Foreign Air Operator Requirements

Implementation Template - COSCAPs Asia Pacific

1. Purpose

1.1 This document provides a brief explanation on the products developed to enable States to implement a Foreign Air operator Validation and Surveillance programme in accordance with ICAO requirements. The outputs would also assist States efforts to comply with the best practices of the Global Safety Initiative 1 – Inconsistent Implementation of ICAO SARPs and Global Safety Initiative 2 – Inconsistent Regulatory Oversight contained in the ICAO Global Aviation Safety Plan and ISSG Roadmap.

2. Background

2.1 Amendment 32 to Annex 6, Part I was issued March 2008 and most of its provisions will become effective 20 November 2008. The amendment, *inter alia*, standardizes the format of AOC and associated operations specifications and requires the recognition of States of AOCs that meet Annex 6 requirements.

2.2 In addition to requiring mutual recognition of AOCs, Amendment 32 introduces the requirement for States to conduct surveillance of foreign air operators.

2.3 This document describes the products developed by the COSCAP programme to assist a State to implement these ICAO requirements. The products include Foreign Air Operator Model Regulations, Manual of Validation and Surveillance for Commercial Air Transport Operations by Foreign Air Operators and Foreign Air Operator Validation and Surveillance Training Programme.

3. Foreign Air Operator Model Regulations

3.1 The Foreign Air Operator Model Regulations should be adapted by States to fully implement the SARP provisions of Amendment 32 of Annex 6 related to mutual recognition of AOCs and foreign air operator surveillance. States may already have regulations in place that would permit the approval and surveillance of Foreign Air Operators.

4. Manual of Validation and Surveillance of Foreign Air Operators

4.1 It should be recognized that the primary responsibility for the certification and surveillance of air operators rests with the State of the Operator and State of Registry. However, recognizing that the capability for surveillance of air operators when conducting operations outside of their State are limited, ICAO introduced the requirement for all States to conduct some surveillance of these operations. This requirement confirms a responsibility that has existed since the Convention came into force.
4.2 The subject Manual provides procedures for the mutual recognition of AOCs and a programme of surveillance of foreign air operators. The Manual includes checklists that reference pertinent ICAO SARPs against which such inspections should be conducted.

4.3 States should recognize that their responsibilities related to the surveillance of foreign air operators are limited and that their primary responsibilities rest with certificate holders of their State.

4.4 The provisions of the Manual were developed in conformance with the provisions of the 5th Edition of ICAO DOC 8335 Manual of Procedures for Operations Inspection, Certification and Continuing Surveillance.

5. Foreign Air Operator Validation and Surveillance Training Programme

5.1 While the State may have inspectors with significant experience in conducting inspection on air operators, the procedures and checklist to conduct surveillance of foreign air operators focus on ICAO requirements. All inspectors authorized to conduct inspections on foreign air operators should receive training on the validation of AOC and surveillance of foreign air operators. **Note: Training Material available 4 July 2009**