

Proposal to Amend the Air Navigation Order 2009 Regarding the Aeronautical Radio Operator's Certificate of Competence

Consultation Period: 26 July 2011 and 14 October 2011

Attachment A: Comment Response Document

This document contains ATSD responses to all those comments received in respect of the proposal to amend the Air Navigation Order 2009 regarding the Aeronautical Radio Operator's Certificate of Competence, which ran between 26 July 2011 and 14 October 2011.

Comments were received from:

6 Private Individuals	Flight Operations (General Aviation), CAA
Air Traffic Standards, CAA	Flight Pro
Beverley Airfield	GMDSS & CAA Radio Operator Training
British Gliding Association	IADC North Sea Chapter
British Parachute Association	John Burt Associates (for and on behalf of Oil & Gas UK)
British Parachute Association – Pilot's Committee	Oban Airport
Chiltern Park Aerodrome	Vintage Aircraft Club

The CAA thanks contributors for their comments and for the care and attention that they afforded to this consultation.

No.	Section/ Paragraph	Comment	ATSD Response
1		Comment withdrawn.	
2	General	<p>With reference to the above proposal, out-with the published aerodrome authority radio use, how do company frequencies factor into this? For example, a fuel supply company who has their own frequency and certificate from OFCOM can still communicate to aircraft (and occasionally before it has landed). The information being provided to the pilot of such an aircraft cannot be monitored. I therefore ask how this can be effectively regulated and what impact it has/may have on the aerodrome authority. It cannot be guaranteed that some form of aerodrome information will not be passed to the pilot prior to landing/taking off. Also would there be any restrictions to information being given via a company to emergency flights such as air ambulance etc? Would the operators of these company frequencies also require certificating by the CAA and then endorsed by the aerodrome authority?</p>	Company frequencies are not in the scope of the amendment.
3	General	<p>I would first like to say that I totally support this amendment to the ANO.</p> <p>I was engaged through the process many years ago to get the way in which the ROCC was issued for an A/G certificate from one that simply gave this to anyone that held a radio licence aeroplanes to one that required a written and oral/practical test(I remain an examiner). The weak link however still remains in the signing of the licence after issue, as although the person may have passed the exam and demonstrated that they have an understanding, it remains the responsibility of the actual licence holder of the radio licence at the location to sign off the certificate. In my experience little appreciation exists of the need to ensure that the person being afforded the right to perform the actual role at that location is trained on site, monitored to ensure compliance, audited from time to time, and the overall oversight process by anyone outside of the location does not exist.</p> <p>I am sorry to say that I have experienced a number of locations that give a very scant regard for the requirements of the provision of an A/G service, both in terms of the people and the equipment used to pass on the safety information that can be interpreted by the</p>	<p>The comments are out of the scope of this ANO amendment.</p> <p>However, the support for the amendment is noted as are the rest of the comments which could form part of any future review of the ROCC scheme.</p>

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		<p>commander of the aircraft using the location. I myself have been asked to provide an A/G service from time to time at locations were the holder of the licence who should sign off my certificate has given no briefing, and had no idea of the radio licence number(I have declined to provide a service on a number of occasions)</p> <p>I hope that this change in legislation will give, subject to resources, the ability to be able to put in place some sort of "oversight" of locations that provide this lower level of air traffic service, and through this to ensure that safety can be maintained and encouraged at this end of the industry.</p>	
4	Various	<p>In response to the Authority's Letter of Consultation of 26 July 2011, as an examiner for the ROCC for AGCS, I have the following observations:</p> <p>Paragraph X (1) - "...a person..., or hold themselves out...as a person..." etc - mixture of singular and plural.</p> <p>Paragraph Y (2) - inclusion of required course(s) of training - fully agree, long overdue, particularly for those with no aviation licence. I would add that in my experience, the holding of a pilot's licence is no guarantee of the candidate properly understanding various criteria of aerodromes and altimetry.</p> <p>Paragraph Y (4) - Opening line refers to the certificate of competence, but paragraph (a) then refers to the "licence".</p> <p>Paragraph Y (6) - I would suggest that this requirement might usefully be strengthened to include "and demonstrated competence under qualified supervision in the provision of the service at that station." In this latter respect, I would much prefer to see this conducted by a CAA-approved external examiner rather than "in-house" where the standards are likely to be somewhat uncertain.</p> <p>Paragraph Y (7) - I infer that this indicates that AGCS operators will be subject to renewal examination, say every two or three years? If so, I would hope that, in order to achieve a consistent standard, it would be conducted by a CAA-approved external examiner, not by the person in charge of the aeronautical station.</p>	<p>Because this is a gender neutral document, drafting rules allow for a mixture of singular and plural even if not grammatically correct.</p> <p>There is no recognised or approved course in operation at the moment and there are no plans for the CAA to require one. However, this item could feature in any review of the ROCC scheme.</p> <p>Noted. Amended.</p> <p>Noted. This could form part of any review of the ROCC scheme.</p> <p>Noted. This could form part of any review of the ROCC scheme.</p>

No.	Section/ Paragraph	Comment	ATSD Response
		<p>Paragraph Z - Not a direct comment on this paragraph, but is the implication that the CAA will specify the syllabus for a training course or that it would be left to the discretion of the provider, subject to CAA approval?</p> <p>Article 255 - While this might be appropriate as a definition, it is essential that CAP452 should specify the responsibilities (or absence of same) of an AGCS Unit, especially in the areas of traffic information and initiation of emergency action, and there be a clear differentiation between AGCS and FIS. At the moment, no responsibilities as such are specified although the passing of traffic information is implied by example, and any responsibility for emergency action is expressed imprecisely.</p>	<p>There is no recognised or approved course in operation at the moment and there are no plans for the CAA to require one. However, this item could feature in any review of the ROCC scheme.</p> <p>Noted. A reworked CAP 452 is planned for publication early 2012 and will cover this issue.</p>
5	General	<p>I agree with the concept and all A/G radio operators at Beverley (EGNY) airfield hold a license issued either under the old pre2002 system or the new as CAP452.</p> <p>Provided the grandfather rights stand for all current license holders the proposal has my and Hull Aero Clubs support.</p> <p>Only a small number of very experienced A/G operators remain on the old system and most would refuse to be retested, and lose us a valuable resource of men and experience. No persons without a license are permitted to transmit at this site.</p>	<p>There are no plans for a reissue of ROCCs as part of this ANO amendment. However, it will be a legal requirement to be appropriately qualified before operating an aeronautical radio station as from April 2012. ROCCs that have been issued prior to this ANO amendment will continue to be valid.</p>
6	General	<p>I have just come across this proposal to amend the ANO.</p> <p>Whilst I can find no direct reference, how does this impact on balloon pilots and (more importantly) balloon retrievers using 122.475 for retrieval communications?</p> <p>I am sure to be asked such from the BBAC in the near future, so I would prefer to be prepared.</p>	<p>Balloon pilots and balloon retrievers are out of the scope of this ANO amendment. There will be no requirement for these operators to hold an ROCC.</p>

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7	General	<p>Whilst this does not directly affect GA flight apart from ensuring good information is relayed to pilots, I would make one very minor point. This document and proposal is for the ground operators qualification. All through the document it refers to Air to Ground communication, which is I acknowledge the normal terminology, whereas this proposal really refers to Ground to Air. To ensure clarity, might I suggest you reverse the term to Ground to Air.</p>	<p>Air Ground Communications Service is a recognised information service within the UK, provided to aircraft by those who currently hold and in future must hold, an ROCC. Therefore, it is important that the current description and use of Air Ground Communications Service remains in place for this amendment. However, this term could be considered in any future review of the ROCC scheme.</p>
8	General	<p>I gained my Radio Operators Certificate of Competence in May 2011 and would like to know if this is still valid with reference to the amendments proposed. Are the examinations I undertook in May this year what is mentioned in this document.</p> <p>Also how does this affect people who gained a certificate of competence on the back of their PPL in the old rules days. Will they have to sit another examination in order to operate the radio at an air/ground radio station. I know a few people who are in this situation.</p> <p>I would also like to point out that I was very happy to take the examinations and know that I had achieved the certificate of competence and would urge others to do so.</p>	<p>Noted. ROCCs that have been issued prior to this ANO amendment will continue to be valid.</p> <p>Noted. ROCCs that have been issued prior to this ANO amendment will continue to be valid.</p> <p>Noted.</p>
9	General	<p>As an AG operator I did find the operators exam instructive and required a good knowledge of the requirements. The examiner was especially helpful in giving advice.</p> <p>However there was little guidance in how to deal with difficult situations, e.g. poor or non standard RT (occasional angry). In practice, I use my own experience to cope, e.g. 'please use standard RT at XXX' which perhaps legally I shouldn't say.</p> <p>I do also find it frustrating at times not able to give instruction especially where safety is involved. For example I want to say 'hold for landing aircraft' rather than 'there is an aircraft on finals'. I have often heard AG operators use an urgent voice to get the message across. I am sure there are many other examples where AG operators need some authority in the interests of safety.</p>	<p>Noted.</p> <p>This could be incorporated into the oral/practical element of the ROCC examination scheme. Examiners will be asked to include this in their practical evaluations.</p> <p>It is important that the scope of AGCS is clearly understood and adhered to, as it can prove even more detrimental to safety to pass instructions to aircraft when training in the transmission of such instructions and their potential consequences has not been undertaken.</p>

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10	General	<p>I take it that this is just another attempt at a revenue stream, just like the hike in air ground licence Fee's, I am sure you will produce a long winded document as before to justify it and the need to charge us?</p> <p>As a small Farm strip airfield, AG radio is most helpful for safety but not essential.</p> <p>Last year I took around £300.00 in landing fees of which £100 went to you for my licence and I already hold a personal radio licence.</p> <p>If this leads to yet another licence and another Fee, I like many other sites will most likely go non radio or safetycom.</p> <p>A great way to increase safety???</p>	<p>There is no increase in revenue associated with the implementation of this amendment. Moreover, it is important for safety reasons, that those who operate aeronautical radio stations for AGCS/OCS and para-dropping activities are appropriately qualified to communicate with aircraft in a safe and standard manner and with a clear understanding of the scope of their service provision. To allow those who provide these services to operate without any recourse to a CAA examination process could lead to non-standard R/T provision which would have an adverse effect on safety.</p>
11	General	<p>Please can you confirm that the the age criteria of 16 will apply to the Parachutist's Limited RT Licence which is currently in use by UK Drop zones</p>	<p>After a conversation between SRG and the commenter it was agreed that 18 years of age was the appropriate minimum age to hold an ROCC for use during parachuting operations.</p>
12	General	<p>1. You are right to require that all persons using aero radio should be suitably qualified, and should have demonstrated that by examination controlled by the CAA; and</p> <p>2. You should reconsider allowing persons with a marine radio qualification being excused the practical examination. A look at the different procedures between marine and aero message format for Mayday and Pan Pan messages; for acknowledging such messages; and for imposing silence - will demonstrate the need to fully examine candidates on the aero procedures for emergency communications, rather than rely solely on the written paper.</p>	<p>Noted.</p> <p>Noted. This is outside the scope of this amendment but will be considered.</p>

No.	Section/ Paragraph	Comment	ATSD Response
13	General	<p>The Proposed amendment to the ANO takes no account of radio operators who may have higher qualifications than that covered by the ROCC. For example at some Air Ground units or Special Events, the Radio is operated by fully licensed ATCOs or current PPL holders, whose competence of correctly using radio equipment is vested in their more extensive pilot and ATCO training and experience. The way the ANO is written would mean these well qualified individuals would need to gain the ROCC.</p> <p>It has been my practice in the past (as an SRG Special Events approver), to allow ATCO and PPL licence holders to operate radio for A/G services at Special Events without the need to hold ROCC. The proposed ANO change needs amending to allow for this.</p>	<p>Those that operate an aeronautical radio station for the purposes outlined in the ANO amendment will be expected to hold an ROCC. Because of the qualifications held by ATCOs and FISOs they will be exempt from the examinations for the issuance of such an ROCC. However, although exempt from these examinations, ATCOs and FISOs will be expected to apply for and hold an ROCC before providing any of the services outlined in the ANO amendment.</p> <p>It is also important to ensure that those who hold a FRTOL must hold an ROCC so they have an insight into the limitations of the service they are providing, ground to air communication differences and issues that they may not have come across whilst flying, as well as basic R/T differences.</p> <p>Additionally, PPL holders must also hold an ROCC if they want to provide an AGCS at a Special Event or any of the services outlined in this amendment.</p>
14	General	A prohibition to prevent unauthorised operation appears sensible to ensure that all air/ground communications meet the standards described in CAP 413.	Noted.
15	x-(1)	<p>Delete: "or hold themselves out, whether by use of a radio call sign or in any other way, as a person who may do so".</p> <p><i>The offence being created seems to be one of commission. It is a simple matter of fact whether or not an operator candidate holds an 'aeronautical radio station operator certificate of competence' and is therefore qualified or not to operate an aeronautical radio station. Whether a person "holds themselves out as a person who may do so", would only appear relevant if they do so "on air", (e.g. by the use of a call-sign), by which time the offence of operation is already committed.</i></p>	Agreed. This wording will be omitted.

No.	Section/ Paragraph	Comment	ATSD Response
16	Y.-(1)	<p>Change: “The CAA must may grant an aeronautical radio station certificate of competence if it is satisfied that the applicant -</p> <p>(a) is the holder of a valid Flight Radio Telephony Operator’s Licence issued by the UK CAA and / or is at least 18 years of age; and</p> <p>(b) is qualified by having the knowledge, experience and skill to act in the capacity to which the certificate of competence relates.</p> <p><i>Notwithstanding paragraphs Y.-(2), Y.-(3) and Y.-(8) which follow, the word “must” would appear to conflict with the authority of the CAA to choose not to issue a certificate of competence and to have the scope to set any other application and issuance conditions at its discretion.</i></p> <p><i>I would suggest it is reasonable that a person who has demonstrated the skill and knowledge required to qualify for a UK FRTOL would be deemed a suitable applicant regardless of age for an aeronautical radio station certificate of competence, subject to also meeting the requirements of sub-paragraph (b).</i></p>	<p>“Must” is appropriate. If a person has met all the requirements we have set out for such a certificate we would have no basis to refuse.</p> <p>It is important to ensure that those who hold FRTOL must hold and ROCC so that they have an insight into the limitations of the service they are providing, ground to air communication differences and issues that they may not have come across whilst flying, as well as basic R/T differences.</p>
17	Y-(4 a)	<p>Change: “... for the period indicated in on the licence certificate...</p> <p><i>No mention of any “licence” has been previously made. I assume this refers to the period of validity stated on the aeronautical radio station certificate of competence.</i></p>	Noted. Changed.
18	Y-(5) and Y-(6)	<p>Delete entirely: <i>Please note that even if these paragraphs are to remain, there is an error in Paragraph Y.-(6) which cross-references the act of endorsement back to paragraph (4) instead of paragraph (5).</i></p> <p><i>These requirements appear rather loosely defined and may overcomplicate the legislation. Whilst the proposal clearly defines an overall requirement to approve a “competent person”, there is no definition of what is required to qualify another person to be “in-charge” of an aeronautical radio station or what would give them the authority to endorse such a certificate. As it stands, this person could be defined under Part Z, or could be the station licensee, or a nominated manager, Head of Training for the flight school or CFI, tea-boy? etc.</i></p> <p><i>It is assumed that the legislation is primarily directed at fixed base radio stations, however it doesn’t specify this in the purposes defined</i></p>	<p>Noted. Changed.</p> <p>The comment is noted however, the concept of the person in charge of an aeronautical radio station is already contained in the ANO at Article 205(1).</p> <p>This legislation applies to the operation of an aeronautical radio station</p>

No.	Section/ Paragraph	Comment	ATSD Response
		<p><i>in X.-(4), which merely describes the services provided. Therefore it remains possible that some of the services may be provided by temporary or portable stations not in possession of a station licence. (For example guiding a helicopter to a safe landing spot in a congested area using a hand-held).</i></p> <p><i>If it is the intention to require the use of any radio station to be operated only by a competent person when providing one of the services described, then that person may also be the only person "in-charge" of the station whether the station is licenced or not, which would make the requirements to endorse the certificate unworkable.</i></p> <p><i>I suggest it might be more appropriate if the aeronautical radio station certificate of competence remains valid for use on *any* aeronautical radio station but only for one or more of the three services defined in X.-(4). This endorsement would be made by the CAA upon the issue of the certificate in accordance with its authority in Y.-(3) and in relation to the evidence of competence supplied by the candidate.</i></p> <p><i>For the avoidance of doubt, it would be an offence for any person, (whether or not the holder of an aeronautical radio station certificate of competence), to:</i></p> <p><i>a) operate an aeronautical radio station for any purpose other than as endorsed on the certificate; or</i></p> <p><i>b) to operate a licenced aeronautical radio station or to transmit on the same frequency as a licenced aeronautical radio station without the permission of the licensee named on the Wireless Telegraphy Act Licence for that station;</i></p> <p><i>except when operating an aeronautical radio station in accordance with the terms of a current and valid flight radio telephony operator's licence issued by the UK CAA, or otherwise in accordance with ICAO privileges.</i></p>	<p>which is defined in the ANO as:</p> <p>"Aeronautical radio station' means a radio station on the surface, which transmits or receives signals for the purpose of assisting aircraft"</p> <p>The reference to surface is to exclude airborne or space based radio stations but includes hand held radios on the surface.</p>
19	Option 1	"without any need for a recognised operator's certificate or to have received any training. This could have a detrimental effect on safety"	As there is no reporting system associated with this low level of operation akin to the MOR scheme, it is difficult to provide safety data. However, common sense and anecdotal evidence dictates that in the

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		<p>Is there any evidence to suggest that the present arrangements have had a detrimental effect upon safety if so please give details?</p> <p>If there is little or no evidence of safety having been endangered by the present arrangement and no evidence is cited in the consultation papers there seems no good reason to introduce further regulation.</p>	<p>absence of any scheme that includes training and examinations for those who wish to operate aeronautical radios, the standards of the operators would vary widely, which could have safety implications for this area of the aviation environment.</p>
20	General	<p>Whilst there are clearly higher-level communication services than Air Ground Communication Services (AGCS) that are provided to aircraft by licensed air traffic controllers, and by AFISOs, there are also lower level services provided by unqualified operators on company frequencies. The ground stations that communicate with gliders and balloons are not providing an AGCS service as described in CAP 452, nor are they company frequencies that are clearly exempt.</p> <p>However, the definition in Article 255:</p> <p><i>“‘Air/ground communications service’ means a service provided to give information to pilots of aircraft by means of radio signals and ‘air/ground communications service unit’ is to be construed accordingly;”</i></p> <p>seems to be unambiguous and seems to require all persons operating a ground station whether for sporting purposes, or otherwise, to hold a ROCC since it is virtually impossible to talk to a pilot without providing any information. There is another relevant factor that is not taken into account, or made explicit, in the proposed legislation; that is the call-sign suffix being used by the radio operator during a period of activity. If the operator is using the call sign RADIO then pilot can reasonably expect the ground station to provide a quality service to the standard laid down in CAP 452. In this situation it is a reasonable requirement that the operator holds a ROCC.</p> <p>In the gliding context there are really two cases to consider.</p> <p>1. Mobile Surface Stations: these have usually been allocated a call sign of the form ‘xyz MOBILE’ where xyz is the glider’s competition number, or BGA trigraph, and MOBILE is the call-sign suffix.</p>	<p>Glider and balloon operators are outside the scope of this ANO amendment.</p> <p>Agreed. Article 225 is now not being amended.</p>

No.	Section/ Paragraph	Comment	ATSD Response
		<p>2. Gliding Sites Surface Stations: these typically use a call sign of the form 'Kingston BASE' where Kingston is the airfield name and BASE is the callsign suffix.</p> <p>My concern is that as-proposed surface stations operated in connection with gliding, and using call-sign suffixes such as MOBILE or BASE may inadvertently, and inappropriately, be deemed to be within the scope of these proposed changes to the ANO and that operators of these station consequently be required to hold ROCCs.</p>	
21	General	<p>There are two types of ground station used for sporting purposes in connection with gliding and amateur/private ballooning. I have no knowledge of commercial ballooning for fare-paying passengers and do not wish to comment on that activity.</p> <p><i>1. Mobile Stations</i> For many years mobile transceivers have been licensed for use in, for example, motor vehicles to allow retrieve crews to maintain contact with 'their' glider or balloon pilot so as to ensure that they arrive at the landing site without delay and can quickly retrieve the glider or balloon. These stations use call signs such as 'xyz MOBILE'. Whilst Article 255 may inadvertently define this as providing an AGCS, since the mobile ground station operator may pass information such as their current location and their ETA at a particular position, their usage of the radio is far removed from that described in CAP 452. It is entirely inappropriate for operators of such stations to be required to hold a ROCC or for them to use the call-sign suffix RADIO.</p>	<p>Noted. Glider and balloon operators are outside of the scope of this ANO amendment.</p> <p>Agreed. This ANO amendment is not intended for mobile stations therefore, mobile station operators will not be required to hold an ROCC.</p>

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		<p><i>2. Gliding Airfield Stations</i> The majority of gliding sites use the standard sporting frequencies, however, a small number of the larger gliding clubs do have a dedicated air-band frequency. The majority of these stations use the call-sign suffix BASE. The radio usage of ground stations supporting gliding activities does not lend itself to compliance with CAP 452 because it is for a different purpose. Perhaps a few examples will make this clear.</p>	<p>Agreed. This ANO amendment is not intended for Gliding Airfield Stations therefore, Glider Airfield Station operators will not be required to hold an ROCC.</p>

No.	Section/ Paragraph	Comment	ATSD Response										
		<table border="1"> <thead> <tr> <th data-bbox="416 228 658 256">Purpose</th> <th data-bbox="658 228 1111 256">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="416 256 658 563">Competition start lines</td> <td data-bbox="658 256 1111 563">The competition line is opened 15 minutes after the last competitor has received their launch. This is notified to all competitors by radio. Competitors are required to call the start line operator to notify the time at which they crossed the start line - within 30 minutes of doing so. The operator acknowledges the call by responding with the glider's call sign and the start time they have recorded.</td> </tr> <tr> <td data-bbox="416 563 658 810">Competition finish lines</td> <td data-bbox="658 563 1111 810">Competitors are usually required to notify the finish line at specific distances or times from the finish line such as 5 or 10 km or 3 minutes. The finish line is under continuous observation from the ground and the finish line officials with make a call to a glider correctly crossing the line of that fact and the recorded finish time.</td> </tr> <tr> <td data-bbox="416 810 658 1091">Wave Box status</td> <td data-bbox="658 810 1111 1091">Wave boxes (TRA (G)s) may only be opened to gliders by a telephone call from the club to the appropriate ATC unit. The Letters of Agreement do not permit them to be opened by radio. Once a period of activation has been agreed the gliding club's ground station may notify pilots already airborne by radio. A duty instructor will typically do this.</td> </tr> <tr> <td data-bbox="416 1091 658 1206">Aerotowing</td> <td data-bbox="658 1091 1111 1206">Tug pilots receive 'take-up-slack', 'all-out', and 'stop' signals either by the use of hand signals or by radio from an operator at the glider launch point.</td> </tr> </tbody> </table>	Purpose	Comments	Competition start lines	The competition line is opened 15 minutes after the last competitor has received their launch. This is notified to all competitors by radio. Competitors are required to call the start line operator to notify the time at which they crossed the start line - within 30 minutes of doing so. The operator acknowledges the call by responding with the glider's call sign and the start time they have recorded.	Competition finish lines	Competitors are usually required to notify the finish line at specific distances or times from the finish line such as 5 or 10 km or 3 minutes. The finish line is under continuous observation from the ground and the finish line officials with make a call to a glider correctly crossing the line of that fact and the recorded finish time.	Wave Box status	Wave boxes (TRA (G)s) may only be opened to gliders by a telephone call from the club to the appropriate ATC unit. The Letters of Agreement do not permit them to be opened by radio. Once a period of activation has been agreed the gliding club's ground station may notify pilots already airborne by radio. A duty instructor will typically do this.	Aerotowing	Tug pilots receive 'take-up-slack', 'all-out', and 'stop' signals either by the use of hand signals or by radio from an operator at the glider launch point.	
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		<p>Gliding clubs and the BGA do ensure that persons involved in directing competitions, performing competition control, and performing start-line and finish-line duties are adequately prepared to perform those tasks for the simple reason that competitors would not tolerate poor performance. The fact is that the radio usage appropriate to these tasks is not covered by the proposed ROCC scheme and the usage that is covered in great detail in CAP 452 is not relevant to competition gliding.</p> <p>Gliding club members performing glider launching and recovery tasks receive appropriate training for the tasks that they perform. However, because the tasks are few in number and very simple they are performed by glider pilots – usually those waiting for their turn to fly. This means that over time all glider pilots in a club will have performed these tasks. The radio procedures for general gliding operations are not addressed by the proposed ROCC scheme and the radio usage that is covered in great detail in CAP 452 is not relevant to general gliding operations. It is entirely unrealistic that every pilot in a gliding club should need to undertake the training proposed by the CAA for the ROCC, to pass the examination, and to be approved by each gliding club at which they fly before they can perform normal gliding activities.</p> <p>The alternative to have professional staff perform these duties is completely against the ethos of gliding and unaffordable by clubs. There is no safety case for requiring widespread holding of the ROCC by glider pilots to launch gliders.</p> <p>Operators of Gliding Club Surface Stations using the call-sign suffix BASE should not be required to hold a ROCC.</p>	

No.	Section/ Paragraph	Comment	ATSD Response
22	General	<p>I propose that the new article entitled “Prohibition of unauthorised use of an aeronautical radio station” be amended to exclude operators of ground stations communicating on sporting frequencies, and on frequencies allocated to gliding clubs, from needing to hold a ROCC as long as their communications are exclusively related to gliding and/or amateur/private ballooning activities and that they do not use the call-sign suffix RADIO.</p> <p>I propose that the new article entitled “Prohibition of unauthorised use of an aeronautical radio station” be amended to exclude operators of mobile stations communicating on sporting frequencies from needing to hold a ROCC as long as their communications are exclusively related to gliding and/or amateur/private ballooning activities and that they do not use the call-sign suffix RADIO. Licensees of Mobile Surface Stations and Gliding Site stations continue to be permitted to register and use the call-sign suffixes MOBILE and BASE.</p>	Noted. Glider and balloon operations are outside of the scope of this ANO amendment.
23	General	<p>Please note that the British Gliding Association has been consulting on the ROCC issue with a member of one of our clubs, and has sight of their submitted response to the consultation on changes to the ANO that will make it mandatory for a radio operator providing an AGCS to have undertaken appropriate training, passed an examination and be in possession of a Radio Operators Certificate of Competence (ROCC) prior to doing so.</p> <p>Please note that the BGA supports the concerns identified by the member.</p> <p>In particular we would like to clarify that the gliding frequencies are not used to give instructions. They are used to provide guidance.</p> <p>The BGA note that the allocated gliding frequencies and their continued use by glider pilots add significantly to situational awareness between the various elements of gliding activity and therefore are a vital contribution towards flight safety. Restricting their use through regulation in this case is a disproportionate response, has no safety benefit and will have a significant negative safety impact on gliding activity.</p>	There is no intention to require glider frequency operators to hold an ROCC unless they are providing an AGCS/OCS or are providing a service to aircraft or parachutists operating in drop zones.

No.	Section/ Paragraph	Comment	ATSD Response
24	General	<p>I read in the letter of consultation 26 July 2011 (Proposal to amend the ANO) and specifically the use of radio in para-dropping activities or parachutists, please can you confirm that the historically successful parachutists limited RT certificate will remain in force for the many of our members who use it, or is this also under review?</p> <p>If in the event this qualification is under review can you please advise what changes are proposed and will the governing body of sport parachuting in the UK The British Parachute Association be included in the consultation process.</p> <p>We remain keen to support any actions which will enhance the safety of our members and other fellow aviators and we are keen to supply any information on our activities you may require on this project.</p>	<p>Noted. Current Parachutist's certificates will continue to remain in force.</p> <p>Noted. There are no plans at present to review this qualification. However, in any future review all relevant governing bodies will be consulted.</p> <p>Noted. Thank you.</p>
25	Proposal to Amend the ANO, (2)	<p>'The applicant must supply such evidence and undergo such examinations and tests and undertake such courses of training as the CAA may require.'</p> <p>Can CAA quantify "evidence", "examinations" and "training" and what the expectations would be in relation to OCS?</p>	<p>Noted. Current levels of evidence...i.e. examinations/ experience/ training, are considered "Such Evidence" consequently, there is no change to the current requirements for those applying for an ROCC.</p>
26	Proposal to Amend the ANO, (4)	<p>'An aeronautical radio station certificate of competence— (a) remains in force, subject to article 228, for the period indicated in the licence or if no period is indicated, for the lifetime of the holder; (b) may be renewed by the CAA from time to time, if it is satisfied that the applicant is qualified in accordance with paragraph (1).'</p> <p>Can clarification be given as to how the CAA plan to renew certification from "time to time". If the certificate has a lifetime indication – can CAA request to review and revalidate randomly?</p>	<p>Noted. There are currently no plans for ongoing renewal of the ROCC on a periodic basis. However, if there is a review of the ROCC scheme in future this could form part of the areas covered.</p>
27	Proposal to Amend the ANO, (5)	<p>'An aeronautical radio station operator certificate of competence is not valid for use unless it has been endorsed by the person in charge of the aeronautical radio station.'</p> <p>Clarification required as to who the "person in charge of the aeronautical radio station" is in relation to OCS.</p>	<p>The "person in charge of the aeronautical radio station" is that person named on the Wireless Telegraphy (WT) Act Licence or, where the licence has been issued to an organisation, an employee appointed to be responsible for the oversight of the aeronautical radio station operation.</p>

No.	Section/ Paragraph	Comment	ATSD Response
28	Proposal to Amend the ANO, (7)	<p>‘Every holder of an aeronautical radio station operator certificate of competence must, on such occasions as the CAA may require, submit to such examinations and tests and supply such evidence of the holder’s knowledge, experience, competence and skill and undergo such courses of training as the CAA may require.’</p> <p>Will the CAA be in a position to request, at random, that tests and examinations be completed at their request?</p>	<p>There is no intention by the CAA to randomly request that tests and examinations are undertaken. This phrase has been used on legal advice regarding these matters, to ensure that the standardisation of legal parlance is maintained throughout the ANO.</p>
29	General	<p>The definition of “Offshore Installation” in CAP 452 is an abbreviated version of that used in “the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995” (SI 1995 No. 738) and since it refers only to structures “standing in relevant waters” would appear to exclude floating vessels. Is this the intention?</p>	<p>An SRG policy paper addressing this point has been sent to CAA DAP Radio Licensing for discussion with Ofcom. However, the matter has yet to be resolved. The comment is correct in that vessels are not installations and thus are not within the scope of the WT Act unless UK registered. This should be covered in an amendment to CAP 452 which will be published shortly.</p>
30	General	<p>CAP 452 refers to “International Radio Regulations”, but there is no mention of what non-UK issued certificates are recognised as equivalent by the CAA? This is particularly important for a MODU on initial entry to UK waters.</p>	<p>This is out of the scope of this amendment. CAP 452 outlines various qualifications that are recognised for exemption against certain requirements for those wishing to gain an ROCC.</p>
31	General	<p>If a Radio Operator holds a Global Maritime Distress and Safety System (GMDSS) certificate, will they also have to hold a Radio Operators Certificate of Competence (ROCC)? If yes, would the GMDSS certificate provide an exemption from having to take the exam i.e. be awarded a ROCC base on their GMDSS certificate?</p>	<p>For the provision of an Offshore Communications Service an operator will now, by law, have to hold an ROCC. This will ensure that those who hold the certificate have met specific standards of operation as assessed by examinations written and oral as overseen by CAA approved examiners. Certain professional qualifications allow the CAA to exempt individuals from certain aspects of the ROCC scheme. To allow the CAA to do this those qualifications must be already recognised by the CAA and must be based on recognised regulatory documentation i.e. CAP 413. GMDSS is not based on such a document, although it has, in the past been accepted for exemption from the oral element of the ROCC. However, the basis for this acceptance was not clear, no audit of the course content had been undertaken to see how it matched up to the ROCC content to ensure the validity of the exemption. Therefore, until this can be undertaken the GMDSS will not be accepted for exemption from the oral element of the ROCC examination scheme.</p>

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32	General	<p>Having read the detailed documentation, Oil & Gas UK wish to raise a number of points to demonstrate that is neither necessary or well founded to include in the proposed ANO amendment (Attachment A in its entirety), Offshore Aeronautical Radio Stations and the Offshore Communications Service (specifically relating to permanent fixed and floating structures, MODUs and vessels defined as offshore installations for the exploitation and production of oil and gas).</p> <p>Proceeding with this proposed amendment to the ANO to make it mandatory for offshore aeronautical radio station operators to be appropriately qualified to operate their radio station, serves only to add yet another layer of regulation on top of the existing raft of legal requirements and guidance that already apply in the offshore oil and gas operating environment. Furthermore, how do ASTD intend to properly enforce this new requirement?</p> <p>Contrary to ATSDs suggestion in the covering letter (ISSUE - 2nd paragraph), such measures will not <i>strengthen, update and bring legal clarity</i>; it will only create confusion, additional work and expense for Oil & Gas UK members and the UK offshore helicopter community, for the following reasons:</p> <ol style="list-style-type: none"> 1. Article 96(1) of the ANO already deals with this requirement. Namely, <i>“The operator of an aircraft registered in the United Kingdom must not permit the aircraft to fly for the purpose of public transport without first being satisfied using every reasonable means that the aeronautical radio stations and navigational aids serving the intended route or any planned diversion are adequate for the safe navigation of the aircraft”</i>. 2. CAP 437 Chapter 6, Paragraphs 9.4 to 9.7 set out the detailed standards required for aeronautical communications for offshore helicopter operations. These standards are subject to the inspection regime undertaken by the Helideck Certification Agency (previously known as BHAB Helidecks) on behalf of the UK offshore helicopter operators. In CAP 437 Appendix F it states that <i>“The CAA, in discharging its duty for the grant of an Air Operators</i> 	<p>The CAA thanks Oil and Gas UK for their comments. After a discussion regarding the content of this consultation with representatives from the industry the need for this amendment was accepted. However, all of the points outlined have been noted and follow-up meetings will be arranged to discuss the issues raised. Additionally, these comments would form the basis of any future review that is undertaken regarding this area of the aviation environment.</p>

No.	Section/ Paragraph	Comment	ATSD Response
		<p><i>Certificate (AOC), will audit the helicopter operators' application of the process on which the operator relies. As part of such an audit, the CAA will review BHAB Helidecks procedures and processes and may accompany an operator when the operator undertakes an audit of BHAB Helidecks procedures or inspects a helideck".</i></p> <p>3. The provision of offshore aeronautical radio stations and trained, competent and certified aeronautical radio station operators is addressed as a requirement in several offshore installations regulations, the associated approved codes of practice and guidance set out and enforced by the Health & Safety Executive, Offshore Division. These include the following documents (Summaries of the regulations can be found in CAP437, Chapter 1, Section 2.3):</p> <ul style="list-style-type: none"> • <i>Offshore Installations (Safety Case) Regulations 2005 - Regulations 2(5) and 12(1)a</i> • <i>Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 – Regulations 12(b) and 13</i> • <i>Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995 - Regulation 6(1)c</i> <p>4. Highlighting items 1 to 3 above and recognising there is possible conflict with the existing regulatory provisions and the proposed ANO amendment, Oil & Gas UK draws ASTD attention to the HSE / SRG Memorandum of Understanding Annex 4, Issue 3.3, Issued September 2011.</p> <p>5. The following guidelines published by Oil & Gas UK contain several relevant references to offshore aeronautical radio stations and the requirements for trained, competent and certified aeronautical radio station operators. These include:</p> <ul style="list-style-type: none"> • <i>Guidelines for the Management of Aviation Operations, Issue 6, April 2011</i> in particular Section B4 – Competence and Training • <i>Guidelines for Safety Related Telecommunication Systems on Fixed Offshore Installations, Issue 1, August 2005</i> in particular 	

No.	Section/ Paragraph	Comment	ATSD Response
		<p style="text-align: center;">Section 8.1 – Competencies</p> <p>The above documents clearly state that <i>“All persons operating VHF aeronautical radio stations, including hand-held portable radio equipment, on a fixed offshore installation must hold an Offshore Aeronautical Radio Station Operators Certificate of Competence, issued by the Civil Aviation Authority, ATS Standards Department, ATS Licensing Section (refer to CAA Publication CAP 452). The minimum operators qualification for use of the international marine VHF band is the GMDSS Restricted Operators Certificate (ROC)”</i>.</p> <p>6. For the record, the offshore oil and gas industry maintains a personnel tracking system (Vantage) that holds details of offshore employee basic and specialist training and competence. This is a searchable system that records a wide range of courses and certification awarded by the various offshore training bodies. It also allows operators to verify individual currency.</p> <p>From the above explanations it is hoped that ASTD will reconsider the need to include offshore aeronautical radio station operators in the proposed ANO Amendment. Should ASTD feel unable to do this without further discussion, then Oil & Gas UK suggests that a meeting be held at which ASTD, Oil & Gas UK, CAA Flight Operations (H) and HSE Offshore Division are all present.</p>	