

LETTER OF INTENT

24 February 2012

PROPOSAL TO AMEND THE AIR NAVIGATION ORDER 2009 REGARDING THE AERONAUTICAL RADIO OPERATORS CERTIFICATE OF COMPETENCE

1. Introduction

- 1.1 The purpose of this Letter of Intent is to advise stakeholders of the next steps following the CAA's earlier consultation to seek views on a proposal to amend the Air Navigation Order 2009 (ANO) to ensure those who operate aeronautical radio stations are appropriately qualified.

2. Summary of Replies

- 2.1 There were a number of replies to the Consultation undertaken between 26 July 2011 and 14 October 2011. A summary of the replies is given in the Comment Response Document available at www.caa.co.uk/consultations.

3. Summary and Preferred Option

- 3.1 A review of the current Radio Operator's Certificate of Competence Scheme (ROCC) found there was no legal requirement for those who operate aeronautical radio stations to be appropriately qualified. This was at odds with the original mandatory nature and understanding of the scheme which had been instigated to ensure that individuals undertook the examination processes designed to ensure the safe and standard operation of aeronautical radios.
- 3.2 A number of options were considered to address this problem and are outlined in the Impact Assessment attached to this letter. The option of a 'do nothing' policy was dis-regarded as this would allow a loophole to remain within the ROCC scheme, which would mean that aeronautical radio station operators could by-pass the need to be appropriately qualified to operate their radios.
- 3.3 The second option, to create a voluntary scheme based on the current ROCC scheme would possibly provide no sanction for someone who chose to by-pass the CAA's examination processes and was not considered robust enough to help ensure the safe and standard operation of aeronautical radios.
- 3.4 The CAA's preferred option, therefore, is to ensure there is a legal requirement, based in the ANO, necessitating individuals who wish to operate aeronautical radio stations, for the purposes identified in the Impact Assessment attached to this letter, to demonstrate their competence by the issuance of an ROCC. This would close the loophole that was identified in the review and would allow the CAA legal sanction of those who choose to by-pass the ROCC scheme. Therefore, the CAA believes this would be the most

effective and appropriate method of ensuring the continued safe operation of aeronautical radio stations.

- 3.5 This requirement will not apply to persons who hold an Air Ground Communication Service Radio Operator's Certificate of Competence or an Offshore Communication Service Radio Operator's Certificate of Competence issued by the CAA prior to the coming into force of this amendment.

4. Intention to Proceed

- 4.1 The CAA is satisfied that the views expressed by the interested parties during the consultation have been taken into account and now recommends to the Secretary of State that the ANO be amended as detailed in the attachment to this letter.
- 4.2 Enclosed with this letter is the final iteration of the amendment to the ANO after all consultation responses have been considered. The provision of this amendment to the Department for Transport (DfT) will allow sufficient time to ensure that the necessary changes are made to the ANO for its next amendment, which is now due in May 2012 (date to be confirmed).

5. Queries

- 5.1 Any queries as a result of this Letter of Intent should be addressed to ats.enquiries@caa.co.uk.

Stephen Wheeler
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February 2012

Associated documents:

- A. Comment Response Document
- B. Proposed Amendment to the Air Navigation Order 2009