

Draft National Civil Aviation Policy of Sri Lanka

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1

Draft Sri Lanka National Aviation Policy To be presented to the policy formulation workshop to be conducted by the Ministry of Ports and Aviation on 17th of March 2009 at the Mahapola Training Centre.

TABLE OF CONTENTS

PRINCIPLES.....	3
PRINCIPLE 1 - SAFETY.....	5
1. Aviation Safety.....	5
1.1 Safety regulation and investigation.....	5
1.2 Air Space Management.....	7
1.3 Aviation Security.....	8
PRINCIPLE 2 –AVIATION AS A DRIVER OF ECONOMIC PROSPERITY.....	10
2.1 International aviation.....	10
2.2 Domestic Services.....	11
2.3 Regional services.....	11
2.4 General Aviation.....	12
2.5 Consumer protection.....	12
2.6 Compensation arrangements.....	13
2.7 ACCESS FOR PERSONS WITH DISABILITIES.....	13
PRINCIPLE 3 – INFRASTRUCTURE.....	15
3.1 Aviation infrastructure.....	15
3.2 Planning for Sri Lanka’s long-term aviation needs.....	16
3.3 Civil Military Co-ordination.....	17
PRINCIPLE 4 – TALENT MANAGEMENT.....	18
4.1 Human Resources and Industry skills.....	18
PRINCIPLE 5 – ENVIRONMENT.....	20
Aviation emissions and environmental concerns.....	20

PRINCIPLES.

The Government proposes a range of initiatives for short, medium and long-term policy and regulatory reform and direction. The initiatives follow four key principles:

1. Safety is the number one priority of the Government of Sri Lanka for Civil Aviation .

The Government of Sri Lanka will ensure its safety regulator, The Civil Aviation Authority (CAA) is properly structured, equipped and adequately resourced to guide the industry to maintain and improve safety standards and best practices through the growth and technological challenges of the twenty-first century.

2. The Government recognizes that a well developed Aviation industry will be a strong contributor for the development of National Economy.

A holistic systematic approach that collectively integrates people, information, technology, facilities and services in relation to Airport, Airlines, Air Navigation Services and required human resources is needed to develop the industry and face its future challenges.

The Interests of the travelling public and other economic activities that rely on the aviation sector will be promoted and safeguarded.

Through this Policy, the Government of Sri Lanka will provide the necessary strategies for the Aviation Sector, recognizing the long term contribution the Aviation industry can provide for the economic prosperity through planning and encouraging investment in the industry.

3. To support the Aviation Industry a coordinated effort is required in the investment and development of Aviation Infrastructure.

Air Transport as an integral part of the transport network of the island, planning and development of Airports cannot be done in isolation and in a haphazard manner. Therefore, the planning and management of Airport Development needs to bring in the expert analytical knowledge on the available resources.

4. To drive the Aviation Industry to its full potential adequately trained and competent Human Resources are required.

A skilled and competent workforce is a necessity to ensure the smooth

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functioning of a safe and efficient Aviation Industry. The Government of Sri Lanka appreciates that the development of skilled and competent workforce requires dedicated effort which consumes relatively high capital and longer time. Investment in the development of Human Resources will not only help support the operation of the local Aviation Industry but also could be used to export skilled professionals to generate foreign exchange .

5. The Airline operations and Airport development will be done with due consideration to its impact on the environment.

Aviation industry must appreciate its social obligations and play its part responsibly.

Summary of Proposed initiatives

Principle 1 - Safety

1. Aviation Safety

1.1 Safety regulation and investigation

The Government of Sri Lanka is committed to maintaining and improving Sri Lanka's good record of aviation safety and has already undertaken several important initiatives to achieve this objective.

The Government will:

1.1.1 Ensure that all State organizations undertaking Aviation Activities practices a 'SAFETY FIRST' policy in performing their functions;

1.1.2 Strengthen the Civil Aviation Authority (CAA) of Sri Lanka by:

- i) Fostering CAA as the independent statutory Authority entrusted with the responsibility for aviation safety regulation;
- ii) Providing requisite financial resources and avenues;
- iii) Ensuring that necessary organizational and structural reforms including human resources to meet the current and expanding industry demands are met;
- iv) Reinforcing CAA's administrative arrangements, including:
 - a) Enhancing CAA's capacity to plan and act strategically in response to growth and change in the global aviation industry,
 - b) Strengthening CAA's capabilities in development implementation and enforcement of technical standards and regulations,
 - c) Enhancing CAA's capabilities in supporting an expanded surveillance program;
- v) Strengthening its regulatory powers to, certify and regulate the operations of International and domestic Air Operators and other Aviation Service Providers such as Airport Operators, Maintenance and Repair Organizations, Training Organizations and Aerospace Manufacturing Organizations to ensure safety

standards published by the CAA are being met;

- vi) Giving priority to review and initiate regulatory reforms as and when required;
- vii) Making available necessary guidance material for the reference of the public;
- viii) Updating the regulatory powers and enforcement provisions in the applicable Aviation legislation to ensure that they support effective management of future safety risks, including:
 - a) Giving CAA the necessary powers to deal decisively and properly with operations that do not meet safety standards;
 - b) Strengthening CAA's capacity to obtain information on suspected safety deficiencies;
- ix) Strongly supporting a culture of self-reporting by operators and service providers in a non punitive environment, affirming the obligation on Air Operators Certificate (AOC) holders and certified operators to notify CAA immediately of any failures in safety compliance;
- x) Ensuring CAA's penalty provisions provide a balanced and effective range of responses to breaches, including:
 - a) Clarifying the circumstances in which breaches and the actions taken in response are to be made public, with an increased emphasis on transparency; and
 - b) Considering the options of substantially increased financial penalties where appropriate and revised disclosure provisions.
- xi) Implement an Aviation disaster management plan in coordination with the relevant authorities responsible for national disaster management;
- xii) To maintain the highest standards of safety investigation in Sri Lanka, the Government will enhance the independence of investigation of accidents and major incidents.

1.2. Air Space Management

The Government is committed to support international best practices in Air Traffic Management in Sri Lanka Airspace to provide a safe and efficient service through:

- 1.2.1 Work on development of a coordinated national air traffic management platform by CAA, AASL and SLAF, having due regard to both the safety of traveling public and state defense requirements, which are sensitive to national security;
- 1.2.2 Retaining Airport & Aviation Services (SL) Ltd (AASL) as a State owned company which accords first priority to aviation safety. AASL will amongst other functions be responsible for the provision of;
 - a) Air Traffic Services
 - b) Aeronautical Information Services
 - c) Aeronautical Communication Services
 - d) Aeronautical Aids for Communication, Navigation and Surveillance
 - e) Search & rescue and fire fighting services in collaboration with all parties concerned;
- 1.2.3 Employing adequate number of competent staff and establishing a proper training plan with initial / recurrent training Programmes to provide above services;
- 1.2.4 supporting state of the art technological applications that offer safety and efficiency for Air Traffic communication, navigation and surveillance in compliance with the Regional Air Navigation Plans;
- 1.2.5 Improving Airspace Classification, implementing user preferred Trajectories and management of Sri Lanka Airspace to enable provision of safe and efficient Air Traffic Services;
- 1.2.6 Using ICAO Global / Regional Air Navigation Plan as the basis for planning, designing, equipping and managing Sri Lanka Airspace;

- 1.2.7 Making use of Sri Lanka airspace as much as possible for commercial, training and recreational use of Civil Aviation with due regard to national defense requirements.
- 1.2.8 Developing and improving new concepts for conflict management against the achievement of the objectives of Air Traffic Services.
- 1.2.9 Developing ATM Performance/Safety Performance measuring through the implementation of a non punitive reporting system.

1.3 Aviation Security

The Government of Sri Lanka is committed to ensuring Aviation Security in aircraft and at airports, which are potential targets of the terrorist and other perpetrators who indulge in acts of unlawful interference against civil aviation.

The Government of Sri Lanka will;

- 1.3.1 Give priority to the consistent implementation of the approved National Civil Aviation Security Programme (NCASP) of the State;
- 1.3.2 Ensure implementation of aviation security measures of controls stipulated in the Airport Security Programme on a continual basis and to a constant standard;
- 1.3.3 Require the regulatory agency, the CAA to ensure surveillance activity of all civil aviation security functions of the State by means of a quality control mechanism, and all stake holders performing aviation security functions, manage their activity through an internal quality control system;
- 1.3.4 By engaging Aviation Security Service Providers certified by the CAA at all civil aerodromes;
- 1.3.5 Implement National Screener Certification Programme (NSCP) in conformity with NCASP to certify all personnel involved in aviation security screening process including personnel responsible for supervision or management;
- 1.3.6 Provide necessary training for all personnel involved in Civil Aviation Security in conformity with the National Civil Aviation Security Training Programme;

- 1.3.7 Establish and maintain a regulated air cargo agents scheme, creating a secure chain of custody for cargo from the consignor to the aircraft for efficient and effective air cargo operations in Sri Lanka;
- 1.3.8 Introduce the necessary amendments to the approved NCASP based on periodical threat assessments to ensure existing measures of controls, commensurate with the risk factor;
- 1.3.9 Allocate tasks and functions to relevant agencies for the effective implementation of various aspects of National Civil Aviation Security Programme;
- 1.3.10 Ensure that Civil Aviation Security measures and requirements are integrated in to the architectural design and construction of new facilities and alterations to existing facilities at aerodromes;
- 1.3.11 Establish the means of coordinating activities among different organizations in Sri Lanka concerned with or responsible for various aspects of the National Civil Aviation Security Programme;
- 1.3.12 Provide better information to the traveling public about screening process with appropriate signage;
- 1.3.13 Introduce effective screening technologies and techniques where appropriate to improve passenger facilitation and security outcomes, with due regard to individual privacy;
- 1.3.14 In partnership with industry, develop better guidance for handling complaints, screening people with special needs, and other aspects of the screening process;
- 1.3.15 Develop airport security contingency plan and perform regular realistic exercises;
- 1.3.16 Establish a fully equipped emergency operation centre to address the perceived security contingencies;

Principle 2 –Aviation as a Driver of Economic Prosperity

2.1 International aviation

The Government of Sri Lanka is committed to continuing the growth of international air services, providing additional opportunities for trade and tourism, while promoting development of a strong local aviation sector.

The Government of Sri Lanka will,

- 2.1.1 Continue the liberalization of Air Services arrangements for passenger, Cargo and mail services with a view to harnessing the economic, trade and tourism benefits that flow from opening up international Aviation markets resulting in a strong Aviation Sector with wider connectivity;
- 2.1.2 Ensure the capacity available to Sri Lanka registered international Airlines in terms of the Air Services arrangements remain ahead of foreseeable demand to enable the Airlines to plan for the long term growth of the Sri Lanka Aviation market;
- 2.1.3 Permit private local Airlines to participate in the operations of International Passenger and Cargo Air Services under the existing and/or future air services arrangements;
- 2.1.4 Develop a fair and transparent mechanism of allocating available traffic rights amongst fit, willing and able Local Airlines;
- 2.1.5 Use key international forums to pursue a multilateral or plurilateral approach to gain wider accessibility for local Airlines engaged in international aviation markets and/or attracting more foreign Airlines to Sri Lanka;
- 2.1.6 Assess the feasibility of foreign investments, or private public partnerships in the development, operation and maintenance in the local Aviation Sector for Airports, Airlines, establishing maintenance and manufacturing organizations and training centers etc....and determine the conditions under which such investments be permitted;
- 2.1.7 Explore the benefits of insisting only on the 'principal place of business' requirement in lieu of 'substantial ownership and effective control' in regard to designation of Airlines for operation of Air Services under Air Services agreements in line with the present

global practices;

- 2.1.8 Encourage multiple Ground Handling Agents and Catering Companies at Sri Lanka's Airports;
- 2.1.9 Register, Monitor and Regulate Air Transport Providers in terms of the applicable legislation;
- 2.1.10 Encourage Charter Operators to/from Sri Lanka with due regards to safety and security considerations in ICAO standards and applicable legislation;
- 2.1.11 Establish and maintain a National Air Transport Facilitation Committee conforming to ICAO standards which will comprise of all senior officials of organizations involved in the handling of Airport activities;
- 2.1.12 Establish and maintain an effective Slot Allocation mechanism through a Slot Committee headed by the Director General of Civil Aviation on par with global best practices applied at all Airports in Sri Lanka.

2.2 Domestic Services

The Government strongly supports the maintenance of a fully fledged domestic Aviation industry that would deliver significant economic benefits to the Country.

- 2.2.1 Development of all domestic Aerodromes will be undertaken to promote domestic Aviation.
- 2.2.2 In the development of Airports, the need for integrating such facilities with other modes of transport rail, road or sea (multi-modal transport) would be given high priority.
- 2.2.3 A domestic Terminal will be established at Bandaranaike International Airport to link other domestic Aerodromes.

2.3 Regional services

- 2.3.1 The Government of Sri Lanka recognizes the vital role that aviation plays in connecting regional countries to Sri Lanka and is committed to:

- a) Develop a second international Airport with a domestic terminal.
- b) Develop Colombo Airport Ratmalana as a regional Airport.

2.4 General Aviation

The Government's policy will be to maintain high standards of safety and security for general aviation industry. To assist this process, the Government proposes to take the following initiatives:

- 2.4.1 Consider options to help address the burden of regulatory charges, including charges on the general aviation sector;
- 2.4.2 Through CAA, support continued work towards self-administration of private general aviation operations where it can enhance safety outcomes, noting the need to establish appropriate boundaries for the scope of self-administration;
- 2.4.3 Concerns of General Aviation participants will be given due consideration in planning arrangements at domestic Airports and airport Master Plans;
- 2.4.4 Where appropriate domestic Airports will be designated for flying training;
- 2.4.5 Encourage research and development activities in Aviation;
- 2.4.6 Encourage research and development in aircraft manufacturing and assembly, components, parts and maintenance capability;
- 2.4.7 Encourage establishment of Fixed Base operations;
- 2.4.8 Encourage the establishment of Helicopter offshore operations to support and provide services to the international shipping lane.

2.5 Consumer protection

With due respect to the requirements in the order of priority of safety, security, fairness, access, choice, information, redress and representation

the Government of Sri Lanka will:

- 2.5.1 Ensure the airline industry remains competitive in line with the provisions of the applicable consumer protection framework in the conduct of its business;
- 2.5.2 Continue to monitor and evaluate the adequacy of the consumer protection framework to ensure consumers' rights are protected;
- 2.5.3 implement a denied boarding compensation policy for Airlines;
- 2.5.4 Implement legislation to require airlines to advertise all-inclusive pricing, ending the potential for customers to be offered air fares without charges such as airport charges and fuel levies included in the advertised price.

2.6 Compensation arrangements

The Government of Sri Lanka is taking steps to ensure that compensation is available to aviation passengers in the event of an Airline accident and therefore has decided to:

- 2.6.1 Secure passage of legislation to implement the *Montreal Convention of 1999 for the unification of certain rules for international carriage by air and Other Measures* to Provide for better compensation to the families of air crash victims covering both international and domestic Air Travel;
- 2.6.2 implement an Airline Accident Victim Relief Program to provide relief to Air Crash survivors and next of kin of deceased soon after the occurrence to meet their immediate expenses;
- 2.6.3 Conduct a comprehensive review of Sri Lanka carriers' liability framework, in close consultation with the traveling public, industry and relevant government agencies.

2.7 Access for persons with disabilities.

The Government recognizes the difficulties experienced by people with disabilities in accessing air travel. The Government will;

- 2.7.1 Detail its future strategy on disability access issues in the transport context in terms of the applicable legislation. This strategy will involve a range of measures underpinned by a commitment to more inclusive and ongoing consultation on disability issues,
- 2.7.2 Establish an Aviation Disability Access Working Group to provide advice on disability access policy and the legislative framework and on practical measures that can be taken to improve the access to Air services for people with a disability including the Carriage of such people in Aircraft with particular emphasis on safety. The Working Group will comprise representatives from industry, relevant government agencies and representatives of people with a disability and will receive secretariat support from the Department of Social Services,

Principle 3 – Infrastructure

3.1 Aviation infrastructure.

3.1.1 In the development of New Airports or expanding the existing Airports, the Government will ensure that systematic planning will take place in coordination and proper dialogue with all parties concerned with particular emphasis on:

- i) Demand and future passenger and Cargo forecast as well as its linkage with the parallel infrastructure developments taking place in the locality;
- ii) Proper land use planning for an effective use of the Airport and its environs for the unimpeded realization of its primary objective, which is Aeronautical uses;
- iii) Need for the efficient integration of Air Transport with the other modes of transport;
- iv) Giving Precedence to Aeronautical related activities over non-aeronautical Activities;
- v) Adverse impact of Aircraft noise and emissions on the community;
- vi) Mechanisms for ongoing effective dialogue between airport operators and their local communities;
- vii) Preserving Airspace associated with the Airports by establishing Obstacle Limiting Areas and Surfaces (Zoning requirements) as per the applicable ICAO standards;
- viii) Addressing the future airport needs through a properly coordinated and integrated Airport Master Plan recognizing the importance of airports as an important element of the national economic infrastructure;
- ix) Accommodating the safe and effective use by Civil Aviation of joint user or Defense-managed airports;
- x) Potential commercial impacts of non-aeronautical airport developments on off airport competition.

3.1.2 The Government appreciates the right of the airport operators to a reasonable return on capital investment whilst discouraging the use of Airport infrastructure to generate revenue through activities incompatible with the primary objectives.

3.2 Planning for Sri Lanka's long-term aviation needs

3.2.1 Taking into account of the potential of Aviation on economic development, the Government in pursuance of Sri Lanka's National Development Plan will:

- a) Maintain all existing domestic airports in Sri Lanka;
- b) Develop a second international Airport after carrying out a proper and detailed study;
- c) Appreciate the potential benefits of having a second runway at the main international airport;
- d) Encourage use of water bodies as water aerodromes for domestic aviation;
- e) Encourage use of public open areas for helicopter operations with due respect to safety and security requirements;
- f) Recognize the importance of providing market sensitive infrastructure, linking farmlands with markets by means of ground/sea/air integrated transportation network;
- g) Demarcate suitable areas for recreational and educational aviation activities;

3.2.2 Minister in charge of the subject of Aviation be given the powers to establish expert Airport Planning Advisory Panels for each airport to develop plans and advice the government on implementation in line with the national development plan.

3.2.3 Encouraging private-public partnerships in Airport infrastructure development and operation. Alternatively, Build-Own-Operate (BOO) concept may be examined for the development of new Airports to augment the Aviation Infrastructure.

3.3 Civil Military Co-ordination

3.3.1 Sri Lankan Government considers SLAF as a centre of excellence in the field of Aviation in Sri Lanka. SLAF has assets in terms of personnel, equipment and infrastructure providing supporting services, which could be shared on a common platform on a broader perspective.

3.3.2 In view of further facilitating the Civil Aviation activities, the Government will establish a Joint Civil Military Coordination committee comprising senior officials of relevant organizations to coordinate aviation activities including but not limited to the following:

- i) Application of Civil training standards in SLAF training of technical personnel for recognition by Civil Aviation Industry;
- ii) Flexible use of airspace aiming at reducing the areas and periods of unavailability of blocks of airspace so that aircraft operations can take place in a less restricted, more efficient and often more environmentally friendly manner, while meeting required safety standards at all times.
- iii) Potential benefits, in terms of infrastructure and personnel requirements, from a joint perspective.

Principle 4 – Talent Management

4.1 Human Resources and Industry skills

The Government recognizes the importance of a suitably skilled and trained workforce to the future prosperity of Sri Lanka's aviation industry.

The Government will:

4.1.1 Encourage development of Aviation Training Packages which delivers standards and qualifications for Aviation Personnel;

- a) As a result, the CAASL and the Sri Lanka Air force are in the process of formalizing standards and requirements for qualification of aviation personnel.
- b) This will result in aviation workers being able to move more freely between civilian and defense workforces.

To continue to ensure Sri Lanka aviation industry's future needs can be addressed within an overarching national skills framework the Government of Sri Lanka proposes to:

4.1.2 Continue to provide assistance to all Sri Lanka industries to address skills issues through the education and training framework, specifically encouraging the aviation industry to:

- a) Communicate industry workforce needs to the CAASL to ensure that the allocation of Productivity Places, Program training places consider the skills needed for the aviation sector;
- b) Form partnerships with schools to better define career pathways from school into aviation occupations;
- c) Work in partnership with training providers to deliver quality training which maximizes access to;
- d) Include Aviation as a subject in the University curriculum with the view to upgrading to conferring Degrees in Aviation in order to enhance the professionalism in the Aviation industry;

- e) Facilitate in-plant/industrial training for undergraduates following Aviation degree programs conducted by the Universities and other Aviation institutions;

4.1.3 Re-enforce with industry that it needs to be more pro-active in developing attraction and retention strategies and broader workforce planning, including:

- a) Transparent workforce planning process to articulate future recruitment needs across industry sectors, e.g. progression of pilots;
- b) Improved conditions and flexible working arrangements to encourage retention of key personnel, taking account of the aging workforce;
- c) Improved marketing of aviation careers; and
- d) Consideration of the use of 'bonding' arrangements to offset cost barriers for individuals and industry in training highly specialized employees.

Principle 5 – Environment

Aviation emissions and environmental concerns

The Sri Lanka Government recognizes the importance of addressing the impact of noise and emission on the environment and take measures to mitigate the adverse impact through the consistent application of applicable ICAO standards with a view to preserving the posterity of the nation.

The Government will work in partnership with the industry to develop and maintain an effective policy framework to respond to aviation noise and emission

The Government recognises the importance of minimizing negative impact caused by Wild Life Hazards on aviation industry and introduce measures to curb the potential Hazards with sufficient coordinated efforts with other agencies responsible for wild life.