

Democratic Socialist Republic of Sri Lanka



Civil Aviation Authority of Sri Lanka

Implementing Standards

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

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

IS Reference Code: IS-6-(I)-3

Date of Issue: 28.11.2022

Pursuant to Section 120 of the Civil Aviation Act No.14 of 2010 (hereinafter referred to as the CA Act), Director General of Civil Aviation (hereinafter referred to as the DGCA) 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 provision in the CA Act, Regulations or Rules made thereunder including the Articles of the Convention on International Civil Aviation specified in the Schedule to the CA Act,


Accordingly, I, being the DGCA do hereby issue the Implementing Standards on Compliance to **Annex 6 - Part (I) - 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 contained in ICAO Annex 6.

This implementing Standard shall be applicable to holders of Air Operator Certificate, Foreign Air Operator Certificate issued by DGCA and any applicant seeking an Air Operator Certificate or Foreign Air Operator Certificate and shall come in to force with effect from 28th of November 2022 and remain force unless revised/revoked.

This Implementing Standard will supersede 01st Edition, Rev 01 of Implementing Standard 012 dated 03rd March 2018, issued by the DGCA.

Attention is also drawn to Section 103 of the CA Act, which states inter alia that failure to comply with Implementing Standard is an offence. Further, if any standard stipulated in this Implementing Standard is not complied with or violated, an appropriate enforcement action will be taken as per the Aviation Enforcement Policy and Procedures Manual, SLCAP 0005 by the DGCA under Section 102 of the CA Act,

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P A Jayakantha
Director General of Civil Aviation and
Chief Executive Officer

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

PREAMBLE

1. Notice to the Recipient

- 1.1. The requirements in this Implementing Standard are based on the Standards and Recommended Practices (SARPs) adopted by the International Civil Aviation Organization (ICAO) and incorporated in the 12th Edition to Annex 06 Part I Chapter 3 - General.
- 1.2. In pursuance of the obligation cast under Article 38 of the Convention which requires the Contracting States to notify the ICAO of any differences between the national regulations of the States and practices and the International Standards contained in the respective Annex and any amendments thereto, the CAASL will be taking steps to notify ICAO of such differences relating to either a Standard or a Recommended Practice, if any. The CAASL will also keep the ICAO currently informed of any differences which may subsequently occur, or of the withdrawal of any differences previously notified. Furthermore, the CAASL will take steps for the publication of differences between the national regulations and practices and the related ICAO Standards and Recommended Practices through the Aeronautical Information Service, which is published in accordance with the provisions in the Annex-15 to the Convention.
- 1.3. Taking into account of the ICAO council resolution dated 13 April 1948 which invited the attention of Contracting States of the desirability of using in the State's national regulations, as far as is practicable, the precise language of those ICAO Standards that are of a regulatory character, to the greatest extent possible the CAASL has attempted to retain the ICAO texts in the Annex in drafting this Implementing Standard.
- 1.4. Status of ICAO Annex components in the Implementing Standard
Some of the components in an ICAO Annex are as follows and they have the status as indicated:
 - 1.4.1. **Standard:** Any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Contracting States will conform in accordance with the Convention; in the event of impossibility of compliance, notification to the Council is compulsory under Article 38. The ICAO Standards are reflected in the Implementing Standards if they are locally implemented using the normal fonts and recipients are required to conform to such requirements invariably.
 - 1.4.2. **Recommended Practice:** Any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interest of safety, regularity, efficiency or environmentally responsiveness of international air navigation, and to which Contracting States will endeavor to conform in accordance with the Convention. The ICAO Recommended Practices are reflected in the Implementing Standards in italic fonts and the Recipients are encouraged to implement them to the greatest extent possible.
 - 1.4.3. **Appendices:** Comprising material grouped separately for convenience but forming part of the Standards and Recommended Practices adopted by the Council. Enforcement action on such matters will be as in the case of Standards or Recommended Practices.
 - 1.4.4. **Definitions:** A definition does not have independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.
 - 1.4.5. **Tables and Figures:** add to or illustrate a Standard or Recommended Practice, and which are referred to therein, form part of the associated Standard or Recommended Practice and have the same status.

LIST OF EFFECTIVE PAGES

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HISTORY OF REVISIONS

Rev No.	Source	Areas Subjected to Change	Effective Date
1 st Edition, Rev.01	12 th Edition of ICAO Annex 06 Part 1 Chapter 3	All IS	02.03.2018

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Implementing Standards

GENERAL REQUIREMENTS

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.
- 1.3. An operator or a designated representative shall have responsibility for operational control. 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.
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 (SLCAP4100). Detailed guidance on the authorization, duties and responsibilities of the flight operations officer/flight dispatcher is contained in the Preparation of an Operations Manual (SLCAP4500). The requirements for age, skill, knowledge and experience for licensed flight operations officers/flight dispatchers are contained in SLCAP 3010.
- 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.
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.

The Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (SLCAP 4105) 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.

CAASL IS 070 and Civil Aviation Safety Management Regulations Extraordinary Gazette No.2065/38 of 2018 includes safety management provisions for air operators. Further guidance is contained in the Safety risk assessment Manual (SLCAP 2500) and State Safety programme 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.

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.

Guidance on the establishment of flight data analysis programmes is included in the Manual on Flight Data Analysis Programmes (FDAP) (SLCAP 4220).

- 3.4. DGCA 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 SLCAP 9999 (or Annex 19), 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 IS 070;
 - 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 IS 070; or
 - c Used for inspections of flight recorder systems as provided in Para 7, Appendix 3 of IS 015.

Provisions on the protection of safety data, safety information and related sources are contained in SLCAP 9999.

- 3.5. DGCA 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 SLCAP 9999, except where the recordings or transcripts are subject to the protections accorded by IS 070 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.

- 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.

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

4. Use of psychoactive substances

Provisions concerning the use of psychoactive substances are contained in SLCAIS 035

5. Aircraft Tracking

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

Guidance on aircraft tracking capabilities is contained in the Aircraft Tracking Implementation Guidelines SLCAD-GD016.

- 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.

Oceanic area, for the purpose of aircraft tracking, is the airspace which overlies waters outside the territory.

See SLCAIS 025 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.

Oceanic area, for the purpose of aircraft tracking, is the airspace which overlies waters outside the territory.

See SLCAIS 025, for coordination between the operator and air traffic services providers regarding position report messages.

Operational procedures for monitoring the aircraft tracking information are contained in SLCAD-GD016

- 5.4. Notwithstanding the provisions in 5.2 and 5.3 of this IS, 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

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 (SLCAD-GD016).

- 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.

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 of this IS.