

Information Bulletin Number 01/2017

TO : Air Traffic Services and Air Operators
FROM: Head Air Navigation Standards & Air Traffic Controller Licensing Inspectorate
REF: COMMISSION IMPLEMENTING REGULATION (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation
DATE: 30th May 2017

SUBJECT: NOTICE OF PROPOSED AMENDMENT 01/2017 (NPA 01/17)

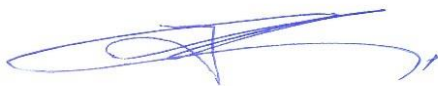
Please find attached the NPA 01/2017 regarding the adoption of COMMISSION IMPLEMENTING REGULATION (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation, for your review and necessary action.

This NPA contains a proposal to amend the rules of the air regulation to adopt the standards and recommended practices of ICAO Annex 2 as transposed in the COMMISSION IMPLEMENTING REGULATION (EU) No 923/2012, through the civil aviation directives regulation of Civil Aviation (Safety) Regulation 2017. The proposed amendment also involves a major change to existing Civil Aviation Regulations as well as editorial changes.

It would be appreciated if Air Traffic Services management and Air Operators can assess the details of this regulatory material and comment on this proposal using the comment sheet provided in this NPA. The closing date for comments is 30th June 2017.

Finally, I wish to thank you in advance for taking the time to consider and comment on this proposal and wish to stress that no action will be taken on this proposal until all comments have been considered.

My best regards,



Joseph G. Lajoie
Head Air Navigation Services &
Air Traffic Controller Licensing Inspectorate
Safety Regulation Division

NOTICE OF PROPOSED AMENDMENT

(NPA 01/17)

ADOPTION OF

COMMISSION IMPLEMENTING REGULATION (EU) No 923/2012

**Laying down the common rules of the air and operational
provisions regarding services and procedures in air
navigation**

**Who this NPA applies to: Air Traffic Services Provider, Air Traffic Controllers,
Air Operators and Flight Crews**



NOTICE OF PROPOSED AMENDMENT

NPA 01/17

Table of Contents

Paragraph 1 - Introduction1

Paragraph 2 - Objective2

Paragraph 3 – Regulation Proposal.....3

Paragraph 4 – Affected Organisations/Persons3

Paragraph 5 - Presentation3

Paragraph 6 - How to submit comments on this NPA3

Paragraph 7 – Summary of Response4

Paragraph 6 – Comment Sheet5



NOTICE OF PROPOSED AMENDMENT

1. INTRODUCTION

1.1 The Republic of Seychelles' aviation safety requirements are currently contained in the Civil Aviation Act, Civil Aviation (Safety) Regulation 2017, Directives and Technical Standards. It has become SCAA policy that the Civil Aviation Regulations are gradually amended to reflect ICAO Annex SARPs and industry best practice of adopting or adapting European Aviation Safety Agency (EASA) implementing regulations.

This NPA applies to rules of the air and operational provisions regarding services and procedures in air navigation.

1.2 The purpose of this NPA is to:

- (a) Initiate the process of formal aviation industry consultation on the proposed amendment to the rules of the air regulations;
- (b) Ensure the adequacy of regulation governing operations of SCAA registered in accordance with ICAO SARPS and international best regulatory practices; and
- (c) Determine the effect on the affected organisations/persons of the proposed amendment to the rules of the air regulation.

1.3 The SCAA now seeks comments on this proposal from the aviation industry before proceeding further.

1.4 Abbreviations

NPA	Notice of Proposed Amendment
SARPs	ICAO Standards and Recommended Practices
SCAA	Seychelles Civil Aviation Authority

2. OBJECTIVE

2.1 The objective of this NPA is to amplify the existing legislation (Civil Aviation Act, Part II, Section 3) in accordance with the latest amendments to ICAO Annex 2 some of which the Seychelles has filed differences to ICAO because they did not exist in the set of rules of the air contained in the repealed Air Navigation Order, Revised Edition of 1991;

2.2 A number of regulatory criteria have been identified to guide the development of the Civil Aviation Regulations. The criteria require that the new regulation should:

- (a) be clear, concise and unambiguous;
- (b) be consistent with the Republic of Seychelles' international obligations;

NOTICE OF PROPOSED AMENDMENT

- (c) be harmonised with ICAO SARPS, unless unique SCAA circumstances require otherwise;
- (d) be outcome-based, to the greatest extent practicable;
- (e) be cost effective or cost neutral; and
- (f) be enforceable.

3. REGULATION PROPOSAL

- 3.1 The SCAA believe that revision and modification of existing regulation along the lines of the ICAO Annex 2 is appropriate and consistent with SCAA objectives and regional harmonisation. Amendment action is planned for June 2017

4. AFFECTED ORGANISATIONS/PERSONS

- 4.1 The organisations/persons affected by this NPA are the:
 - (a) Air Traffic Services and air traffic controllers;
 - (b) Air Operators and flight crews;
- 4.2 Effect on Existing Regulation. This NPA contains all of the necessary amendments to amplify the requirements of Civil Aviation Act, Part II, Section 3.
- 4.3 The effect of the proposed new regulation is considered to be generally cost neutral, with greater operational flexibility and guidance.
- 4.4 There will be no additional change in SCAA inspections and compliance with the proposed regulation will be monitored and enforced through normal SCAA surveillance activity.

5. PRESENTATION

The complete proposed amendment to the rules of the air regulation is issued on the SCAA website (www.scaa.sc).

6. HOW TO SUBMIT COMMENTS ON THIS NPA

The NPA process is the SCAA's method of notifying and seeking comment from industry and the public with respect to proposed changes to regulations. All submissions are evaluated and assessed with a view to incorporating any necessary changes to the draft or proposal to adopt regulations prior to their formal promulgation as law. In order to simplify collation and summarising of comments, it is requested that comments be made on the NPA Comment Sheet provided (Refer page 5) or a copy of the sheet, with additional comments attached as necessary.



NOTICE OF PROPOSED AMENDMENT

Comments can be individual or from aviation industry working groups. Written comments quoting NPA 01/17 should be forwarded by 30th June 2017 to the Head Air Navigation Services and Air Traffic Controller Licensing Inspectorate and the Head Flight Operations and Flight Crew Licensing Inspectorate, as applicable to your domain.

7. SUMMARY OF RESPONSES

Subsequent to the closing date for comments, a Summary of Responses will be made publicly available in conjunction with the issue of the final Regulations for each Part. The SCAA may contact persons in respect to submissions in order to clarify issues, but is not obliged to individually acknowledge or respond to comments or submissions.

A handwritten signature in blue ink, appearing to read 'Joseph G. Lajoie', is positioned above the printed name and title.

Joseph G. Lajoie
Head Air Navigation Services &
Air Traffic Controller Licensing Inspectorate
Safety Regulation Division



NOTICE OF PROPOSED AMENDMENT

NPA 01/17 COMMENT SHEET

Please return this comment sheet by 30th June 2017 to the Head Air Navigation Standards and Air Traffic Controller Licensing Inspectorate and the Head Flight Operations and Flight Crew Licensing Inspectorate as applicable to your domain. Please indicate your acceptance or otherwise of the proposal by ticking [✓] the appropriate box below. Any additional constructive comments, suggested amendments or alternative action will be welcome and may be provided on this comment sheet or by separate correspondence.

- The proposals are ***acceptable without change.***
- The proposals are ***acceptable but would be improved if the following changes were made:*** (Please provide explanatory comment).
- The proposals are ***not acceptable but would be acceptable if the following changes were made:*** (Please provide explanatory comment).
- The proposals are ***not acceptable under any circumstances.*** (Please provide explanatory comment).



NOTICE OF PROPOSED AMENDMENT

[] Any other comments.

Name:

Organisation:

Address/Contact No:

Signed:

Date:



NOTICE OF PROPOSED AMENDMENT