing Standards

(Issued under Sec. 120, Civil Aviation Act No. 14 of 2010)

### **Title: Compliance to Annex 6 - Part 1 - Chapter 3 - General Requirements**

**Reference No. :** IS-6-(I)-3

**SLCAIS:** 012

**Date:** 02<sup>nd</sup> March 2018

Pursuant to Sec.120 of the Civil Aviation Act No.14 of 2010, Director General of Civil Aviation shall have the power to issue, whenever he considers it necessary or appropriate to do so, such Implementing Standards for the purpose of giving effect to any of the provisions of the Civil Aviation Act, any regulations or rules made thereunder including the Articles of the Convention on International Civil Aviation which are specified in the Schedule to the Act.

Accordingly, I, being the Director General of Civil Aviation do hereby issue the Implementing Standards on **Compliance to Annex 6 - Part 1 - Chapter 3 - General Requirements** as mentioned in the Attachment hereto (Ref: IS-6-(I)-3], elaborating the requirements to be satisfied for the effective implementation of the International Standards and Recommended Practices on Annex-6 “Aircraft Operations” particular and the other generic provisions on the same matter contained in Air Navigation Regulations of 1955.

This Implementing Standard shall be applicable to every person holding an Air Operator Certificate issued by Director General of Civil Aviation and his employees engaged in flight operations and shall come in to force with immediate effect and remain in force unless revoked.

Attention is also drawn to sec. 103 of the Act, which states inter alia that failure to comply with Implementing Standard is an offence.

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Enclosure: Attachment No. IS-6-(I)-3-Att-01

## Implementing Standards

### Title: Compliance to Annex 6- Part 1 – Chapter 3- General Requirements

#### GENERAL:

- I Requirements contained in this document are based on the amendment 42<sup>nd</sup> of ICAO Annex 6 (Part 1) – “Operation of Aircraft” Chapter 3 – General Requirements.
- II The requirements contained in this document are applicable to person/organizations holding an air operator certificate issued by Director-General of Civil Aviation, Sri Lanka for commercial air transportation and prospective applicants for air operator certificate for commercial air transportation
- III Holders of Air Operator Certificate issued by the DGCA for commercial air transportation shall comply with the requirements published in this document and are hereby instructed to forward to the DGCA a “Declaration of Conformance” which indicates the degree of compliance with each item detailed in the document.
- IV This document supersedes the Implementing Standards IS 058 and shall be treated as null and void.
- V This document may be amended from time to time and the amendments will be reflected with the vertical line on the right side of the text.

#### 1. Compliance with laws, regulations and procedures

- 1.1 An operator shall ensure that all employees when abroad know that they must comply with the laws, regulations and procedures of those States in which operations are conducted.
- 1.2 An operator shall ensure that all pilots are familiar with the laws, regulations and procedures, pertinent to the performance of their duties, prescribed for the areas to be traversed, the aerodromes to be used and the air navigation facilities relating thereto. An Operator shall ensure that other members of the flight crew are familiar with such of these laws, regulations and procedures as are pertinent to the performance of their respective duties in the operation of the aeroplane.

*Note — Information for pilots and flight operations personnel on flight procedure parameters and operational procedures is contained in PANS-OPS (Doc 8168), Volume I. Criteria for the construction of visual and instrument flight procedures are contained in PANS-OPS (Doc 8168), Volume II. Obstacle clearance criteria and procedures used in certain States may differ from PANS-OPS, and knowledge of these differences is important for safety reasons.*

- 1.3 An operator or a designated representative shall have responsibility for operational control.

*Note — the rights and obligations of a State in respect to the operation of aeroplanes registered in that State are not affected by this provision.*

- 1.4 Responsibility for operational control shall be delegated only to the pilot-in-command and to a flight operations officer/flight dispatcher if an operator’s approved method of control and

supervision of flight operations requires the use of flight operations officer/flight dispatcher personnel.

*Note— Guidance on the operational control organization and the role of the flight operations officer/flight dispatcher is contained in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335). Detailed guidance on the authorization, duties and responsibilities of the flight operations officer/flight dispatcher is contained in the Preparation of an Operations Manual (Doc 9376). The requirements for age, skill, knowledge and experience for licensed flight operations officers/flight dispatchers are contained in ICAO Annex 1.*

- 1.5** If an emergency situation which endangers the safety of the aeroplane or persons becomes known first to the flight operations officer/flight dispatcher, action by that person in accordance with Implementing Standard 013, 6.2 shall include, where necessary, notification to the appropriate authorities of the nature of the situation without delay, and requests for assistance if required.
- 1.6** If an emergency situation which endangers the safety of the aeroplane or persons necessitates the taking of action which involves a violation of local regulations or procedures, the pilot-in-command shall notify the local authority without delay. If required by the State in which the incident occurs, the pilot-in-command shall submit a report on any such violation to the appropriate authority of such State; in that event, the pilot-in-command shall also submit a copy of it to the DGCA. Such reports shall be submitted as soon as possible and normally within ten days.
- 1.7** Operators shall ensure that pilots-in-command have available on board the aeroplane all the essential information concerning the search and rescue services in the area over which the aeroplane will be flown.

*Note— this information may be made available to the pilot by means of the operations manual or such other means as is considered appropriate.*

- 1.8** Operators shall ensure that flight crew members demonstrate the ability to speak and understand the language used for radiotelephony communications as specified in Annex 1.

## **2. Compliance by a foreign operator with laws, regulations and procedures of the DGCA, Sri Lanka**

- 2.1** When DGCA, Sri Lanka identifies a case of non-compliance or suspected non-compliance by a foreign operator with laws, regulations and procedures applicable within Sri Lanka laid down in foreign Air Certification Manual (SLCAP 4105), or a similar serious safety issue with that operator, DGCA shall immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
- 2.2** In the case of notification to States as specified in 2.1 above, if the issue and its resolution warrant it, DGCA shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

*Note— The Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335) provides guidance on the surveillance of operations by foreign operators. The manual also contains guidance on the consultations and related activities, as*

*specified in 2.2 above, including the ICAO model clause on aviation safety, which, if included in a bilateral or multilateral agreement, provides for consultations among States, when safety issues are identified by any of the parties to a bilateral or multilateral agreement on air services.*

### **3. Safety management**

The mode and manner to achieve an acceptable of safety in civil aviation in Sri Lanka is specified in the State Safety Programme of Sri Lanka.

*Note— ICAO Annex 19 and Civil Aviation Safety Management Regulations No.01 of 2017 includes safety management provisions for air operators. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859) and the Safety Management Regulation and State Safety Policy and Procedures Manual (SLCAP 2600).*

**3.1** An operator of an aeroplane of a certificated take-off mass in excess of 20 000 kg should establish and maintain a flight data analysis programme as part of its safety management system.

**3.2** An operator of an aeroplane of a maximum certificated take-off mass in excess of 27 000 kg shall establish and maintain a flight data analysis programme as part of its safety management system.

*Note— an operator may contract the operation of a flight data analysis programme to another party while retaining overall responsibility for the maintenance of such a programme.*

**3.3** A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

*Note 1— Guidance on the establishment of flight data analysis programmes is included in the Manual on Flight Data Analysis Programmes (FDAP) (Doc 10000).*

*Note 2— Legal guidance for the protection of information from safety data collection and processing systems is contained in Attachment B to ICAO Annex 19. (Applicable on 07.11.2019)*

**3.4** States shall not allow the use of recordings or transcripts of CVR, CARS, Class A AIR and Class A AIRS for purposes other than the investigation of an accident or incident as per Annex 13, except where the recordings or transcripts are:

- a related to a safety-related event identified in the context of a safety management system; are restricted to the relevant portions of a de-identified transcript of the recording; and are subject to the protections accorded by Annex 19;
- b sought for use in criminal proceedings not related to an event involving an accident or incident investigation and are subject to the protections accorded by Annex 19; or
- c Used for inspections of flight recorder systems as provided in Para 7, Appendix 3 of IS 015.

*Note-Provisions on the protection of safety data, safety information and related sources are contained in Appendix 3 to Annex 19. When an investigation under Annex 13 is instituted,*

*investigation records are subject to the protections accorded by Annex 13. (Applicable on 07.11.2019)*

**3.5** States shall not allow the use of recordings or transcripts of FDR, ADRS, Class B and C AIR, and Class C AIRS for purposes other than the investigation of an accident or incident as per Annex 13, except where the recordings or transcripts are subject to the protections accorded by Annex 19 and are:

- a. used by the operator for airworthiness or maintenance purposes
- b. used by the operator in the operation of a flight data analysis programme required in 3.2 (refer also to 3.1) in this IS;
- c. sought for use in proceedings not related to an event involving an accident or incident investigation
- d. de-identified; or
- e. Disclosed under secure procedures.

*Note- Provisions on the protection of safety data, safety information and related sources are contained in Appendix 3 to Annex 19*

**3.6** The operator shall establish a flight safety documents system, for the use and guidance of operational personnel, as part of its safety management system.

*Note.— Guidance on the development and organization of a flight safety documents system is provided by IS 002.*

#### **4. Use of psychoactive substances**

*Note— Provisions concerning the use of psychoactive substances are contained in ICAO Annex 1, 1.2.7 and Annex 2, 2.5. and SLCAIS 035. (Applicable On and after 8.11.2018)*

#### **5. Aircraft Tracking**

**5.1** The operator shall establish an aircraft tracking capability to track aeroplanes throughout its area of operations.

*Note. — Guidance on aircraft tracking capabilities is contained in the Aircraft Tracking Implementation Guidelines (Cir 347).*

**5.2** The operator should track the position of an aeroplane through automated reporting at least every 15 minutes for the portion(s) of the in-flight operation(s) under the following conditions:

- a) The aeroplane has a maximum certificated take-off mass of over 27 000 kg and a seating capacity greater than 19; and
- b) Where an ATS unit obtains aeroplane position information at greater than 15 minute intervals.

*Note 1— Oceanic area, for the purpose of aircraft tracking, is the airspace which overlies waters outside the territory of a State.*

*Note 2— See ICAO Annex 11, Chapter 2, for coordination between the operator and air traffic services providers regarding position report messages*

**5.3** The operator shall track the position of an aeroplane through automated reporting at least every 15 minutes for the portion(s) of the in-flight operation(s) that is planned in an oceanic area(s) under the following conditions:

- a. the aeroplane has a maximum certificated take-off mass of over 45 500 kg and a seating capacity greater than 19
- b. where an ATS unit obtains aeroplane position information at greater than 15 minute intervals.

*Note 1-Oceanic area, for the purpose of aircraft tracking, is the airspace which overlies waters outside the territory of a State.*

*Note 2-See Annex 11, Chapter 2, for coordination between the operator and air traffic services providers regarding position report messages. (Applicability on 08.11.2018)*

**5.4** Notwithstanding the provisions in 5.2 and 5.3, the DGCA may, based on the results of an approved risk assessment process implemented by the operator, allow for variations to automated reporting intervals. The process shall demonstrate how risks to the operation, resulting from such variations, can be managed and shall include at least the following:

- a) capability of the operator's operational control systems and processes, including those for contacting ATS units
- b) overall capability of the aeroplane and its systems
- c) available means to determine the position of, and communicate with, the aeroplane
- d) frequency and duration of gaps in automated reporting
- e) human factors consequences resulting from changes to flight crew procedures
- f) specific mitigation measures and contingency procedures

*Note-Guidance on development, implementation and approval of the risk assessment process, which allows for variations to the need for automatic reporting and the required interval, including variation examples, is contained in the Aircraft Tracking Implementation Guidelines (Cir 347).*

**5.5** The operator shall establish procedures, approved by the DGCA, for the retention of aircraft tracking data to assist SAR in determining the last known position of the aircraft.

*Note - Refer to 2.1.3.1 in Implementing Standards 013 for operator responsibilities when using third parties for the conduct of aircraft tracking under 5.*