
TO: The Air Traffic Services Provider and Air Traffic Controllers, Aircraft Operators and Flight Crew and Flight Operations and Flight Crew Licensing Inspectorate
FROM: Head Air Navigation Standards & Air Traffic Controller Licensing Inspectorate
REF: Communication Failures
DATE: 19th March 2019

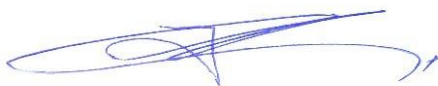
SUBJECT: NOTICE OF PROPOSED AMENDMENT (NPA/ROA/01/19)

Please find attached the NPA/ROA/01/19 regarding the communication failure technical standards for your review and necessary action.

This NPA contains a proposal to amend technical standards applicable communication failures for better compliance with the standards and recommended practices (SARPs) set out in ICAO Annex 2 – Rules of the Air and Annex 10, Vol. II – Communication Procedures, including those with PANS status. The proposed amendment involves an amplification to existing technical standards.

The SCAA will not seek comments on this proposed amendment from the aviation industry for the reason that the ICAO SARPs are being implemented in the form of voice and data communication procedures, which are set out in the Seychelles AIP and internal industry standing instructions and operations manual.

My best regards,



Joseph G. Lajoie
Head Air Navigation Standards &
Air Traffic Controller Licensing Inspectorate
Safety Regulation Division



NOTICE OF PROPOSED AMENDMENT

(NPA/ROA/01/19)

TRANSPOSITION OF

ICAO ANNEX 2 AND ANNEX 10, VOL. II COMMUNICATION FAILURE STANDARDS & RECOMMENDED PRACTICES

and addressing

SERA.8035 (b)

**of the adopted Commission Implementing Regulation (EU)
923/2012 of 26th September 2012**

Who this NPA applies to:

The Air Traffic Services Provider and Air Traffic Controllers, Aircraft Operators and Flight Crew and Flight Operations and Flight Crew Licensing Inspectorate



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NOTICE OF PROPOSED AMENDMENT

1. INTRODUCTION

- 1.1 The Seychelles' aviation safety requirements are currently contained in the Civil Aviation Act, Civil Aviation (Safety) Regulations, 2017, Directives and technical standards, either adopted or adapted. It has become SCAA policy that the Civil Aviation Regulations are gradually amended to reflect ICAO Annex SARPs and industry best practice of adopting or adapting European Aviation Safety Agency (EASA) implementing regulations, as applicable.

This NPA applies to technical standards for communication failures.

- 1.2 The purpose of this NPA is to:

- (a) Notify the aviation industry of the transposition of ICAO Annex 2 and Annex 10, Vol. II communication failure SARPs into Seychelles Technical Standards;
- (b) Ensure the adequacy of technical standards governing air traffic services and flight operations in accordance with ICAO SARPS and international best regulatory practices; and

- 1.3 The SCAA will not seek comments on this proposal from the aviation industry for the reason that the ICAO SARPs are being implemented in the form of voice and data communication procedures, which are set out in the Seychelles AIP.

- 1.4 Abbreviations

NPA	Notice of Proposed Amendment
SARPs	ICAO Standards and Recommended Practices
SCAA	Seychelles Civil Aviation Authority

2. OBJECTIVE

- 2.1 The objective of this NPA is to elevate the existing communication failure procedures of the Seychelles AIP to Seychelles Technical Standards as it is required by ICAO that regulatory provisions, which precede such procedures, are made by Member States through transposition of ICAO SARPs. This will also address the ICVM finding of April 2018 that the adopted Commission Implementing Regulation (EU) 923/2012 of 26th September 2012 only makes provisions for Member States to comply with the appropriate provisions on communication failures as have been adopted under the Chicago Convention and does not however stipulate the provisions in full.

- 2.2 A number of regulatory criteria have been identified to guide the development of the Seychelles Technical Standards. The criteria require that the new technical standard should:

- (a) be clear, concise and unambiguous;
- (b) be consistent with the Republic of Seychelles' international obligations;
- (c) be harmonised with ICAO SARPS, unless unique SCAA circumstances require otherwise;
- (d) be outcome-based, to the greatest extent practicable;

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- (e) be cost effective or cost neutral; and
- (f) be enforceable.

3. TECHNICAL STANDARD PROPOSAL

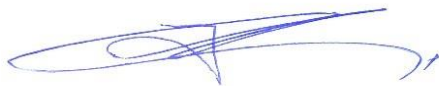
- 3.1 The SCAA amendment of existing technical standards along the lines of the ICAO Annex 2 and Annex 10, Vol. II is appropriate and consistent with SCAA objectives and regional harmonisation. Amendment action is set off by the promulgation of this NPA.

4. AFFECTED ORGANISATIONS/PERSONS

- 4.1 The organisations/persons affected by this NPA are the:
- (a) Air Traffic Services;
 - (b) Air Traffic Controllers;
 - (c) Aircraft Operators;
 - (d) Flight Crew;
 - (e) Flight Operations and Flight Crew Licensing.
- 4.2 Effect on existing technical standards. This NPA contains all of the necessary amendments to amplify the requirements set out in SERA.8035 (b) of Commission Implementing Regulation (EU) 923/2012.
- 4.3 The effect of the proposed new regulation is considered to be cost neutral, with greater operational flexibility and guidance.

5. PRESENTATION

The complete proposed amendment to the communication failure technical standards will be uploaded on the SCAA website (www.scaa.sc) and notified to all affected parties of 4.2 above.



Joseph G. Lajoie
Head Air Navigation Services &
Air Traffic Controller Licensing Inspectorate
Safety Regulation Division



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NPA/ROA/01/19 COMMENT SHEET

Please return this comment sheet to the Head Air Navigation Standards and Air Traffic Controller Licensing Inspectorate by 30th April 2019. Please indicate your choice by ticking [✓] the appropriate box below along with constructive comments, suggested amendments or alternative action.

- The proposals are *acceptable without change*.

- The proposals are *acceptable but would be improved if the following changes were made:* (Please provide explanatory comment).

- The proposals are *not acceptable but would be acceptable if the following changes were made:* (Please provide explanatory comment).

- The proposals are *not acceptable under any circumstances.* (Please provide explanatory comment).

- Any other comments.

Name: _____ Organisation: _____

Address/Contact No: _____

Signed: _____ Date: _____