

# 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: Banning smoking on civil aircraft

IS Reference Code. : CA-IS-2021-OPS-074

Issue Date: 01-12-2021

Pursuant to Section 120 of the Civil Aviation Act No. 14 of 2010 which is hereinafter referred to as the CA Act, Director General of Civil Aviation has 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 Director General of Civil Aviation do hereby issue the Implementing Standards on Banning smoking on civil aircraft as mentioned in the Attachment hereto (Ref: CA-IS-2021-OPS-074 Att.), elaborating the requirements to be satisfied for the effective implementation of the International Standards and Recommended Practices specified in the ICAO Annex 06 – Part 1- Chapter 06 and Section 83(d) of the CA Act.


This Implementing Standard supersedes the Aviation Safety Notice (ASN) No. 041 issued by the Director General of Civil Aviation.

This Implementing Standard shall be applicable to every person who on board an aircraft registered in Sri Lanka, while on flight, whether within or outside the territory of Sri Lanka or a foreign aircraft while on flight within the territory of Sri Lanka and shall come into force with immediate effect and remain in force unless revoked.

Attention is drawn to Section 83 (d) of the CA Act, which states any person who engage in smoking in any part or section of the aircraft shall be guilty of an offence under the CA Act. Furthermore, Section 103 of the CA Act, states inter alia that failure to comply with any Implementing Standard is also an offence.

Further, if any standard stipulated into the 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 Director General of Civil Aviation under Section 102 of the CA Act.

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Director General of Civil Aviation and  
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Enclosure: Attachment No. CA-IS-2021-OPS-074 Att

## 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 Annex 06 – Part 1 “Operation of Aircraft” – Chapter 6 and Section 83(d) of the Civil Aviation Act No. 14 of 2010.
- 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, CAASL will be taking steps to notify ICAO of such differences relating to either a Standard or a Recommended Practice, if any. 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, matériel, 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 and the DGCA will take appropriate enforcement action when those requirements are not complied with.
- 1.4.2. Recommended Practice: Any specification for physical characteristics, configuration, matériel, 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. However, DGCA will not take enforcement action when a Recommended Practice is not satisfied by the recipient.

- 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.

RECORD OF REVISION

Revision No.	Date Entered	Entered By
00	01-12-2021	D/OPS

**LIST OF EFFECTIVE PAGES**

Page No.	Revision No.	Effective Date
1	00	01-Dec-2021
2	00	01-Dec-2021
3	00	01-Dec-2021
4	00	01-Dec-2021
5	00	01-Dec-2021
6	00	01-Dec-2021
7	00	01-Dec-2021
8	00	01-Dec-2021

## HISTORY OF REVISION

Revision No.	Source	Areas Subjected to Change	Effective Date
00	Section 83(d) of Civil Aviation Act No 14 of 2010 ASN 041 , ICAO Annex 6- Part 1	New IS	01-Dec-2021

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## **1. APPLICABILITY**

- (1) Every person who on board an aircraft registered in Sri Lanka, while on flight, whether within or outside the territory of Sri Lanka or a foreign aircraft while on flight within the territory of Sri Lanka

## **2. GENERAL**

- (1) Pursuant to the Section 83(d) of the CA Act, every person who on board an aircraft registered in Sri Lanka, while on flight, whether within or outside the territory of Sri Lanka or a foreign aircraft while on flight within the territory of Sri Lanka engage in smoking in any part or section of the aircraft shall be guilty of an offence under this Act and on conviction be liable to a fine equivalent in Sri Lanka Rupees of twenty five thousand SDR or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.
- (2) States have recognized health hazards caused by tobacco smoke at workplace, in public buildings and transportation systems and have taken action to arrest the situation
- (3) The buildup of “tar” and other residue from tobacco smoke on aircraft may adversely affect oxygen masks and contaminate environmental control systems.
- (4) The World Health organization (WHO) and the International Labour organization (ILO) consider occupational safety and health are interrelated and cannot be separated.
- (5) The WHO has unanimously adopted a resolution urging Member States to ban smoking in public conveyances where protection against involuntary exposure to tobacco smoke cannot be reduced.
- (6) Aircraft manufacturers have indicated impracticality of developing and installing separate cabins for smokers.
- (7) At its 29th Session, the Assembly of the International Civil Aviation Organization (ICAO) has resolved that smoking on international commercial flights be banned as a measure of protecting passengers from exposure to tobacco smoke thus promoting passengers’ health.
- (8) At its 31st Session, the ICAO Assembly has re-affirmed its position regarding smoking on aircraft and requested Member States to take stern measures for effective implementation of ban of smoking in commercial flights.



- (9) Sri Lanka being a signatory to the Convention on International Civil Aviation has an obligation to implement the ICAO Assembly Resolutions locally.
- (10) The Civil Aviation Authority of Sri Lanka, at its 12th meeting held on 03rd June 2004 has resolved to ban smoking onboard all civil flights immediately.
- (11) Civil Aviation Act No 14 of 2010, empowers the Director General of Civil Aviation to implement effective enforcement strategies to secure compliance with aviation safety requirements and practices and procedures.

### **3. COMPLIANCE REQUIREMENTS**

- (1) All operators licensed by Director General of Civil Aviation, Sri Lanka shall strictly comply with this Implementing Standard and implement a system to effectively ban smoking onboard all civil flights operated by aircraft including in the flight deck.
- (2) All licence holders issued by Director General of Civil Aviation, Sri Lanka shall strictly comply with this Implementing Standard.
- (3) All licence holders issued by any other National Aviation Authorities shall strictly comply with this Implementing Standard whilst operating civil aircraft within Sri Lanka airspace.
- (4) To display conspicuous non-smoking signs/notices inside the cabin as well as in the flight deck of all civil aircraft registered in Sri Lanka.
- (5) Signs/notices are required to be displayed indicating that smoking is prohibited at all times. Such notices/signs shall be legible and displayed in conspicuous places, in the case of a sleeper aircraft, in each of the berths of the aircraft.
- (6) For foreign aircraft operators - to ban smoking onboard their aircraft whilst operating within Sri Lanka airspace.