THE CIVIL AVIATION AUTHORITY (CHICAGO CONVENTION) DIRECTIONS 2007

These Directions are given to the Civil Aviation Authority by the Secretary of State for Transport in exercise of the powers conferred on her by section 6(2) (b), (c) and (d) of the Civil Aviation Act 1982[1].

These Directions are given in order to ensure that the United Kingdom discharges its obligations under the Convention on International Civil Aviation done in Chicago on 7 December 1944 ("the Chicago Convention") and after consultation with the Civil Aviation Authority.

Citation and commencement

1 These Directions may be cited as the Civil Aviation Authority (Chicago Convention) Directions 2007.

2 These Directions shall come into force on 16 October 2007.

Definitions

3 For the purposes of these Directions:

"Annex" means an Annex to the Chicago Convention;

"CAA" means the Civil Aviation Authority;

"Crown Dependencies" means the Channel Islands, comprising the Bailiwicks of Jersey and Guernsey, and the Isle of Man;

"Difference" means a difference between the UK's national regulations and practices and an ICAO provision;

"ICAO" means the International Civil Aviation Organisation;

"ICAO provision" means a Standard, Recommended Practice or a PANS;

"Overseas Territories" means those territories listed in Schedule 18 to the Air Navigation (Overseas Territories) Order (as amended)[2] plus Gibraltar;

"PANS" means a Procedure for Air Navigation Services adopted by ICAO;

"Recommended Practice" means any specification for physical characteristics, configuration, matériel, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interests of safety, regularity or efficiency of international air navigation, and to which Contracting States will endeavour to conform in accordance with the Chicago Convention;

"Specified Annexes" means the Annexes specified in the Schedule to these Directions and which are in force from time to time;

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[1] c. 16

[2] SI 2001/2128, which has been amended by SIs 2003/433, 2004/2038, 2005/2763 and 2006/1911.

"Specified PANS" means the PANS specified in the Schedule to these Directions and which are in force from time to time;

"Standard" means 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 Chicago Convention;

"USOAP" means the Universal Safety Oversight Audit Programme implemented by ICAO whose scope includes the Specified Annexes plus Annexes 5, 12, 13 and 16.

Application

4 Save for paragraphs 13 and 14 these Directions concern the discharge of the United Kingdom's obligations under the Chicago Convention in so far as the obligations relate to the United Kingdom. Paragraph 13 of these Directions concerns the coordination of responses to State Letters relating to the Specified Annexes and Specified PANS on behalf of the United Kingdom, the Overseas Territories and the Crown Dependencies. Paragraph 14 of these Directions concerns the discharge of the United Kingdom's obligations in connection with the USOAP which arise in relation to the United Kingdom, the Overseas Territories and the Crown Dependencies.

5 These Directions shall not prejudice the Civil Aviation Authority (Air Navigation) Directions 2001 or the Civil Aviation Authority (Overseas Territories) Directions 2003.

Directions

6 When exercising its statutory functions the CAA shall ensure that it acts consistently with the obligations placed on the United Kingdom under the Chicago Convention.

7 Subject to the provisions of paragraphs 8 to 11, in relation to each of the Specified Annexes and Specified PANS the CAA will consider whether it is necessary to amend United Kingdom aviation legislation to ensure appropriate implementation of an ICAO provision. Where the CAA considers that such an amendment is necessary it will make a proposal to the Secretary of State.

8 Where

(a) the CAA considers it inappropriate to transpose an ICAO provision into domestic legislation and

(b) the CAA has discretionary power to enforce the requirements of such a provision through a certificate, licence, or other means of approval

the CAA shall develop and publish such requirements as are necessary to implement the ICAO provision and shall ensure that it is able to verify adherence to those requirements. Where the CAA chooses to adopt or make

use of requirements published by another State or international organisation it shall publish a statement to this effect.

9. Where the CAA considers that it is not appropriate to take action in accordance with paragraph 8 it shall ensure that suitable alternative measures are established to secure compliance with an ICAO provision. Such measures shall be documented and published.

10. Where the CAA considers it impracticable or inappropriate to transpose an ICAO provision into UK legislation, or to take action in accordance with paragraphs 8 or 9, the CAA shall inform and consult the Secretary of State prior to notifying any Difference (whether interim or permanent) to ICAO or publishing such a Difference in the United Kingdom AIP.

11. Where implementation of an ICAO provision is the responsibility of the European Community the CAA shall:

    (a) assist in the development of any EC measure so as to ensure that the ICAO provision is implemented appropriately and is consistent with the interests of United Kingdom industry and airspace users;

    (b) where appropriate and in accordance with these Directions implement in the United Kingdom any part of such an ICAO provision excluded from the EC measures;

    (c) having consulted the Secretary of State, assist the relevant EC body in determining whether any Difference should be notified to ICAO and published in the United Kingdom AIP.

12. Where the CAA shares responsibility for a Specified Annex with a government department, the CAA shall work with that department to establish the extent of UK compliance with an ICAO provision and shall consult the department on the terms of any Difference to be notified to ICAO by the CAA.

ICAO State Letters

13. In relation to the Specified Annexes and Specified PANS the CAA will coordinate and submit to ICAO any necessary response to an ICAO State Letter. Wherever possible the CAA shall consult such bodies in the United Kingdom, the Crown Dependencies and Overseas Territories, and Europe as it deems appropriate.

ICAO Universal Safety Oversight Audit Programme

14. In order to provide a coherent approach to the USOAP, the CAA will act as the national safety oversight coordinator for the United Kingdom, the Overseas Territories and the Crown Dependencies.

Signed: Tim Figures
Head of International and Safety Division
Department for Transport

Date: 16 October 2007

SCHEDULE

Annexes to the Chicago Convention to which this Direction Applies

Annex 1 - Personnel Licensing

Annex 2 - Rules of the Air

Annex 3 - Meteorological Service for International Air Navigation

Annex 4 - Aeronautical Charts

Annex 6 - Operation of Aircraft

Annex 7 - Aircraft Nationality and Registration Marks

Annex 8 - Airworthiness of Aircraft

Annex 10 - Aeronautical Telecommunications

Annex 11 - Air Traffic Services

Annex 14 - Aerodromes

Annex 15 - Aeronautical Information Services

Annex 18 - The Safe Transport of Dangerous Goods by Air

Procedures for Air Navigation Services (PANS) to which this Direction Applies:

PANS – ABC (ICAO Abbreviations and Codes) – Doc 8400

PANS – OPS (Aircraft Operations) – Doc 8168

Vol. I - Flight Procedures

Vol. II - Construction of Visual & Instrument Flight Procedures

PANS – ATM (Air Traffic Management) – Doc 4444

PANS – TRG (Training) – Doc 9868

Regional Supplementary Procedures - Doc 7030

The CIVIL AVIATION AUTHORITY (CHICAGO CONVENTION) (AMENDMENT) DIRECTIONS 2010

These Directions are given to the Civil Aviation Authority by the Secretary of State for Transport in exercise of the powers conferred on him by section 6(2)(b), (c) and (d) of the Civil Aviation Act 1982[1].

Citation and commencement

1 These Directions may be cited as the Civil Aviation Authority (Chicago Convention) (Amendment) Directions 2010.

2 These Directions shall come into force on 8 March 2010.

Directions

3 The Civil Aviation Authority (Chicago Convention) Directions 2007 ("the 2007 Directions") shall be amended as follows.

4 In paragraph 3, after the definition of "CAA", there shall be inserted the following:

""CAP" means a Civil Aviation Publication;".

5 In paragraph 7, for "11" there shall be substituted "11A".

6 After paragraph 11, the following paragraph shall be inserted:

"Units of Measurement

11A Further to the requirements of paragraphs 6 and 7, in respect of Annex 5 the CAA shall:

i) establish a policy on units of measurement to be used in the UK in all areas within its responsibility to which ICAO Annex 5 applies:

ii) review all relevant CAPs and other documents for conformance with the agreed policy;

iii) in so far as consistent with EASA and SES Regulations or EU OPS amend CAPs etc, if necessary, at the earliest opportunity:

iv) arrange for the UK AIP to be amended to identify units of measurement used in the UK and to identify any differences to ICAO Annex 5, and

v) in so far as consistent with EASA and SES Regulations or EU OPS, use its discretionary powers where appropriate to ensure regulated organisations use the units of measurement established by the policy.

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[1] c. 16

7 In the Schedule to the 2007 Directions, after "Annex 4 – Aeronautical Charts" there shall be inserted "Annex 5 – Units of Measurement to be Used in Air and Ground Operations".

Signed:

Francis Morgan
Head of International and Safety Division
Department for Transport

Date: 5 March 2010