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The following is published as Supplement to this *Gazette* :

<i>S. I. No.</i>	<i>Short Title</i>	<i>Page</i>
43	Part 12—Aerodrome Regulations	B 841-919
44	Part 14—Air Navigation Services Regulations	B 921-1082
45	Part 15—Safe Transport of Dangerous Goods by Air Regulations	B 1083-1099
46	Part 16—Environmental Protection Regulations	B 1101-1105
47	Part 17—Aviation Safety Regulations	B 1107-1160
48	Part 18—Economic Regulations	B 1161-1245
49	Part 19—Consumer Protection Regulations	B 1247-1260
50	Part 20—Citation, Repeals and Offences	B 1261-1273

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BACKGROUND

The Nigerian Civil Aviation Regulations (Nigerian CAR) was first promulgated in 2006 to provide national requirements in line with the provisions of the Civil Aviation Act 2006 and for standardized operational procedures, equipments and infrastructure including safety management and training system in conformity with Standard and Recommended Practices (SARPs) contained in the Annexes to the Chicago Convention.

The Nigerian CAR 2006 was presented in 18 parts comprising of the following :

Part 1 – General Policies and Definition ;

Part 2 – Personnel Licensing ;

Part 3 – Aviation Training Organization ;

Part 4 – Registration and Marking ;

Part 5 – Airworthiness ;

Part 6 – Approved Maintenance Organization ;

Part 7 – Instrument and Equipment ;

Part 8 – Operations ;

Part 9 – Air Operator Certification and Administration ;

Part 10 – Commercial Air Transport by Foreign Air Carrier within Nigeria ;

Part 11 – Commercial Aircraft Operations used for Specialized Services (Aerial Works) ;

Part 12 – Aerodrome Regulations ;

Part 14 – Air Navigation Services ;

Part 15 – Carriage of Dangerous Goods by Air ;

Part 16 – Environmental Protection Regulations ;

Part 17 – Aviation Security ; and

Part 18 – Offences.

The Nigerian CAR 2006 (Parts 1 to 11) was amended to bring the Regulations into conformity with ICAO Model Regulations and issued as Nigeria Civil Aviation Regulations 2009, while Parts 12 to 18 of the 2006 Regulations continued in force.

The Nigeria Civil Aviation Regulations 2009 (Nig.CARs 2009) comprises of 11 Parts to wit :

Part 1 – General Policies, Procedures and Definitions ;

Part 2 – Personnel Licensing ;

Part 3 – Approved Training Organization ;

Part 4 – Aircraft Registration and Marking ;

Part 5 – Airworthiness ;

Part 6 – Approved Maintenance Organization ;

Part 7 – Instrument and Equipment ;

Part 8 – Operations ;

Part 9 – Air Operator Certification and Administration ;

Part 10 – Commercial Air Transport by Foreign Air Operators within Nigeria ; and

Part 11 – Aerial Works.

These Regulations presented as Nigeria Civil Aviation Regulations 2012 (Nig.CARs 2012) comprising of Parts 12 to 20 is promulgated to repeal and replace Nigerian CAR 2006, Parts 12 to 18.

The Nigeria Civil Aviation Regulations 2012 consists of 9 Parts namely :

Part 12 – Aerodrome Regulations ;

Part 14 – Air Navigation Services Regulations ;

Part 15 – The Safe Transport of Dangerous Goods by Air Regulations ;

Part 16 – Environmental Protection Regulations ;

Part 17 – Aviation Safety Regulations ;

Part 18 – Economic Regulations :

Part 19 – Consumer Protection Regulations ; and

Part 20 – Citation, Repeals and Offences.

Each Part to these Regulations contains Implementing Standards which provides detailed requirements that support the intent of the Regulation in the Part and unless otherwise indicated have the legal force and effect of the referring Regulation.

Nig.CARs 2009 Parts 1 to 11 and Nig.CARs 2012 Parts 12 to 20 together shall be referred to as Nig.CARs 2009 Volume I and Nig.CARs 2012 Volume II respectively.

Part 1 of Nig.CARs 2009 Vol.I which contains rules of construction of the Regulations, general administrative rules governing testing, licences, certificates, investigative and enforcement procedures, exemptions and the definitions used in these Regulations shall be of general application to all the Parts in Nig.CARs Volume I and Volume II.

These Regulations constitute the second amendments to the Nigerian Civil Aviation Regulations since its promulgation in November 2006.

MADE this 7th day of November, 2012.

DR H. O. DEMUREN,
Director-General.

NIGERIA CIVIL AVIATION REGULATIONS 2012



ARRANGEMENTS OF REGULATIONS

Regulation :

Part 12 — Aerodrome Regulations.

Part 14 — Air Navigation Services Regulations.

Part 15 — The Safe Transport of Dangerous Goods by Air.

Part 16 — Environmental Protection Regulations.

Part 17 — Aviation Safety Regulations.

Part 18 — Economic Regulations.

Part 19 — Consumer Protection Regulations.

Part 20 — Citation, Repeals and Offences.

PART 12 — AERODROME REGULATIONS

INTRODUCTION

Part 12 provides for the certification of Aerodromes and Heliports and the issuance of operating certificate.

Part 12 is presented in 13 sections dealing with Aerodrome Certification, Aerodrome Manual, Aerodrome Design Requirements, Obligations of Aerodrome Operator, Operation of a Heliport, Heliport Certification, Heliport Manual, Heliport Design Requirements and Obligations of a Heliport Operator.

These Regulations incorporate the Standard and Recommended Practices (SARPs) in Annex 14 to the Chicago Convention as well as the provisions of the Aerodrome Standards Manual (ASM).

PART 12—AERODROME REGULATIONS

ARRANGEMENT OF AERODROME REGULATIONS

Introduction

- 12.1 General
 - 12.1.1 Applicability
 - 12.1.2 Definitions and Abbreviations
 - 12.1.3 Establishment of Aerodromes in Nigeria
 - 12.1.4 Operation of Aerodromes in Nigeria
 - 12.1.5 Restrictions
 - 12.1.6 Prohibitions
 - 12.1.7 Obstacle Limitations
 - 12.1.8 Register of Certificates
- 12.2 Exemptions
- 12.3 Aerodrome Certification
 - 12.3.1 Requirement for an Aerodrome Certificate
 - 12.3.2 Application for an Aerodrome Certificate
 - 12.3.3 Grant of an Aerodrome Certificate
 - 12.3.4 Refusal to Grant an Aerodrome Certificate
 - 12.3.5 Duration of an Aerodrome Certificate
 - 12.3.6 Renewal of an Aerodrome Certificate
 - 12.3.7 Suspension of an Aerodrome Certificate by the Authority
 - 12.3.8 Revocation of an Aerodrome Certificate by the Authority
 - 12.3.9 Transfer of an Aerodrome Certificate
 - 12.3.10 Voluntary surrender of an Aerodrome Certificate
 - 12.3.11 Endorsement of conditions of an Aerodrome Certificate
 - 12.3.12 Amendment of an Aerodrome Certificate
 - 12.3.13 Interim Aerodrome Certificate
- 12.4 Aerodrome Manual
 - 12.4.1 Preparation of the Aerodrome Manual
 - 12.4.2 Information to be included in the Aerodrome Manual
 - 12.4.3 Location of the Aerodrome Manual
 - 12.4.4 Amendment of the Aerodrome Manual
 - 12.4.5 The Authority's Acceptance or Approval of the Aerodrome Manual
 - 12.4.6 Aerodrome Manual Controller
- 12.5 Aerodrome Design Requirements
- 12.6 Obligations of the Aerodrome Operator
 - 12.6.1 General
 - 12.6.2 Compliance with Standards and Practices
 - 12.6.3 Competence of Operational and Maintenance Personnel
 - 12.6.4 Aerodrome Operations and Maintenance
 - 12.6.5 Aerodrome Operator's Safety Management System
 - 12.6.6 Aerodrome Operator's Internal Safety Audits and Reporting
 - 12.6.7 Access to the Aerodrome by Authorised Inspectors
 - 12.6.8 Removal of Obstructions from the Aerodrome Surface

- 12.6.9 Warning Notices
- 12.6.10 Retention of Records
- 12.6.11 Aerodrome Data
- 12.6.12 Notifying and Reporting
- 12.6.13 Visual Aids for Navigation
- 12.6.14 Works on Aerodrome
- 12.6.15 Aerodrome Emergency Plan
- 12.6.16 Rescue and Fire Fighting at Aerodromes
- 12.6.17 Apron Control and Management Services
- 12.6.18 Ground Vehicles and Pedestrians
- 12.6.19 Protection of Navigational Aids
- 12.6.20 Aerodrome Inspection Programme
- 12.6.21 Public Protection and Aerodrome Security
- 12.6.22 Aeronautical Studies
- 12.6.23 Aerodrome Wildlife Planning and Management
- 12.6.24 Pavement Strength and Overload Operations
- 12.6.25 Quality Control Programme
- 12.6.26 Environmental Protection
- 12.6.27 Removal of Disabled Aircraft
- 12.6.28 Handling and Storage of Aviation Fuel
- 12.7 USE OF HELIPORTS
- 12.7.1 General
- 12.7.1.1 Applicability
- 12.7.2 Establishment of Heliports in Nigeria
- 12.8.1 Operation of Heliports
- 12.9 Exemptions
- 12.10 Heliport Certification
- 12.10.1 Requirement to Hold Heliport Certificate
- 12.10.2 Application for Heliport Certificate
- 12.10.3 Grant of Heliport Certificate
- 12.10.4 Refusal to Grant Heliport Certificate
- 12.10.5 Duration of Heliport Certificate
- 12.10.6 Renewal of Heliport Certificate
- 12.10.7 Suspension of Heliport Certificate by the Authority
- 12.10.8 Revocation of Heliport Certificate by the Authority
- 12.10.9 Endorsement of Condition on Heliport Certificate
- 12.10.10 Amendment of Heliport Certificate
- 12.10.11 Voluntary Surrender of Heliport Certificate
- 12.10.12 Transfer of Heliport Certificate
- 12.10.13 Interim Heliport Certificate
- 12.11 Heliport Manual
- 12.11.1 Preparation of Heliport Manual
- 12.11.2 Location of Heliport Manual
- 12.11.3 Information to be included in the Heliport Manual
- 12.11.4 Form of Heliport Manual

- 12.11.5 Amendment of Heliport Manual
- 12.11.6 Notice of Amendments
- 12.11.7 The Authority's Acceptance or Approval of the Heliport Manual
- 12.11.8 Heliport Manual Controller
- 12.12 Heliport Design Requirements
- 12.13 Obligations of the Heliport Operator
 - 12.13.1 Compliance with Standards and Practices
 - 12.13.2 Competence of Operational and Maintenance Personnel
 - 12.13.3 Heliport Operation and Maintenance
 - 12.13.4 Heliport Operator's Safety Management System
 - 12.13.5 Heliport Operator's Internal Safety Audit/Reporting
 - 12.13.6 Access to the Heliport
 - 12.13.7 Heliport Inspection
 - 12.13.8 Removal of Obstructions from the Heliport Surface
 - 12.13.9 Public Protection and Heliport Security
 - 12.13.10 Heliport Data
 - 12.13.11 Notifying and Reporting
 - 12.13.12 Physical Characteristics
 - 12.13.13 Visual Aids
 - 12.13.14 Rescue and Fire Fighting at Heliports
 - 12.13.15 Heliport Emergency Management Systems
 - 12.13.16 Aeronautical Studies

IMPLEMENTING STANDARDS (IS)

- IS 12.4.2 Information to be included in the Aerodrome Manual
- IS 12.6.16.6(a) Extinguishing Agents and Equipment
- IS 12.6.16.10(b) Training of Personnel
- IS 12.6.16.10(d) Fire Fighter Qualifications
- IS 12.6.16.13 Communication and Alerting System
- IS 12.6.23.1 Wildlife Planning Management – Application
- IS 12.6.23.3 Risk Analysis
- IS 12.6.23.4 Airport Wildlife Management Plan
 - IS 12.6.23.4.2 Content of Airport Wildlife Management Plan
 - IS 12.6.23.4.3 Training
 - IS 12.6.23.4.4 Communication and Alerting Procedure
- IS 12.11.3 Information to be included in Heliport Manual

S. I. 43 of 2012

PART 12 — AERODROME REGULATIONS

12.1. GENERAL

Applicability.

12.1.1. This Part shall apply to :

- (i) civil aerodromes and heliports ;
- (ii) military airports serving civil aircraft operations ; and
- (iii) those portions of joint-use or shared-use airport under the control of an individual or civil entity and serving civil aircraft operations of any class or category.

12.1.2.1—(a) For the purpose of this Part, the following definitions shall apply : Definitions.

(1) *Aerodrome*—A defined area on land or water including any building, installations and equipment, intended to be used either wholly or in part for the arrival, departure, and surface movement of aircraft.

(2) *Aerodrome Beacon*—Aeronautical beacon used to indicate the location of an aerodrome from the air.

(3) *Aerodrome Certificate*—The certificate to operate an aerodrome issued by the Authority subsequent to the approval of the aerodrome operator's manual.

(4) *Aerodrome Elevation*—The elevation of the highest point of the landing area.

(5) *Aerodrome Facilities and Equipment*—Facilities and equipment, inside or outside the boundaries of an aerodrome, that are constructed or installed and maintained for the arrival, departure, and surface movement of aircraft.

(6) *Aerodrome Operator*—The owner or provider of an aerodrome that is certified for operations by the Authority.

(7) *Aerodrome Manual*—The Manual that forms part of the application for an aerodrome certificate pursuant to these regulations, including any amendments thereto acceptance/approval by the Authority.

(8) *Aerodrome Reference Point*—The designated geographical location of an aerodrome.

(9) *Aerodrome Standards Manual*—A document containing the Aerodrome Standards and guidance materials consistent with the provisions of ICAO Annex 14 Volumes I and II pertaining to the planning, operations and maintenance of aerodrome services, facilities and equipment, to be complied with, by the aerodrome operators.

(10) *Aeronautical Study*—A study of an aeronautical problem to identify possible solutions and select a solution that is acceptable without degrading safety.

(11) *Aeroplane*—A power driven heavier-than-air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

(12) *Aircraft*—Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

(13) *Aircraft Stand*—A designated area on an apron intended to be used for parking an aircraft.

(14) *Air Taxiway*—A defined path on the surface established to permit the movement of helicopters above it while remaining in ground effect at ground speeds not exceeding 37km/h (20kt).

(15) *Air Transit Route*—A defined path on the surface established to permit the movement of helicopters above it, normally at heights not above 30m (100ft) above ground level and at ground speeds in excess of 37 km/h (20kt).

(16) *Approach Surface*—An inclined plane or a combination of planes sloping upwards from the end of the safety area, centered on a line passing through the centre and through which no obstacle may penetrate.

(17) *Apron*—A defined area on an aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

(18) *Apron Management Service*—A service provided to regulate the activities and the movement of aircraft and vehicles on an apron.

(19) *Authority*—Refers to the Nigerian Civil Aviation Authority.

(20) *Certified Aerodrome*—An aerodrome whose operator has been granted an aerodrome certificate by the Authority.

(21) *Elevated Heliport*—An area on a raised structure on land designated for the arrival and departure of helicopters.

(22) *Emergency Operations Centre*—A designated area on the aerodrome used in supporting and co-ordinating operations at airport emergencies.

(23) *Full-scale Emergency Exercise*—Assembling and utilisation of all the resources that would be available and used in a real emergency.

(24) *Final Approach and Take-off Area (FATO)*—A defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. And, where the FATO is to be used by performance Class 1 helicopters, it includes the Rejected Take-Off Area.

(25) *Fragile Object*—An object of low mass designed to break, distort, or yield on impact so as to present the minimum hazard to aircraft.

(26) *Ground Effect*—The reaction to the downward airflow through the helicopter rotor striking the ground or water, which enhances the lift forces acting on the helicopter.

(27) *Ground Taxiway*—A defined path on the surface established to permit the movement over the ground of wheeled helicopters under their own power.

(28) *Helicopter*—A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power driven rotors on substantially vertical axis.

(29) *Helicopter Clearway*—A defined area on the surface beyond the Rejected Take-Off Distance Available (RTODAH) and under the control of the appropriate authority, selected and / or prepared as a suitable area over which a performance Class I helicopter may accelerate and achieve a specific height and in which lightweight and fragile objects only are permitted.

(30) *Helideck*—An area located on a floating or fixed structure offshore designated for use by helicopters.

(31) *Heliport*—An aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movements of helicopters.

(32) *Heliport Elevation*—The elevation of the highest point of the landing area.

(33) *Heliport Reference Point*—The designated geographical location of a heliport.

(34) *Heliport Safety Area*—On a heliport, a defined area surrounding the FATO which is free of obstacles, other than those required for air navigation purposes, and intended to reduce the risk of damages to helicopters, accidentally diverging from the FATO.

(35) *Inner Horizontal Surface*—A circular surface located in a horizontal plane above the Final Approach And Take-Off area (FATO) and its environs and designated to allow safe visual manoeuvring by helicopters.

(36) *Joint Use Airport*—Any airport jointly used for both civil and military aircraft operations.

(37) *Landing Area*—The part of a movement area intended for the landing or take-off of aircraft.

(38) *Landing Distance Available (LDAH)*—The length of the (FATO) plus any additional area declared available and suitable for helicopters to complete the landing manoeuvre from a defined height.

(39) *Manoeuvring Area*—That part of an aerodrome to be used for the take-off, landing, and taxiing of aircraft, excluding aprons.

(40) *Marker*—An object displayed above ground level in order to indicate an obstacle or delineate a boundary.

(41) *Marking*—A symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information.

(42) *Movement Area*—That part of an aerodrome to be used for the take-off, landing, and taxiing of aircraft, consisting of the manoeuvring area and the apron.

(43) *Obstacle*—All fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are located on an area intended for the surface movement of aircraft ; or that extend above a defined surface intended to protect aircraft in flight ; or stand outside those defined surfaces and that have been assessed as being a hazard to air navigation.

(44) *Obstacle Free Zone (OFZ)*—The airspace above the inner approach surface, inner transitional surfaces and balked landing surface and that portion of the strip bounded by these surfaces, which is not penetrated by any fixed obstacle other than a low-mass and frangibly mounted one required for air navigation purposes.

(45) *Obstacle Limitation Surfaces*—Series of surfaces that define the volume of airspace at and around an aerodrome to be kept free of obstacle in order to permit the intended aircraft operations to be conducted safely and to prevent the aerodrome from becoming unusable by the growth of obstacles around the aerodrome.

(46) *On-scene Commander*—Person designated to take charge of the overall emergency operations.

(47) *Rejected Take-off Distance Available (RTODAH)*—The length of the FATO declared available and suitable for helicopters operated in performance Class 1 to complete a rejected take-off.

(48) *Runway*—A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

(49) *Runway Strip*—A defined area including the runway and stopway, if provided, intended :

(a) to reduce the risk of damage to aircraft running off a runway ; and

(b) to protect aircraft flying over it during take-off or landing operations.

(50) *Runway Visual Range (RVR)*—The range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.

(51) *Shoulder*—An area adjacent to the edge of a pavement so prepared as to provide a transition between the pavement and the adjacent surface.

(52) *Safety Management System*—A system for the management of safety at aerodromes including the organisation structure, responsibilities, procedures, process and provisions for the implementation of aerodrome safety policies by an aerodrome operator, which provides for the control of safety at, and the safe use of the aerodrome.

(53) *Safety Area*—A defined area made up of either a runway or taxiway and the surrounding surfaces that are prepared or suitable for reducing the risk of damage to aircraft in the event of an undershoot, overshoot, or excursion from a runway or the unintentional departure from a taxiway.

(54) *Shared Use Airport*—Any airport owned and operated by the Ministry of Defence, a portion of which is leased to a person or civilian entity for the provision of civil aircraft operations.

(55) *Taxiway Strip*—An area including a taxiway intended to protect an aircraft operating on a taxiway and to reduce the risk of damage to an aircraft accidentally running off the taxiway.

(56) *Unserviceable Area*—A part of the movement area that is unfit and unavailable for use by aircraft.

(57) *Work Area*—A part of an aerodrome in which maintenance or construction works are in progress.

(58) *Wildlife Hazard*—A potential for a damaging aircraft collision with birds or animals on or near an aerodrome.

12.1.2.1—(b)

Abbreviations.

1. ACN	Aircraft Classification Number
2. AEP	Aerodrome Emergency Plan
3. AIP	Aerodrome Information Publication
4. AIS	Aeronautical Information Services
5. ASDA	Accelerate-Stop Distance Available
6. ATC	Air Traffic Control
7. ATS	Air Traffic Services
8. AT-VASIS	Visual Approach Slope Indicator System
9. BRS	Baggage Reconciliation System
10. DAAS	Directorate of Aerodrome and Airspace Standards
11. ELT	Emergency Locator Transmitter
12. FATO	Final Approach and Take-Off Area
13. FIDS	Flight Information Display System
14. Ft	Feet
15. HAPI	Helicopter Approach Path Indicator
16. IBIS	International Birdstrike Information System
17. ICAO	International Civil Aviation Organization
18. ILS	Instrument Landing System
19. IS	Implementing Standards
20. Km/h	Kilometer per hour
21. Kt	Knot
22. LDA	Landing Distance Available
23. NCAA	Nigerian Civil Aviation Authority
24. NOTAM	Notice to Airmen
25. OFZ	Obstacle Free Zone
26. PAPI	Precision Approach Path Indicator
27. PCN	Pavement Classification Number
28. R/T	Radio Telephony
29. RTOA	Rejected Take-Off Area
30. RTODAH	Rejected Take-Off Distance Available (Heliport)

31. RVR	Runway Visual Range
32. SMGCS	Surface Movement Guidance and Control Systems
33. TLOF	Touchdown and Lift-Off Area
34. TODA	Take-Off Distance Available
35. TORA	Take-Off Run Available
36. T-VASIS	Visual Approach Slope Indicator System
37. VOR	Very High Frequency Omni-directional Radio Range

Establishment
of
Aerodromes
in Nigeria.

12.1.3.—(a) The Minister may approve the establishment and development of aerodromes anywhere in Nigeria ;

(b) Roads, approaches, apparatus, equipment, buildings and other accommodations in connection to such aerodromes shall be maintained by the owners in conformity with these regulations and any other requirement as may be prescribed by the Authority from time to time.

Operation of
Aerodromes.

12.1.4.1.—(a) No person shall operate an aerodrome in Nigeria specified in section 12.3.1 for take-off and landing of aeroplanes unless such person is a holder of an Aerodrome Certificate granted by the Authority under these Regulations.

(b) The provision of 12.1.4.1a above does not include aerodromes owned by the Federal Government which are designated in the Nigeria Aeronautical Information Publication as airstrip and notified as available for take-off and landing of such aircraft in respect of which the Minister has given permission for the particular to take-off or land in accordance with any conditions subject to which such permission may have been granted shall be subject to safety oversight by the Authority.

(c) Operations of airstrips not designated in the Nigeria Aeronautical Information Publication shall be at the users' discretion.

12.1.4.2.—(a) Subject to the approval of the Ministry of Defence, a military Airport and shared-use airport may be authorised by the Authority for use by civil aircraft, upon acceptance/approval of a written application by an individual or civil entity intending to use the facility for civil aviation purposes.

(b) The approval or authorisation referred to in (a) above may be granted under such condition and for such period, which the Authority may determine, if the Authority is satisfied that the provisions of this regulation have been met and the use of such Airport by such operator will not jeopardise aviation safety.

Restrictions.

12.1.5.1. The Authority shall restrict or prohibit flights by night from, or at any aerodrome at which adequate facilities for night flights are lacking; or where the terrain or other objects in the vicinity of the aerodrome could cause a hazard to the operation of aeroplanes or helicopters used in night flights.

12.1.5.2. The Authority shall restrict or prohibit operation at an aerodrome either absolutely or subject to any exceptions or conditions that the Authority shall specify, if the restriction is necessary for aviation safety and/or in the public interest.

12.1.6.1. Except with the approval of the aerodrome operator, no aircraft operator shall park or abandon used or unused aircraft on the airside of the aerodrome.

12.1.6.2. Except with the approval of the certified aerodrome operator, no person shall :

(a) drive a vehicle into restricted areas of the aerodrome, or the terminal building ; or

(b) obstruct an entrance to or passage in the terminal building in such a manner as to inconvenience other aerodrome users.

12.1.6.3. No person shall, on a certified aerodrome :

(a) obstruct or interfere with the authorised use of the aerodrome ;

(b) obstruct any employee of the aerodrome operator acting in the execution of his or her duty in relation to the aerodrome ;

(c) throw, leave, or drop anything capable of causing injury to any person or damage to property ;

(d) dump any waste matter whatsoever elsewhere other than a place designated and approved for the purpose by the aerodrome operator ;

(e) commit any nuisance, disorderly, or indecent act, write, draw or affix any profane, obscene or abusive materials on aerodrome ;

(f) spill or release substances capable of causing air, water, or soil pollution.

12.1.6.4. Except with permission of the certified aerodrome operator, no person shall :

(a) interfere or tamper with any part of the aerodrome or any equipment associated with the operation of the aerodrome ;

(b) gain access through restricted structures ;

(c) carry out trade of any level and magnitude including foreign exchange ;

(d) advertise in the aerodrome ;

(e) handle passengers and baggage, or confront passengers and aerodrome users for unsolicited service.

12.1.6.5. Except with the approval of the aerodrome operator, no person shall supply any fuel to any aircraft except at a place and in a manner approved by the aerodrome operator.

12.1.6.6. The aerodrome operator shall subject any approval granted under this subsection to compliance with such conditions as the aerodrome operator may impose in order to safeguard the safety of persons and property on the aerodrome.

12.1.7.1. Any person who proposes any of the following construction or alteration shall notify the Authority :

- (a) Any high-rise construction or alteration above the ground level at its site ;
- (b) Any construction or alteration which extends above an obstacle limitation surface prescribed in Chapter 8 of the Aerodrome Standards Manual ;
- (c) Any highway, railroad or other transverse way for mobile objects of which if adjusted upwards 4.8m for roads and highways, 5.4m for railroads or the height of the highest mobile object that would traverse the road will not exceed the standard of paragraph (b) of this section ;
- (d) Any construction or alteration on any of the following :
 - (1) airport, heliport or landing facility ;
 - (2) An airport under construction that is subject of a notice or proposal on file with the Authority.

12.1.7.2. An aeronautical study shall be conducted by the Authority of any construction or alteration for which a notice is submitted under paragraphs (a)-(d) of section 12.1.7.1 to determine the effect of the proposal upon the operation of air navigation facilities and the safe and efficient use of the navigable airspace.

12.1.7.3. The study may include the physical and electromagnetic radiation effect the proposal may have on the operation of air navigation facility.

12.1.8.1.—(a) The Authority shall maintain a register of all aerodrome certificates issued under these Regulations.

(b) The Authority shall also maintain a register of all aerodromes situate in Nigeria whether certified or not.

12.1.8.2. The registers shall contain the following particulars—

- (a) the full name, and if any, the trade name of the holder of the certificate ;
- (b) the postal address of the holder of the certificate or owner of the aerodrome ;
- (c) the name and the location of the aerodrome ;
- (d) the number of the certificate issued (for certified aerodrome) ;
- (e) file reference number of the initial and each subsequent safety inspection record and audit report in respect of each aerodrome certified ;
- (f) the nationality of the holder of the certificate or owner of the aerodrome.

12.1.8.3. The particulars referred to in section 12.1.8.2 will be recorded in the register within seven (7) days from the date on which the certificate was issued by the Authority.

12.1.8.4. The register shall be kept in a safe place at the office of the Director General.

12.1.8.5. Persons who intend to access the register for the purpose of obtaining information shall apply in writing to the Authority and shall pay the appropriate search fees as may be prescribed by the Authority.

12.2.—(a) The Authority may exempt, in writing, an aerodrome operator from complying with specific provisions of these Regulations ;

(b) Before the Authority decides to exempt the aerodrome operator, the Authority must take into account all safety related aspects ;

(c) An exemption is subject to the aerodrome operator complying with the conditions and procedures specified by the Authority in the Aerodrome Certificate as being necessary in the interest of safety ;

(d) When an aerodrome does not meet the requirement of a standard or practice specified in the Aerodrome Standards Manual, these Regulations and other relevant documents, the Authority may determine, after evaluating the aeronautical studies conducted by the Aerodrome Operator, the conditions and procedures that are necessary to ensure a level of safety equivalent to that established by the relevant Regulations ;

(e) Deviation from these Regulations and the conditions and procedures referred to in section 12.3.11 shall be set out in an endorsement on the Aerodrome Certificate and published in the AIP.

12.3. AERODROME CERTIFICATION

12.3.1. All Aerodromes in Nigeria used for international and domestic operations shall be certified in accordance with these Regulations.

Requirement
for an
Aerodrome
Certificate.

(a) The operator of an aerodrome designated for public use shall be in possession of an aerodrome certificate. This also applies to aerodromes owned by corporate entities engaged in business activities.

(b) An aerodrome certificate is required if :

(i) the maximum take-off mass of the aircraft exceeds 2 730 kg ; or

(ii) the aerodrome is designated for night operations.

(c) The operator of an aerodrome for which an aerodrome certificate is not required may nevertheless apply for an aerodrome certificate, for which a fee may be charged.

12.3.2. An application for the issuance of an Aerodrome Certificate shall be made to the Authority in the form and manner prescribed by the Authority. The application shall include :

Application
for an
Aerodrome
Certificate.

(1) the Aerodrome manual ;

(2) the plans of the Aerodrome including obstacle chart as specified in IS 12.4.2(2) ;

(3) security clearance from the Federal Government ;

(4) written approval from the town planning authority ;

(5) Environmental Impact Assessment approval from the Ministry of Environment ;

(6) the appropriate fee as prescribed by the Authority ; and

(7) adequate insurance cover.

Grant of an
Aerodrome
Certificate.

12.3.3.—(a) Subject to the provisions in sections 12.3.3 (b) and 12.3.4, the Authority may approve the application and accept/approve the aerodrome manual submitted under section 12.3.2 and grant an aerodrome certificate to the applicant.

(b) Before granting an aerodrome certificate, the Authority shall be satisfied that :

(i) the applicant and his or her staff have the necessary competence and experience to operate and maintain the aerodrome properly ;

(ii) the aerodrome manual prepared for the applicant's aerodrome and submitted with the application contains all the relevant information ;

(iii) the aerodrome facilities, services and equipment are in accordance with the standards specified in the Aerodrome Standards Manual and these Regulations ;

(iv) the aerodrome operating procedures make satisfactory provision for the safety of aircraft ; and

(v) an acceptable safety management system is in place at the aerodrome.

Refusal to
grant an
Aerodrome
Certificate.

12.3.4. If the Authority refuses to grant an Aerodrome Certificate to an applicant, the Authority shall give the applicant a written notice stating the reasons for the refusal, not later than 14 days after the date of refusal.

Duration of
an
Aerodrome
Certificate.

12.3.5. An Aerodrome Certificate remains in force for a period of one year, unless it is suspended or revoked by the Authority.

Renewal of
an
Aerodrome
Certificate.

12.3.6. An aerodrome operator shall ensure that renewal of his or her Aerodrome Certificate is commenced not less than 90 days to the date of expiration of his or her certificate.

Suspension
of an
Aerodrome
Certificate
by the
Authority.

12.3.7.—(a) The Authority shall, by written notice to the holder of an aerodrome certificate ; suspend an aerodrome certificate if :

(1) a condition to which the certificate is subject has been breached ; or

(2) the aerodrome facilities, operations or maintenance are not of the standard required in the interests of the safety of air navigation ; or

(3) the aerodrome operator's safety management system is found to be inadequate ;

(4) it is in the interest of operational safety ;

(5) all other means for timely correction of the unsafe condition or ensuring safe aircraft operations have not yielded the required results ;

(6) the technical proficiency or qualifications of the aerodrome operator to perform the duties to meet the critical safety requirements in accordance with the regulations are found inadequate ;

(7) the operator resists or is unwilling to take action to correct or mitigate the condition affecting aviation safety ; or

(8) the operator willfully fails to perform an already agreed upon corrective action and suspension of the certificate is the last resort to avoid unsafe operations in the aerodrome movement area ;

(b) Before suspending an Aerodrome Certificate, the Authority shall give to the holder a show cause notice that :

(1) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension ; and

(2) invite the holder to show cause, in writing within 14 days after the date of the notice, why the certificate should not be suspended.

(c) The Authority shall take into account any written submission that the holder makes to the Authority within the time allowed.

12.3.8.—(a) The Authority shall, by written notice given to the holder of an aerodrome certificate, revoke an aerodrome certificate if :

Revocation
of an
Aerodrome
Certificate
by the
Authority.

(1) the aerodrome operator is incapable or unwilling to carry out corrective action or has committed or repeated serious violations ;

(2) the aerodrome operator has demonstrated a lack of responsibility, such as deliberate and flagrant acts of non-compliance or falsification of records jeopardizing aviation safety ; or

(3) the aerodrome operator has made it convincingly clear that the continued operation of the aerodrome will be detrimental to the public interest ;

(b) Before revoking an Aerodrome Certificate, the Authority shall give to the holder a “show cause notice” that :

(1) sets out the facts and circumstances that, in the opinion of the Authority, would justify the revocation ;

(2) invites the holder to show cause, in writing, within 14 days after the date of the notice, why the certificate should not be revoked ; and

(3) Notwithstanding the provisions of paragraph 12.3.8.2(b)(2), if the Authority finds that immediate revocation is required for the safety of air transportation, the Authority may revoke the Aerodrome Certificate, without stay on the date stipulated by the Authority.

(c) The Authority shall take into account any written submission that the holder makes to the Authority within the time allowed.

12.3.9.—(a) The Authority may approve the transfer of an Aerodrome Certificate when :

Transfer of
an
Aerodrome
Certificate.

(1) the current holder of the Aerodrome Certificate notifies the Authority in writing, at least 90 days before ceasing to operate the Aerodrome ;

(2) the current holder of the Aerodrome Certificate notifies the Authority in writing, of the name of the transferee ;

(3) the transferee applies to the Authority in writing, within 90 days before the current holder of the Aerodrome Certificate ceases to operate the aerodrome ; and

(4) the requirements set out in section 12.3.3 (b) are met by the transferee.

(b) If the Authority does not consent to the transfer of an Aerodrome Certificate, it shall notify the transferee in writing, of its reasons not later than 30 days after making that decision.

Voluntary
Surrender of
an
Aerodrome
Certificate.

12.3.10.—(a) The holder of an Aerodrome Certificate shall give the Authority not less than 30 days written notice of the date on which the certificate is to be surrendered in order that suitable action can be taken.

(b) The Authority shall cancel the certificate on the date specified in the notice.

Endorsement
of
Conditions
of an
Aerodrome
Certificate.

12.3.11.—(a) The Authority, when granting the Aerodrome Certificate shall endorse the Conditions for the type and use of the aerodrome and other details in the Aerodrome Certificate ;

(b) The general and specific conditions to be endorsed on the aerodrome certificate are as contained in the Aerodrome Standards Manual.

Amendment
of an
Aerodrome
Certificate.

12.3.12. Provided that the requirements of subsection 12.3.3(b) have been met, the Authority shall amend an Aerodrome Certificate when :

- (a) there is a change in the ownership or management of the aerodrome ;
- (b) there is a change in the use or operation of the aerodrome ;
- (c) there is a change in the boundaries of the aerodromes ; or
- (d) the holder of the Aerodrome Certificate requests amendment.

Interim
Aerodrome
Certificate

12.3.13.—(a) The Authority shall issue an Interim Aerodrome Certificate to the applicant referred to in section 12.3.2 or the proposed transferee of an Aerodrome Certificate referred to in section 12.3.9 authorising the applicant or transferee to operate an Aerodrome if the Authority is satisfied that :

(1) an Aerodrome Certificate in respect of the aerodrome shall be issued to the applicant or transferred to the transferee as soon as the application procedure for the grant or transfer of an Aerodrome Certificate has been completed; and

(2) the grant of the Interim Certificate is in the public interest and is not detrimental to aviation safety.

(b) An Interim Aerodrome Certificate issued pursuant to section 12.3.13(a) shall expire on ;

(1) the date on which the Aerodrome Certificate is issued or transferred,
or

(2) the expiry date specified in the interim Aerodrome Certificate ;
Whichever is earlier.

(c) These regulations apply to an Interim Aerodrome Certificate in the same manner as they apply to an Aerodrome Certificate.

12.4. AERODROME MANUAL

12.4.1.—(a) The operator of a certified aerodrome shall have a manual to be known as the Aerodrome Manual for the aerodrome.

Preparation
of the
Aerodrome
Manual.

(b) The Aerodrome Manual shall :

- (1) be typewritten or printed, and signed by the aerodrome operator ;
- (2) be in a format that is easy to revise ;
- (3) have a system for recording the accuracy of pages or amendments thereto, including a page for logging revisions ; and
- (4) be organised in a manner that will facilitate the preparation, review and acceptance or approval process.

12.4.2. The operator of the aerodrome shall include the following particulars in an aerodrome manual as provided in IS 12.4.2, to the extent that they are applicable to the aerodrome, under the following parts :

Information
to be
included in
the
Aerodrome
Manual.

PART 1. General information set out in Part 1 of the IS 12.4.2 on the purpose and scope of the aerodrome manual; the legal requirement for an aerodrome certificate and an aerodrome manual as prescribed in the national regulations; conditions for use of the aerodrome; the aeronautical information services available and the procedures for their promulgation; the system for recording aircraft movements and the obligations of the aerodrome operator ;

PART 2. Particulars of the aerodrome site as set out in Part 2 of the IS 12.4.2 of these regulations ;

PART 3. Particulars of the aerodrome required to be reported to the aeronautical information service as set out in Part 3 of the IS 12.4.2 of these regulations ;

PART 4. The aerodrome operating procedures and safety measures as set out in Part 4 of the IS 12.4.2 of these regulations. These shall include references to air traffic procedures such as those relevant to low visibility operations. Air traffic management procedures are normally published in the air traffic services manual with a cross-reference to the aerodrome manual ;

PART 5. Details of the aerodrome administration and the safety management system as set out in Part 5 of the IS 12.4.2 of these regulations.

12.4.3.—(a) The aerodrome operator shall provide the Authority with a complete and current copy of the Aerodrome Manual ;

Location of
the
Aerodrome
Manual.

(b) The aerodrome operator shall keep at least one complete and current copy of the Aerodrome Manual at the aerodrome and one copy at the operator's principal place of business if other than the aerodrome ;

(c) The aerodrome operator shall make a copy of the Aerodrome Manual available for inspection by authorised officers of the Authority.

12.4.4.—(a) To maintain the accuracy of the Aerodrome Manual, the Authority shall issue a written directive to an aerodrome operator requiring the operator to alter or amend the manual in accordance with that directive ;

Amendment
of the
Aerodrome
Manual.

(b) The aerodrome operator shall alter or amend the Aerodrome Manual, whenever necessary, in order to maintain the accuracy of the information in the manual ;

(c) The aerodrome operator shall submit in writing a proposed amendment to its Aerodrome Manual to the Authority at least 30 days before the proposed effective date of the amendment or alteration, unless a shorter filing period is allowed by the Authority ;

(d) In the case of amendments initiated by the Authority, the Authority shall notify the operator of the certified aerodrome of the proposed amendment, in writing, fixing a reasonable period within which the operator may submit written information, views, and arguments on the amendment. After considering all relevant materials presented, the Authority shall notify the operator within 30 days of any amendment adopted, or rescind the notice. The amendment becomes effective not less than 30 days after the operator receives notice of it ;

(e) Notwithstanding the provisions of paragraph (d) of this section, if the Authority finds there is an emergency requiring immediate action with respect to the safety of air transportation, the Authority shall issue amendment, effective without stay on the date the operator receive notice of it. In such a case, the Authority shall incorporate the findings of the emergency and a brief statement of the reason for the findings in the notice of the amendment.

The
Authority's
acceptance/
approval of
the
Aerodrome
Manual.

12.4.5. The Authority shall accept or approve the Aerodrome Manual and any amendments thereto, provided they meet the requirement of this part.

Aerodrome
Manual
Controller.

12.4.6. The aerodrome operator shall appoint a person to be the Aerodrome Manual Controller, whose functions shall include :

(a) keeping a record of persons who hold copies of the whole or part of the Aerodrome Manual ;

(b) updating of information in the manual given to those holders referred to in (a).

Aerodrome
Design
Requirements.

12.5.—(a) An applicant for or a holder of an Aerodrome Certificate shall provide the Authority with the following :

- (1) physical characteristics ;
- (2) obstacle limitation surface ;
- (3) visual aids for navigation, denoting obstacle and the restricted use areas ;
- (4) Aerodrome equipment and installation ;
- (5) an airspace classification appropriate to the characteristics of the aircraft it intends to serve, the lowest meteorological minima for each

runway, and the ambient light conditions expected during the operation of aircraft ;

(b) The physical characteristics, obstacle limitation surfaces, visual aids, equipment and installation mentioned above in (1), (2), (3) and (4) shall comply with the aerodrome design standards highlighted in Chapters 7, 8, 9, 10, 11 and 13 of the Aerodrome Standards Manual.

12.6. OBLIGATIONS OF THE AERODROME OPERATOR

12.6.1. The grant of an Aerodrome Certificate obliges the aerodrome operator to ensure the safety, regularity and efficiency of operations at the aerodrome, to allow authorised officers of the Authority access to the aerodrome to carry out safety audits, inspections and testing and to be responsible for notifying and reporting to the Authority as prescribed in these Regulations.

General.

12.6.2. The aerodrome operator shall comply with the standards specified in the Aerodrome Standards Manual and with any conditions endorsed in the Aerodrome Certificate.

Compliance with Standards and Practices.

12.6.3. The aerodrome operator shall employ adequate numbers of qualified and skilled personnel to perform all critical activities for aerodrome operation and maintenance.

Competence of Operational and Maintenance Personnel.

12.6.3.1. The operator shall train all personnel who accesses movement and safety areas and perform duties in compliance with the Requirements of this Regulation. This training shall be completed prior to the initial performance of such duties for persons to be recruited on or after 30th March, 2012 and at least be retrained once every 3 years. The curriculum for initial and recurrent training shall include at least the following areas :

(a) Airport familiarisation, including airport marking, lighting, and signs system ;

(b) Procedures for access to, and operation in, movement areas and safety areas ;

(c) Airport communications, including radio communication between the air traffic control tower and personnel, use of the common traffic advisory frequency if there is no air traffic control tower or the tower is not in operation, and procedures for reporting unsafe airport conditions ;

(d) Duties required under the Aerodrome Operations Manual and the requirements of this regulation ;

(e) Any additional subject areas required under sections 12.6.16, 12.6.18, 12.6.20 and 12.6.23 as appropriate ;

(f) In respect of aerodrome maintenance, the training of personnel shall include the following areas as appropriate :

(1) Maintenance of runway, taxiway and apron (paved and unpaved) ;

(2) Runway and taxiway strips and shoulders and runway end safety areas ;

(3) Airport drainage and fencing ;

(4) Airport Visual aids and electrical systems ;

(5) Passenger and Cargo building facilities.

(g) Make a record of all training completed by each individual in compliance with this section that includes, at a minimum, a description and date of training received and provide the Authority with a copy of this record, if requested ;

(h) As appropriate, comply with the following training requirements :

(1) Aircraft Rescue and Fire Fighting operational requirements ;

(2) Ground Vehicles and Pedestrians ;

(3) Aerodrome Inspection programme ;

(4) Wildlife Hazard management.

12.6.3.2. The aerodrome operator shall implement a programme to upgrade the competency of the personnel referred to in section 12.6.3.1.

Aerodrome
Operations
and
Maintenance.

12.6.4.—(a) Subject to any directives that the Authority shall issue, the aerodrome operator shall operate and maintain the aerodrome in accordance with the procedures set out in the Aerodrome Manual ;

(b) To ensure the safety of aircraft, the Authority shall give written directives to an aerodrome operator to alter the procedures set out in the Aerodrome Manual ;

(c) To ensure the safety and maintenance of the aerodrome facilities the aerodrome operator shall :

(i) provide and maintain navigational visual aids which includes: Airfield Lightings, Markings, Markers and Signs on the runway as prescribed in the Aerodrome Standards Manual.

(ii) provide and maintain runway surfaces including but not limited to surfacing and resurfacing, frictional coefficients, aqua planning, pavement bearing strength values of the runway.

(d) An aerodrome operator shall notify the ATC that a runway or portion thereof may be slippery when wet. A runway or portion thereof shall be determined as being slippery when wet, when the friction measurements show that the runway surface friction characteristics as measured by a continuous friction measuring device are below the minimum friction level specified in Table 14-1 of the Aerodrome Standards Manual.

(e) The Aerodrome operator shall coordinate with the ATS provider in order to be satisfied that appropriate air traffic services are available to ensure the safety of aircraft in the airspace associated with the aerodrome. The coordination shall cover other areas related to safety such as aeronautical information services, air traffic services, designated meteorological authorities and security.

12.6.5.—(a) The aerodrome operator shall establish a safety management system for the aerodrome describing the structure of the organization and the duties, powers and responsibilities of the officials in the organizational structure, with a view to ensuring that operations are carried out in a demonstrably controlled way and are improved where necessary ;

(b) The aerodrome operator shall oblige all users of the aerodrome, including fixed-base operators, ground handling agencies and other organizations that perform activities independently at the aerodrome in relation to flight or aircraft handling, to comply with the requirements laid down by the aerodrome operator with regard to safety at the aerodrome. The aerodrome operator shall monitor such compliance ;

(c) The aerodrome operator shall require all users of the aerodrome, including fixed-base operators and other organisations referred to in section 12.6.5. (b), to cooperate in the programme to promote safety at, and the safe use of, the aerodrome by immediately informing it of any accidents, incidents, defects and faults which have a bearing on safety ;

(d) The aerodrome operator may also arrange for an external audit and inspection programme for evaluating other users, including fixed-based operators, ground handling agencies and other organisations working at the Aerodrome ;

(e) The aerodrome operator shall comply with the requirements in Chapter 5 of the Aerodrome Standards Manual on Safety Management System ;

(f) The aerodrome operator shall provide suitable and easily accessible space to be used for the purpose of crew briefing at the airport.

12.6.6.—(a) The aerodrome operator shall arrange for audits of the safety management system, including inspections of the aerodrome facilities and equipment ;

Aerodrome
Operator's
Internal
Safety
Audits and
Reporting.

(b) The audits referred to in paragraph (a) above shall be carried out every 12 months, or less, as agreed with the Authority ;

(c) The aerodrome operator shall ensure that the audit reports, including the report on the aerodrome facilities, services and equipment, are prepared by suitably qualified safety personnel ;

(d) The aerodrome operator shall retain a copy of the report(s) referred to in paragraph (c) above for a period to be agreed with the Authority. The Authority shall request a copy of the report(s) for its review and reference ;

(e) The report(s) referred to in paragraph (c) above shall be prepared and signed by the persons who carried out the audits and inspections.

12.6.7.—(a) Personnel so authorised by the Authority shall inspect and carry out tests on the aerodrome facilities, services and equipment, inspect the aerodrome operator's documents and records and verify the aerodrome operator's safety management system before the Aerodrome Certificate is

Access to
the
Aerodrome
by
Authorised
Inspectors.

granted or renewed and, subsequently, at any other time, for the purpose of ensuring safety at the aerodrome ;

(b) The Authority shall carry out periodic inspections and audits on aerodrome facilities, services and equipment in order to meet its continuing surveillance obligation and ensure safety of aerodrome operations ;

(c) An aerodrome operator shall, at the request of the person referred to in paragraph (a) above allow access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and operational personnel, for the purpose referred to in paragraph (a) above ;

(d) The aerodrome operator shall cooperate with personnel so authorized by the Authority in conducting the activities referred to in paragraph (a) above.

Removal of
obstructions
from the
Aerodrome
Surface.

12.6.8. An aerodrome operator shall remove from the aerodrome surface any vehicle or other obstruction that is likely to be hazardous.

Warning
Notices.

12.6.9. When low flying aircraft, at or near aerodrome or taxiing aircraft are likely to be hazardous to people or vehicular traffic, the aerodrome operator shall :

(a) post hazard warning notices on any public way that is adjacent to the manoeuvring area ; or

(b) if such a public way is not controlled by the aerodrome operator, inform the appropriate body responsible for posting the notices on the public way that there is a hazard.

Retention of
records.

12.6.10. The Aerodrome operator shall establish and retain personnel training records as prescribed under section 12.6.3.1 (g) and safety inspection records as prescribed in the Aerodrome Standards Manual (*Appendix G*).

Aerodrome
Data.

12.6.11. The Aerodrome operator, in determining and reporting Aerodrome data shall :

(a) Ensure adherence to accuracy, integrity and protection requirements set forth in Chapter 6, Section 6.2.1 of the Aerodrome Standards Manual ;

(b) Maintain the integrity of aeronautical data and avoid the corruption of data at all times ;

(c) Ensure that data are measured or described appropriately as prescribed in Chapter 6, Section 6.2.1 of the Aerodrome Standards Manual.

Notifying
and
reporting.

12.6.12.—(a) Notification of inaccuracies in Aeronautical Information Service (AIS) Publications—An Aerodrome Operator shall review all Aeronautical Information Publications (AIPs), AIP Supplements, AIP Amendments, Notices to Airmen (NOTAMs), Pre-flight Information Bulletins and Aeronautical Information Circulars issued by the AIS on receipt thereof and immediately after such reviews shall notify the Authority of any inaccurate information contained therein that pertains to the Aerodrome ;

(b) Notification of changes to the Aerodrome facilities, equipment and level of service planned in advance—An Aerodrome operator shall notify the Authority, in writing, at least 30 days before effecting any change to the Aerodrome facility or equipment or the level of service at the Aerodrome that has been planned in advance and which is likely to affect the accuracy of the information contained in any AIS publication referred to in section 12.6.12(a) ;

(c) Issues requiring immediate notification—Subject to section 12.6.12(d), an Aerodrome operator shall arrange for the Air Traffic Control and the Authority to receive immediate notice detailing any of the following circumstances of which the operator has knowledge :

(1) *Obstacles, Obstructions and Hazards :*

(i) any projections by an object through an obstacle limitation surface relating to the Aerodrome ; and

(ii) the existence of any obstruction or hazardous condition affecting aviation safety at or near the Aerodrome ;

(2) *Level of service*—Reduction in the level of service at the Aerodrome as set out in any of the AIS publications referred to in section 12.6.12(a) above ;

(3) *Movement area*—Closure of any part of the movement area of the Aerodrome ; and

(4) Any other condition that could affect aviation safety at the Aerodrome and against which precautions are warranted.

(d) *Immediate notification to pilots*—When it is not feasible for an Aerodrome operator to arrange for the air traffic control unit and the Authority to receive notice of a circumstance referred to in section, 12.6.12(c) above, the operator shall give immediate notice direct to the pilots who may be affected by that circumstance.

12.6.13. The Aerodrome operator shall :

Visual Aids
for
Navigation.

(a) establish procedures to ensure that a system of preventive maintenance and checking of the Aerodrome visual aids such as Wind Direction Indicator, Airfield lighting, Markings, Markers and Signs for navigation is in place ;

(b) ensure that each visual aid for navigation provides reliable and accurate guidance to the user ;

(c) establish a percentage of allowable serviceable lights that will ensure continuity of guidance to the user ;

(d) restore any unserviceable or deteriorated items back into service without undue delay ;

(e) provide and maintain visual aids at the Aerodrome as prescribed in chapter 9 of the Aerodrome Standards Manual.

12.6.14. The Aerodrome operator shall :

Works on
Aerodrome.

(a) establish procedures and take precautions to ensure that works carried out on the Aerodrome do not endanger aircraft operations ;

(b) appoint one or more trained works safety officers to ensure full compliance with the procedures and precautions in paragraph (a) above ;

(c) coordinate work and ensure compliance with safety requirements and standards for routine maintenance, minor or major construction or maintenance works at its Aerodrome, as prescribed in Chapter 5 of the Aerodrome Standards Manual.

(d) provide liaison between any maintenance team or contractor, ATC and safety works officer so as to ensure compliance with safety rules in the areas of :

(1) R/T procedures to be used ;

(2) Isolation of work areas ;

(3) General working rules ;

(4) Hazards to personnel working on the Aerodrome ;

(5) Marking and Lighting on cranes or equipment that is likely to penetrate the obstacle clearance zone ;

(6) Effect on navigational aids and other electronic landing aids ;

(7) Paved area cleanliness after work ;

(e) Carry out works on Aerodrome as prescribed in Chapter 5 of the Aerodrome Standards Manual.

12.6.15. AERODROME EMERGENCY PLAN

General.

12.6.15.1.—(a) After consultation with a representative sample of the air operators that use the aerodrome and with community organisations that may be of assistance during emergency operations at the aerodrome or in its vicinity, the aerodrome operator shall develop and maintain an emergency plan for the purpose of identifying :

(1) the emergencies that can reasonably be expected to occur at the aerodrome or in its vicinity and that could be a threat to the safety of persons or to the operation of the aerodrome ;

(2) the measures to activate the emergency plan for each type of emergency ;

(3) the community organisations capable of providing assistance in an emergency ; and

(4) any additional resources available at the aerodrome and in the surrounding area.

(b) The aerodrome operator shall establish a degree of supervision and control sufficient to manage the size and complexity of an emergency.

(c) The aerodrome operator shall maintain at the aerodrome, in the format of a manual, a copy of an updated version of the emergency plan ; and provide a copy to the Authority on request.

(d) The aerodrome operator shall :

(1) update the emergency plan as necessary to ensure its effectiveness in emergency operations ; and

(2) review the plan and make any required updates at least once a year after consultation with a representative sample of the air operators that use the aerodrome and the community organisations identified in the plan.

12.6.15.2.—(a) In an emergency plan, the aerodrome operator shall, at a minimum :

Content of
the AEP.

(1) identify the potential emergencies, including :

(i) an aircraft accident or incident :

(a) within the aerodrome boundaries, and

(b) within a critical rescue and fire-fighting access area that extends 1000m beyond the ends of a runway and 150m at 90° outwards from the centerline of the runway including any part of that area outside the aerodrome boundaries.

(ii) an aircraft emergency declared by either air traffic services or a pilot,

(iii) a fuel spill that spreads at least 1.5m in any direction or exceeds 12mm in depth,

(iv) a medical emergency,

(v) a fire in which aerodrome operations or passenger safety is threatened,

(vi) an emergency that is related to a special aviation event and that might have an impact on aerodrome operations,

(vii) a natural disaster, and

(viii) any other emergency that is a threat or is likely to be a threat to the safety of persons or to the operation of the aerodrome ;

(2) identify the organisations at the aerodrome and the community organisations that are capable of providing assistance during an emergency at an aerodrome or in its vicinity, provide the telephone numbers and other contact information for each organisation and describe the type of assistance each can provide ;

(3) identify the other resources available at the aerodrome and in the surrounding communities for use during emergency response or recovery operations and provide their telephone numbers and other contact information ;

(4) describe for emergency situations, the lines of authority and the relationships between the organisations identified in the emergency plan and describe how actions will be coordinated among all and within each of the organisations ;

- (5) identify for emergency situations, the supervisors and describe the responsibilities of each ;
- (6) specify the positions occupied by the aerodrome personnel who will respond to an emergency and describe the specific emergency response duties of each ;
- (7) identify the on-scene commander and describe the commander's emergency response duties ;
- (8) provide Authorisation for a person to act as an on-scene commander or a supervisor if they are not aerodrome personnel ;
- (9) set out the criteria to be used for positioning the on-scene commander within visual range of an emergency scene ;
- (10) set out the measures to be taken to make the on-scene commander easily identifiable at all times by all persons responding to an emergency ;
- (11) if initial on-scene control has been assumed by a person from a responding organisation, describe the procedure for transferring control to the on-scene commander ;
- (12) describe any training and qualifications required for the on-scene commander and the aerodrome personnel identified in the emergency plan ;
- (13) describe the method for recording any training provided to the on-scene commander and aerodrome personnel ;
- (14) describe the communication procedures and specify the radio frequencies to be used to link the operator of the aerodrome with :
 - (i) the on-scene commander, and
 - (ii) the providers of ground traffic control services (if applicable) and air traffic control services or any other flight information unit at the aerodrome ;
- (15) describe the communication procedures allowing the on-scene commander to communicate with the organisations identified in the emergency plan ;
- (16) identify the alerting procedures that :
 - (i) activate the emergency plan,
 - (ii) establish the necessary level of response,
 - (iii) allow immediate communication with the organisations identified in the emergency plan in accordance with the required level of response,
 - (iv) if applicable, confirm the dispatch of each responding organisation ;
 - (v) establish the use of standard terminology in communications, and
 - (vi) establish the use of the appropriate radio frequencies as set out in the emergency plan ;
- (17) specify :
 - (i) the aerodrome communication equipment testing procedures,

- (ii) a schedule for the testing, and
- (iii) the method of keeping records of the tests ;
- (18) specify the location of the emergency coordination centre used to provide support to the on-scene commander ;
- (19) describe the measures for dealing with adverse climatic conditions and darkness for each potential emergency set out in paragraph (a)(1) ;
- (20) describe the procedures to assist persons who have been evacuated if their safety is threatened or airside operations are affected ;
- (21) describe the procedures respecting the review and confirmation of the following to permit the return of the aerodrome to operational status after an emergency situation :
 - (i) emergency status reports,
 - (ii) co-ordination with appropriate judicial authorities and the investigator designated by the accident investigation entity regarding the accident site conditions,
 - (iii) disabled aircraft removal,
 - (iv) airside inspection results,
 - (v) accident or incident site conditions, and
 - (vi) air traffic services and NOTAM coordination ;
- (22) describe the procedures for controlling vehicular flow during an emergency to ensure the safety of vehicles, aircraft and persons ;
- (23) specify the procedures for issuing a NOTAM in the event of an emergency affecting the critical category for fire fighting required under section 12.6.16 of these Regulations, or changes or restrictions in facilities or services at the aerodrome during and after an emergency ;
- (24) describe the procedures for preserving evidences as it relates to :
 - (i) aircraft or aircraft part removal, and
 - (ii) the site of the accident or incident ;
- (25) describe the procedures to be followed, after any exercise set out in section 12.6.15.6 or the activation of the plan for an emergency that requires a full emergency standby, in the following cases :
 - (i) a post-emergency debriefing session with all participating organisations,
 - (ii) the recording of the minutes of the debriefing session,
 - (iii) an evaluation of the effectiveness of the emergency plan to identify deficiencies,
 - (iv) changes, if any, to be made in the emergency plan, and
 - (v) partial testing subsequent to the modification of an emergency plan ;

(26) describe :

(i) the process for an annual review and update of the emergency plan, and

(ii) the administrative procedure for the distribution of copies of an updated version of the emergency plan to the aerodrome personnel who require them and to the community organisations identified in the plan ; and

(iii) the procedures to assist in locating an aircraft when the aerodrome receives notification that an Emergency Locator Transmitter (ELT) or any advanced system of tracking aircraft in an emergency has been activated.

(b) The aerodrome operator shall include a copy of the following documents in the emergency plan :

(1) the signed agreements, if any, between the aerodrome operator and the community organisations that provide emergency response services to the aerodrome ; and

(2) an aerodrome grid map.

On-Scene
Commander.

12.6.15.3.—(a) The on-scene commander shall be at the emergency site and shall not have other duties during an emergency, unless the life of a person is in danger nearby and the on-scene commander is alone and has the ability to assist the person.

(b) The aerodrome operator shall establish procedures that make the on-scene commander easily identifiable by all persons responding to an emergency.

Aircraft
Crash Charts
and
Aerodrome
Grid Maps.

12.6.15.4.—(a) For aircraft operating in a passenger or cargo configuration, the aerodrome operator shall make available to the emergency coordination centre aircraft crash charts specific to the aircraft used by the air operators that use the aerodrome, and shall provide copies of the charts to the organisations responsible for fire-fighting services that are identified in the emergency plan; and the on-scene commander.

(b) In the case of aircraft that have or may have a seating configuration of not more than nine passenger seats, the aerodrome operator may use, instead of the aircraft crash charts referred to in paragraph (a), other documents containing equivalent information.

(c) The aerodrome operator shall develop and review and update annually, if necessary, an aerodrome grid map that includes a minimum of :

(1) an area covering at least one kilometer around each runway ;

(2) the aerodrome access roads and gates ; and

(3) the location of meeting points to which persons and vehicles that are responding to an emergency situation proceed in order to receive instructions.

(d) The aerodrome operator shall provide copies of the aerodrome grid map to the aerodrome personnel and organisations identified in the aerodrome emergency plan.

12.6.15.5.—(a) The aerodrome operator shall assign specific emergency response duties, other than those of an on-scene commander or a supervisor, only to those aerodrome personnel who are identified in the emergency plan and who :

- (1) are knowledgeable of their duties as described in the plan ; and
- (2) have the skills to carry out their duties.

(b) The aerodrome operator shall assign to act as an on-scene commander or a supervisor only those aerodrome personnel, or other persons authorised by the operator in the emergency plan, who are :

- (1) knowledgeable about the contents of the emergency plan ;
- (2) familiar with the procedures for the overall coordination of emergency operations at an emergency site ; and
- (3) trained for the particular role that they perform.

(c) The aerodrome operator shall :

- (1) keep records of the training that was received by persons to meet the requirements of paragraphs (a) and (b) ;
- (2) preserve the records of training for five years after the day on which the training was received ; and
- (3) submit a copy of the training records to the Authority on request.

12.6.15.6.—(a) The aerodrome operator shall test the emergency plan by conducting a full-scale emergency exercise at intervals not exceeding two years.

Testing of
the
Emergency
Plan.

(b) The aerodrome operator shall conduct full-scale emergency exercises based on scenarios that relate to a major aircraft accident and, at a minimum, the exercises shall include the assembly and deployment of fire-fighting, policing and medical services organisations.

(c) The aerodrome operator shall conduct a partial emergency exercise each year in which no full-scale emergency exercise is conducted.

(d) The aerodrome operator, when conducting a partial emergency exercise, shall have :

- (1) an up-to-date list of the participants and their telephone numbers and the radio frequencies used to communicate ;
- (2) fully operational communication equipment ; and
- (3) a copy of the aerodrome grid map.

(e) The aerodrome operator shall base the partial emergency exercises on scenarios that include an aircraft accident or incident,

(f) The aerodrome operator shall provide the Authority with a notice in writing of the date and time when a partial or full-scale exercise is to be carried out at least 90 days before the day of the exercise.

(g) The Authority shall observe the testing of an emergency plan.

(h) After each exercise, the aerodrome operator shall conduct a debriefing with all the organisations identified in the plan and a representative of the aerodrome personnel who participated to evaluate the effectiveness of the emergency plan and identify deficiencies.

(i) The aerodrome operator shall implement an action plan to correct any deficiencies in the emergency plan that was identified during a debriefing session.

(j) The aerodrome operator shall record :

- (1) the date of an exercise ;
- (2) the type of exercise ;
- (3) the minutes of the debriefing session after the exercise ; and
- (4) any action plans to correct deficiencies that were identified during a debriefing session.

(k) The aerodrome operator shall keep an exercise record for 10 years after the day on which the record is made.

(l) The aerodrome operator shall submit debriefing minutes and corrective action plans relating to an exercise to the Authority on request.

Authorisation.

12.6.15.7. The Authority may, on application by the aerodrome operator, provide to the operator written Authorisation not to conduct the full-scale exercise during an interval set out in section 12.6.15.6 paragraph (a) if the operator demonstrates that the testing requirements for a full-scale exercise have been met through an activation of the emergency plan in response to an emergency during that interval.

Rescue and
Fire-Fighting
at
Aerodromes.

12.6.16.1. The aerodrome operator shall provide the aircraft fire-fighting vehicles and the personnel that correspond to the critical category for fire-fighting and published in the aeronautical publications to respond to an aircraft emergency at the aerodrome.

Hours of
Operation of
an Aircraft
Fire-fighting
Service.

12.6.16.2.—(a) the aerodrome operator shall establish the hours of operation of an aircraft fire-fighting service and ensure that those hours coincide with the hours of the movements by operating aircraft at the aerodrome; and ensure that the critical category for fire fighting and the hours of operation of an aircraft fire fighting service are published in the aeronautical publications and in a NOTAM, if the NOTAM is published earlier.

(b) The aerodrome operator shall provide an aircraft fire-fighting service until the aircraft operating at the aerodrome has taken off or landed or the flight has been cancelled.

Aircraft
Category for
Fire Fighting.

12.6.16.3. An aircraft category for fire-fighting set out in column I of an item of the table below to this subsection shall be established for an aircraft based on the aircraft overall length set out in column II of the item and the aircraft maximum fuselage width set out in column III of that item.

TABLE I

<i>Column I</i>	<i>Column II</i>	<i>Column III</i>
Aircraft Category for Fire Fighting	Aircraft Overall Length	Aircraft Maximum Fuselage Width
1	0 up to but not including 9 m	2 m
2	9 m up to but not including 12 m	2 m
3	12 m up to but not including 18 m	3 m
4	18 m up to but not including 24 m	4 m
5	24 m up to but not including 28 m	4 m
6	28 m up to but not including 39 m	5 m
7	39 m up to but not including 49 m	5 m
8	49 m up to but not including 61 m	7 m
9	61 m up to but not including 76 m	7 m
10	76 m up to but not including 90 m	8 m

Where the fuselage width of an aircraft that has an overall length within the range set out in column II of an item of the table to paragraph (a) is greater than the aircraft maximum fuselage width set out in column III of the item, the aircraft category for fire fighting for the aircraft shall be one category higher than the category set out in column I of that item.

12.6.16.4.—(a) The aerodrome operator shall compile monthly statistics in respect of the number of emplaned and deplaned passengers.

Statistics on
the Number
of
Passengers
and Aircraft
Movements.

(b) The aerodrome operator shall compile monthly statistics setting out number of movements by operating aircraft in each aircraft category for fire fighting. The aerodrome operator shall, at least once every six months, review the monthly statistics for the twelve months preceding the date of the review and determine the three consecutive months with the highest total number of movements by operating aircraft in all aircraft categories for fire fighting.

(c) Where the review shows more than one period of three consecutive months having the same total number of movements by operating aircraft, the period to be used for the purposes of section 12.6.16.5 of these Regulations is the period involving the highest aircraft category for firefighting ; or where those periods involve the same highest aircraft category for fire fighting, the period involving the greatest number of movements in that category.

(d) The operator of a designated aerodrome shall retain the monthly statistics referred to in paragraph (a) and (b) for five years after the date of the review; and provide them to the Authority at the Authority's request.

Critical
Category for
Fire Fighting.

12.6.16.5.—(a) The aerodrome operator shall determine a critical category for fire fighting for the aerodrome based on the number of movements at the aerodrome during the three-month period determined in accordance with section 12.6.16.5(c) or (d) by operating aircraft in the highest and the next highest aircraft categories for fire fighting.

(b) Where, during the period referred to in paragraph (a), the number of movements at an aerodrome by aircraft in the highest aircraft category for fire fighting is 700 or more, the critical category for fire fighting is equivalent to that highest aircraft category for fire fighting.

(c) If, during the period referred to in paragraph (a), the number of movements at an aerodrome by aircraft in the highest aircraft category for fire fighting is less than 700, the critical category for fire fighting shall be determined by decreasing the highest aircraft category for fire fighting by one category.

(d) If the aerodrome operator anticipates a period of one or more hours of movements of aircraft of a lower aircraft category for fire fighting only, the operator may reduce the critical category for fire fighting to the highest aircraft category for fire fighting anticipated for that period if the operator documents the anticipated situation; and notifies the appropriate air traffic control unit or any other flight information unit of the reduced critical category for fire fighting for publication in a NOTAM.

Extinguishing
Agents and
Equipment.

12.6.16.6. EXTINGUISHING AGENTS AND AIRCRAFT FIRE-FIGHTING VEHICLES

The aerodrome operator shall provide its aircraft fire-fighting service with both the principal and the complementary extinguishing agents and the equipment delivering the agents that meet the requirements detailed in implementing standards and the Aerodrome Standards Manual.

Adjustment
to Higher
Requirements.

12.6.16.7. Where an increase in the number of movements by, or in the size of, operating aircraft at an aerodrome results in the establishment for the aerodrome of a higher critical category for fire-fighting than the previous category, the operator of the aerodrome shall meet the requirements for that higher category as set out in Table 2 within one year after the date of establishing the higher critical category for fire fighting.

Personnel
requirements.

12.6.16.8.—(a) Minimum Personnel— During the hours of operation of the aircraft fire-fighting service, the aerodrome operator shall ensure that trained aircraft fire-fighting personnel are available at their assigned post and in sufficient number to operate the aircraft fire-fighting vehicles and apply the extinguishing agents required by section 12.6.16.6.

(b) *Training of Personnel—* The aerodrome operator shall ensure that all personnel assigned to aircraft fire-fighting duties are trained in accordance with appropriate aircraft fire-fighting standards.

(c) *Equipment and Protective Clothing*— The aerodrome operator shall provide all personnel assigned to aircraft fire-fighting duties with the equipment and protective clothing necessary to perform their duties.

(d) *Fire-fighter Qualifications*—(1) No aerodrome operator shall permit a person to act and no person shall act as an aircraft firefighter at an aerodrome unless the person has, within the previous 12 months, successfully completed the training specified in this section.

(2) The aerodrome operator shall :

(i) maintain, for each aircraft firefighter, a training record containing the information specified in this section.

(ii) preserve the training record for three years after the aircraft firefighter leaves the service of the aerodrome ; and

(iii) at the request of the Authority, provide the Authority with a copy of the training record.

12.6.16.9. PERSONNEL READINESS

The aerodrome operator shall ensure that, during the hours of operation of its aircraft fire-fighting service; of the fire-fighting personnel required to be available, the number of personnel capable of immediate response is sufficient to meet the requirements of the response test referred to in this section 12.6.16.10.

Response
readiness.

12.6.16.10.—(a) The aerodrome operator shall carry out a response test to evaluate the response time and effectiveness of the aircraft fire-fighting service required to be maintained during the hours of operation specified every 12 months; and at any time at the request of the Authority, where the Authority has reasonable grounds to believe that the aircraft fire-fighting service at the aerodrome does not meet the requirements of this section.

Response
Test.

(b) The aerodrome operator shall give the Authority at least 30 days written notice of the date on which a response test is to be carried out.

(c) The aerodrome operator shall provide the Authority with a copy of the results of a response test within 14 days after the date of the test.

(d) A response test at an aerodrome has a satisfactory result if within three minutes after an alarm is sounded, aircraft fire-fighting vehicles in a number sufficient for applying the principal extinguishing agent at 50 per cent of the total discharge capacity required are dispatched from their assigned position and, under optimum surface and visibility conditions at the aerodrome, reach any point of each operational runway, or another predetermined point of comparable distance and terrain.

(e) The aerodrome operator shall record the results of a response test and shall preserve the records for two years after the date of the test.

(f) If a response test does not have a satisfactory result, the aerodrome operator shall :

(1) within six hours after the test, identify the deficiencies that caused the result and notify the appropriate air traffic control unit or any other flight information unit of the critical category for fire fighting that corresponds to the level of service that can be provided, for publication in a NOTAM; and

(2) within seven days after the test, if any deficiency is not corrected, submit a plan to the Authority specifying the measures necessary to obtain a satisfactory result and the dates by which they must be taken, which shall be as early as practicable given the circumstances.

(g) The aerodrome operator shall implement the submitted plan by the dates specified in the plan.

Requirement.

12.6.16.11. COMMUNICATION AND ALERTING SYSTEM

The aerodrome operator shall provide a communication and alerting system that meets the aircraft fire-fighting requirements as specified in IS 12.6.16.13.).

**Apron
Control and
Management
Services**

12.6.17. The aerodrome operator shall :

(a) ensure that the Aerodrome control service and the apron control service work in harmony to facilitate safe transition of aircraft between apron control and Aerodrome control ;

(b) ensure close liaison and co-operation between the Apron Control Unit and ATS unit through radio communication and monitoring devices ;

(c) keep an accurate record of movement information including aircraft arrival times, landings and take-offs ;

(d) provide marshalling and leader van services and aircraft stand allocation ;

(e) provide serviceable avio-bridges and docking devices where passenger loading is done through bridges ;

(f) control apron movements by ground vehicles using the Aerodrome operator's apron safety rules as stipulated in approved Aerodrome Manual ;

(g) provide blast fences to protect personnel and vehicles from jet blast and propeller slipstreams ;

(h) ensure that aircraft operators and fuel companies adhere strictly to the holder's procedures during the fuelling of aircraft ;

(i) ensure that apron is swept clean and de-greased regularly and when necessary ;

(j) keep records of activities and dissemination of same to appropriate establishments when necessary ;

(k) provide apron control and management services as prescribed in Chapter 13 Section 13.2.5 of the Aerodrome Standards Manual.

12.6.18. The aerodrome operator shall :

(a) limit access to movement areas and safety areas only to those ground vehicles and pedestrians necessary for Aerodrome and aircraft operations ;

(b) provide adequate procedures for the safe and orderly access to, and operation on the Aerodrome operational areas, by ground vehicles and pedestrians ;

(c) establish and implement provisions identifying the consequences of non-compliance with the procedures in (b) by an employee, tenant or contractor ;

(d) when an air traffic control service is in operation, ensure that each ground vehicle or pedestrian in movement areas or safety areas is controlled by :

(1) two-way radio communications between each ground vehicle or pedestrian and the control tower ;

(2) an escort vehicle with two-way communication with the control tower ; or

(3) adequate measures authorised by the Authority for controlling ground vehicles and pedestrians, such as markings, signs, signals or guards, when it is not operationally practicable to have two-way radio communications between the tower and the ground vehicle, escort or pedestrian.

(e) ensure that each employee, tenant, or contractor is trained on the procedures required in this Part "Ground vehicles and pedestrians" prior to moving on foot, or in a ground vehicle, in the movement areas or safety areas of the Aerodrome ;

(f) maintain the following records :

(i) a description and date of training for personnel and use of ground vehicles on movement areas and safety areas ;

(ii) a record for each vehicle and individual access to movement areas ;

(iii) a description and date of any accident or incident in the movement areas involving aircraft and ground vehicle, or aircraft and aircraft, or aircraft and pedestrians ;

(g) ensure ground vehicles and pedestrian operations as prescribed in Chapter 13, Section 13.2.7 of the Aerodrome Standards Manual.

12.6.19. The aerodrome operator shall :

(a) prevent the construction of facilities on the Aerodrome that would adversely affect the operation of any electronic or visual navigation aid or air traffic service ;

(b) prevent, as far as it is within the certificate holder's authority, an interruption of the visual or electronic signals of navigation aids ;

(c) provide protection of navigation/landing aids as prescribed in Chapter 9 of the Aerodrome Standards Manual.

12.6.20. The aerodrome operator shall :

(a) carry out special inspections :

(1) as soon as practicable after an aircraft accident or incident within the meaning of the requirements specified in ICAO Annex 13 ;

(2) during any period of construction or repair of the Aerodrome facilities or equipment that is critical to the safety of aircraft operations ;

(3) at any time when there are conditions at Aerodrome such as strong winds and rain, that could affect aviation safety ;

(4) after construction, repair, or maintenance works have been carried out on Aerodrome facilities and equipment.

(b) carry out daily serviceability inspections ;

(c) The aerodrome operator shall provide initial and recurrent training once in every three (3) years for any person who has duties in respect of the aerodrome inspection programme in at least the following areas :

(1) Airport familiarisation, including airport signs, marking and lighting ;

(2) Airport Emergency Plan ;

(3) Notice to Airmen (NOTAM) notification procedures ;

(4) Procedures for pedestrians and ground vehicles in movement areas and safety areas ;

(5) Procedures for reporting changes in movement area condition ; and

(d) A reporting system to ensure prompt correction of unsafe airport conditions noted during the inspection, including wildlife strikes. The aerodrome operator shall maintain a record of each person's training for a period of five (5) years and provide the Authority with a copy of any record, if requested.

12.6.21. The aerodrome operator, in addition to satisfying the requirements stipulated in sections 12.6.11 to 12.6.20 and provisions of Part 17 of these Regulation shall :

(a) provide aerodrome perimeter fence, road, barriers and doors with controlled access to prevent inadvertent and unauthorised entry of animals and human beings ;

(b) affix signs and prohibition notices at the perimeter of security areas within the Aerodrome ;

(c) designate an isolated aircraft parking position with adequate lighting facility in his or her Aerodrome for the parking of an aircraft that is known or believed to be the subject of unlawful interference, or which for other security reason needs isolation from normal Aerodrome activities ;

(d) provide aerodrome security in accordance with existing laws and regulations.

12.6.22. The applicant for or holder of aerodrome certificate shall :

(a) carry out an aeronautical study to assess the impact of deviations from the Aerodrome standards in order to ;

(i) provide justification for a deviation from Aerodrome standards on the grounds that an equivalent level of safety shall be attained by other means ;

(ii) present alternative means of ensuring the safety of aircraft operations ;

(iii) estimate the effectiveness of each alternative ; and

(iv) recommend procedures to compensate for the deviation ;

(b) publish approval of any deviation in AIP and seek and obtain approval of the Authority on paragraph (a) so as to maintain the currency of his or her Aerodrome certificate ;

(c) engage inspectors with practical experience and specialised knowledge in relevant areas in the conduct of technical analysis ;

(d) notify promptly pilots, AIS and the Authority, in compliance with these Regulations, where the only reasonable means of providing an equivalent level of safety is to adopt suitable procedures with cautionary advice ;

(e) carry out aeronautical studies as prescribed in Chapter 2 Section 2.1.4 of the Aerodrome Standards Manual and associated guidance Material.

12.6.23. AERODROME WILDLIFE PLANNING AND MANAGEMENT

12.6.23.1.—(a) This subsection applies to aerodromes :

Application.

(1) that are located in a defined area and that in the opinion of the Authority should be certified in the public interest and to enhance the safe operation of the aerodromes ;

(2) that have a waste disposal facility within 13km of the geometric centre of the aerodrome ;

(3) that had an incident where a turbine-powered aircraft collided with wildlife other than a bird and suffered damage, collided with more than one bird or ingested a bird through an engine ; or

(4) where the presence of wildlife hazards, including those referred to in 12.6.23.1 has been observed in an aerodrome flight pattern or movement area. Subsection 12.6.23.3 applies to all aerodromes.

12.6.23.2.—(a) The aerodrome operator shall keep records of all wildlife strikes at the aerodrome, including those reported by :

Wildlife
Strikes.

(1) pilots ;

(2) ground personnel ; and

(3) aircraft maintenance personnel when they identify damage to an aircraft as having been caused by a wildlife strike.

(b) Wildlife remains that are found within 60 meters of a runway or an airside pavement area are presumed to be a wildlife strike unless another cause of death is identified.

(c) The aerodrome operator shall submit a written and dated report to the Authority using the ICAO IBIS form :

(1) for each wildlife strike, within 30 days of its occurrence ;

(2) for all wildlife strikes that occur in a calendar year, on/before January 31st of the following calendar year.

Risk
Analysis.

12.6.23.3.—(a) The aerodrome operator shall collect information in respect of the requirements set out in IS 12.6.23.3 ;

(b) The aerodrome operator shall, after consultation with a representative of the operators in respect of an aircraft, air operators and private operators that use the aerodrome, conduct a risk analysis that evaluates the collected information ;

(c) The risk analysis shall be in writing and include :

(1) an analysis of the risks associated with the wildlife hazards, including those referred to in IS 12.6.23.1 ; and

(2) the measures that are necessary to manage or remove the hazards or to manage or mitigate the risks.

(d) The aerodrome operator shall, at the request of the Authority, make the risk analysis available for inspection.

12.6.23.4. AERODROME WILDLIFE MANAGEMENT PLAN

General.

12.6.23.4.1.—(a) The aerodrome operator shall develop an aerodrome wildlife management plan in accordance with IS 12.6.23.4.1 ;

(b) The aerodrome operator shall submit the plan to the Authority, on request by the Authority, in accordance with the requirements set out in IS 12.6.23.4.1(b) ;

(c) The aerodrome operator shall keep a copy of the plan at the aerodrome and it shall, on request by the Authority, be made available to the Authority ;

(d) Aerodrome operator shall implement the plan ;

(e) The aerodrome operator shall review the plan every two years ;

(f) The aerodrome operator shall amend the plan and submit the amended plan to the Authority within 30 days of the amendment if :

(1) the amendment is necessary as a result of the review conducted under (e) above ;

(2) an incident has occurred in which a turbine-powered aircraft collided with wildlife other than a bird and suffered damage, collided with more than one bird or ingested a bird through an engine ;

(3) a variation in the presence of wildlife hazards, including those referred to in IS 12.6.23.1, has been observed in an aerodrome flight pattern or movement area ; or

(4) there has been a change :

(i) in the wildlife management procedures or in the methods used to manage or mitigate wildlife hazards ;

(ii) in the types of aircraft at the aerodrome ; or

(iii) in the types of aircraft operations at the aerodrome.

12.6.23.4.2. An aerodrome wildlife management plan shall :

Content.

(1) identify and describe the risks associated with all wildlife hazards, including those referred to in IS 12.6.23.1, at or near the aerodrome that might affect the safe operation of aircraft, including the proximity of any waste disposal facility or migration route affecting wildlife populations near the aerodrome ;

(2) specify the particular measures that are used by the aerodrome operator to manage or mitigate the risks ;

(3) identify and describe the actions that are used by the aerodrome operator to satisfy the requirements set out in IS 12.6.23.4.2 in respect of wildlife strikes, wildlife management logs, and evaluations of habitats, land uses and food sources at or near the aerodrome ;

(4) set out procedures for the management of aerodrome habitats that might attract wildlife ;

(5) set out procedures that prohibits the feeding of wildlife and the exposure of food wastes ;

(6) set out procedures to ensure that all endangered or protected wildlife at the aerodrome are inventoried ;

(7) identify the role of the personnel and agencies involved in wildlife management issues and provide the contact numbers for each ; and

(8) provide details of any wildlife hazard awareness program.

12.6.23.4.3.—(a) The aerodrome operator shall :

Training.

(1) provide training for any person who has duties in respect of the aerodrome wildlife management plan at least once every three years regarding their assigned duties and the matters set out in IS 12.6.23.4.3 ; and

(2) ensure that any person who has duties in respect of the aerodrome wildlife management plan holds any required firearm permit.

(b) The aerodrome operator shall maintain a record of each person's training for a period of ten years and provide the Authority with a copy of any record, if requested.

Communication and Alerting Procedure.

12.6.23.4.4. The aerodrome operator shall establish a communication and alerting procedure for wildlife management personnel in accordance with IS 12.6.23.4.4 to alert pilots as soon as possible of the wildlife hazards at the aerodrome and the risks associated with those hazards.

Pavement Strength and Overload Operations.

12.6.24. The aerodrome operator shall not permit overloading of pavements beyond the design capacity particularly when it is observed that the pavements are exhibiting signs of distress or failure. However occasional minor overload on serviceable pavements is acceptable provided the following specifications are adhered to :

(a) for flexible pavements, occasional movements by aircraft with Aircraft Classification Number (ACN) not exceeding 10 *per cent* above the reported Pavement Classification Number (PCN) should not adversely affect the pavement ;

(b) for rigid and composite pavements, in which a rigid pavement layer provides a primary element of the structure, occasional movements by aircraft with ACN not exceeding 5 *per cent* above the reported PCN should not adversely affect the pavement ;

(c) if the pavement structure is unknown, the 5 *per cent* limitation should apply ; and

(d) the annual number of overload movements should not exceed approximately 5 *per cent* of the total annual aircraft movements.

Quality Control Programme.

12.6.25.—(a) The aerodrome operator shall implement a quality control programme as prescribed in the Aerodrome Standards Manual.

(b) The quality control programme shall include :

(i) the maintenance of Aerodrome installations, equipment and terminal building facilities ;

(ii) the delivery of quality service to passengers and aircraft operators ; and

(iii) the measurement of the quality of service.

(c) The aerodrome operator shall pay attention to :

(i) departing and arriving passengers and baggage clearing time ;

(ii) the provision of flight information to Aerodrome users ;

(iii) sanitation ;

(iv) directional signs ;

(v) lighting and ambient temperature conditions.

Environmental Protection.

12.6.26. The Aerodrome operator shall establish an Environmental Protection Programme. The programme shall include :

(a) measures of handling of all types of wastes : oil spills, air and water pollution ;

(b) regular assessment of environmental conditions and hazards around the aerodrome by independent qualified experts approved by the appropriate environmental protection authority ; and

(c) records showing compliance with extant environmental protection laws, regulations, guidelines and directives of relevant government agencies. The Aerodrome Operator shall make such records available to the Authority whenever requested.

12.6.27. The aerodrome operator shall :

Removal of
Disabled
Aircraft.

(a) establish and implement a disabled aircraft removal plan as prescribed in Chapter 13 Section 13.2.3 of the Aerodrome Standards Manual ;

(b) designate an experienced and competent officer representing the Aerodrome operator to co-ordinate and liaise with ATS, the Accident Investigation Bureau, the Authority, the Aircraft operator, Customs and Immigration Departments if the aircraft is involved in international operation, and note that the aircraft is the property of the Aircraft operator and his or her insurers and that the task of moving the aircraft is the responsibility of the Aircraft operator or owner ;

(c) provide the capability of removing the disabled aircraft by following his or her plan for supplying of equipment, for dealing with nominated agents acting on behalf of each operator at the Aerodrome and local contractors capable of facilitating the aircraft removal operations ;

(d) make available a mobile office for the aircraft removal operation with communication links with ATS ;

(e) secure the scene of the incident or accident with security personnel ;

(f) keep records of all events, and photographs of the scene.

12.6.28.—(a) Each aerodrome operator shall maintain standards authorized by the Authority for protecting against fire and explosions in storing, dispensing, and otherwise handling fuel on the aerodrome. These standards shall cover facilities, procedures, and personnel training and shall address at least the following :

Handling and
Storage of
Aviation
Fuel.

(1) Bonding.

(2) Public protection.

(3) Control of access to storage areas.

(4) Fire safety in fuel farm and storage areas.

(5) Fire safety in mobile fuelers, fueling pits, and fueling cabinets.

(6) Training of fueling personnel in fire safety in accordance with paragraph (d) of this section.

(7) The fire code of the public body having jurisdiction over the airport.

(b) Each aerodrome operator shall require all fueling agents operating on the airport to comply with, the standards established under paragraph (a) of this section and shall perform reasonable surveillance of all fueling activities on the aerodrome with respect to those standards.

(c) Each aerodrome operator shall inspect the physical facilities of each aerodrome tenant fueling agent at least once every 3 consecutive months for compliance with paragraph (a) of this section and maintain a record of that inspection for at least 12 consecutive calendar months.

(d) The training required in paragraph (a)(6) of this section shall include at least the following :

(i) At least one supervisor with each fueling agent shall have completed an aviation fuel training course in fire safety that is authorized by the Authority. Such an individual shall be trained prior to initial performance of duties, or enrolled in an authorized aviation fuel training course that should be completed within 90 days of initiating duties, and receive recurrent instruction at least every 24 consecutive calendar months.

(ii) All other employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel shall receive at least initial on-the-job training and recurrent instruction every 24 consecutive calendar months in fire safety from the supervisor trained in accordance with paragraph (d)(i) of this section.

(e) Each aerodrome operator shall obtain a written confirmation once every 12 consecutive calendar months from each fueling agent that the training required by paragraph (d) of this section has been accomplished. This written confirmation shall be maintained for 12 consecutive calendar months and when requested, made available to the Authority for inspection.

(f) Unless otherwise authorised by the Authority, each aerodrome operator shall require each fueling agent to take immediate corrective action whenever the aerodrome operator becomes aware of non-compliance with a standard required by paragraph (b) of this section. The certificate holder shall notify the Authority immediately when non-compliance is discovered.

(g) The Aerodrome Standards Manual contains minimum standards for the handling and storage of hazardous substances and materials.

12.7. USE OF HELIPORTS

12.7.1. GENERAL

Applicability.

12.7.1.1. This section shall apply to the certification and operation of heliports in Nigeria with the exception of military heliports.

Establishment
of Heliports
in Nigeria.

12.7.2.—(a) The Minister may approve the establishment and development of heliport anywhere in Nigeria ;

(b) Roads, approaches, apparatus, equipment, buildings and other accommodations in connection to such heliports shall be maintained by the owners in conformity with these regulations and any other requirement as may be prescribed by the Authority from time to time.

Operation of
Heliports.

12.8.1. No person shall operate a heliport in Nigeria (mobile or fixed) for the take-off and landing of helicopters engaged in flights for the purpose of

public transport unless such a person is a holder of a Heliport or Aerodrome Certificate granted under these Regulations.

12.9.—(a) The Authority may exempt, in writing, a heliport operator from complying with specific provisions of these Regulations. Exemptions.

(b) Before the Authority decides to exempt the Heliport operator, the Authority must take into account all safety related aspects.

(c) An exemption is subject to the heliport operator complying with the conditions and procedures specified by the Authority in the Heliport Certificate as being necessary in the interest of safety.

(d) Deviation from these Regulations and the conditions and procedures referred to in (c) above shall be set out in an endorsement on the Aerodrome Certificate and reported in the Aeronautical Information Publication (AIP).

12.10. HELIPORT CERTIFICATION

12.10.1.—(a) A person shall not operate a Heliport if the Heliport is not certified by the Authority. Requirement to hold Heliport Certificate.

(b) The operator of an heliport intended for public use shall be in possession of an heliport certificate. This also applies to heliports owned by corporate entities engaged in business activities.

12.10.2. An application for the issuance of Heliport Certificate shall be made to the Authority¹ in the appropriate form as prescribed by the Authority and accompanied by— Application for Heliport Certificate.

(i) the Heliport Manual ;

(ii) the plans of Heliport ;

(iii) security clearance from the Federal Government ;

(iv) written approval from the town planning authority where applicable ;

(v) Environmental Impact Assessment approval from the Ministry of Environment ;

(vi) proof of payment of the appropriate fee prescribed by the Authority ; and

(vii) adequate insurance cover.

12.10.3. The Authority may approve the application and accept the Heliport Manual of the applicant for a Heliport Certificate subject to the provisions in this section and grant a Heliport Certificate to an applicant if : Grant of Heliport Certificate.

(a) the Heliport facilities and equipment are in accordance with the standards specified in Chapter 15 of the Aerodrome Standards Manual ;

(b) the Heliport operating procedures make satisfactory provision for the safety of helicopters ;

(c) the applicant would, if granted a certificate, have the necessary competence, experience and resources to operate and maintain the Heliport ;

(d) an acceptable Safety Management System is in place at the Heliport.

Refusal to
grant
Heliport
Certificate.

12.10.4. If the Authority refuses to grant a Heliport Certificate to an applicant, the Authority shall give the applicant notice of the refusal, and the reasons for it, not later than 14 days from the date of refusal.

Duration of
Heliport
Certificate.

12.10.5. A Heliport Certificate shall remain in force for a period of one year unless suspended or cancelled by the Authority.

Renewal of
Heliport
Certificate.

12.10.6. A Heliport operator shall ensure that renewal of his or her Heliport Certificate is commenced not less than 90 days to the date of expiration of his or her certificate.

Suspension
of Heliport
Certificate
by the
Authority.

12.10.7.—(a) The Authority may by written notice suspend the Heliport Certificate if the heliport facilities, operations, or maintenance are not of the standard necessary for the safety of helicopter and air navigation or if :

(1) the Heliport operator's safety management system is found to be inadequate ;

(2) it is in the interest of operational safety ;

(3) all other means for timely correction of the unsafe condition or ensuring safe aircraft operations have not yielded the required results ;

(4) the technical proficiency or qualifications of the Heliport operator to perform the duties to meet the critical safety requirements in accordance with the regulations are found inadequate ;

(5) the operator resists or is unwilling to take action to correct or mitigate the condition affecting aviation safety ; or

(6) the operator fails to perform an already agreed upon corrective action and suspension of the certificate is the last resort to avoid unsafe operations in the Heliport Movement Area.

(b) The Authority shall suspend a Heliport Certificate if the certificate is transferred to a third party without the consent of the Authority or if any conditions of the certificate have been breached ;

(c) Before suspending a Heliport Certificate, the Authority shall :

(1) give to the holder a show cause notice that :

(i) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension ; and

(ii) invites the holder to show cause, in writing, within 14 days after the date of the notice, why the certificate should not be suspended.

(2) The Authority shall take into account any written submission that the holder makes to the Authority within the time allowed.

Revocation
of Heliport
Certificate
by the
Authority.

12.10.8.—(a) The Authority may by written notice revoke the Heliport Certificate if :

(1) the Heliport operator is incapable or unwilling to carry out corrective action or has committed/repeated serious violations ;

(2) the Heliport operator has demonstrated a lack of responsibility, such as deliberate and flagrant acts of non-compliance or falsification of records jeopardizing aviation safety ; or

(3) the Heliport operator has made it convincingly clear that the continued operation of the aerodrome will be detrimental to the public interest.

12.10.9. The Authority, when granting the Heliport Certificate shall endorse the conditions for the type and use of the heliport and other details as contained in the Heliport Certificate.

Endorsement
of Condition
on Heliport
Certificate.

12.10.10. The Authority may amend a Heliport Certificate when :

Amendment
of Heliport
Certificate.

(1) there is a change in the ownership or management of the heliport ; or

(2) there is a change in the use or operation of the heliport ; or

(3) there is a change in the boundaries of the heliport ; or

(4) the holder of a Heliport Certificate makes a request for an amendment.

12.10.11. The Authority may cancel a Heliport Certificate if the heliport operator voluntarily gives notice, in writing, to surrender his or her Heliport Certificate :

Voluntary
Surrender of
Heliport
Certificate.

(a) The Heliport Certificate holder shall give the Authority 90 days written notice of the date on which the certificate is to be surrendered in order that suitable action can be taken ;

(b) The Authority shall cancel the certificate on the date specified in the notice.

12.10.12.—(a) The Authority may approve the transfer of a Heliport Certificate when :

Transfer of
Heliport
Certificate.

(1) the current holder of the Heliport Certificate notifies the Authority in writing, at least 90 days before ceasing to operate the heliport ;

(2) the current holder of the Heliport Certificate notifies the Authority, in writing, of the name of the transferee ;

(3) the transferee applies to the Authority, in writing, within 90 days before the current holder of the Heliport Certificate ceases to operate the heliport ; and

(4) the requirements set out in sections 12.10.12(a) 1-3 above, are met by the transferee.

(b) If the Authority does not consent to the transfer of a Heliport Certificate, it shall notify the transferee, in writing, of its reasons not later than 30 days after making that decision.

12.10.13.—(a) The Authority may issue an interim heliport Certificate to the applicant referred to in section 12.10.13 or the proposed transferee of a Heliport Certificate referred to in these Regulations authorising the applicant or transferee to operate an Heliport if the Authority is satisfied that :

Interim
Heliport
Certificate.

(1) an Heliport Certificate in respect of the heliport will be issued to the applicant or transferred to the transferee as soon as the application procedure for the grant or transfer of an Heliport Certificate has been completed ; and

(2) the grant of the Interim Certificate is in the public interest and is not detrimental to aviation safety.

(b) An Interim Heliport certificate issued pursuant section to regulation 12.10.13(a) shall expire on ;

(1) the date on which the Heliport Certificate is issued or transferred, or

(2) the expiry date specified in the interim Heliport Certificate ;

whichever is earlier.

(c) These regulations apply to an Interim Heliport Certificate in the same manner as they apply to a Heliport Certificate.

12.11. HELIPORT MANUAL

12.11.1. The Heliport operator shall have a manual, to be known as the Heliport Manual which shall :

(1) be typewritten or printed, and signed by the Heliport operator ;

(2) be in a format that is easy to revise ;

(3) have a system for recording the currency of pages and amendments thereto, including a page for logging revisions ; and

(4) be organised in a manner that will facilitate the preparation, review and acceptance/approval process.

12.11.2.—(a) the Heliport operator shall provide the Authority with a complete and current copy of the Heliport Manual.

(b) the operator shall keep at least one complete and current copy of the Heliport Manual at the heliport and one copy at the operator's principal place of business if other than the Heliport.

(c) the heliport operator shall make the complete and current copy of the Heliport Manual available for inspection by authorised officers of the Authority.

12.11.3. The operator of the Heliport shall include the following particulars in a Heliport manual as provided in IS 12.11.3 , to the extent that they are applicable to the heliport, under the following parts :

PART 1. General information set out in Part 1 of the IS12.11.3 of these regulations, on the purpose and scope of the Heliport manual ; the legal requirement for a Heliport certificate and a heliport manual as prescribed in the regulations; conditions for use of the Heliport ; the aeronautical information services available and the procedures for their promulgation ; the system for recording helicopter movements and the obligations of the heliport operator.

PART 2. Particulars of the Heliport site as set out in Part 2 of the IS 12.11.3 of these regulations.

Preparation
of Heliport
Manual.

Location of
Heliport
Manual.

Information
to be
included in
the Heliport
Manual.

PART 3. Particulars of the Heliport required to be reported to the aeronautical information service as set out in Part 3 of the IS 12.11.3 of these regulations.

PART 4. The Heliport operating procedures and safety measures as set out in Part 4 of the IS 12.11.3 of these regulations. This may include references to air traffic procedures such as those relevant to low visibility operations. Air traffic management procedures are normally published in the air traffic services manual with a cross-reference to the Heliport manual.

PART 5. Details of the Heliport administration and the safety management system as set out in Part 5 of the IS 12.11.3 of these regulations.

6. Details of Heliport rescue and fire fighting.
7. Particulars of environmental protection.
8. Programme for the heliport ATS.
9. The procedures to control, amend and distribute the heliport manuals.

12.11.4. The Heliport operator shall keep the copies of the Heliport Manual required by Regulation 12.11.1 in a printed form. Other copies may be kept in an electronic form.

Form of
Heliport
Manual.

12.11.5.—(a) The Heliport Operator shall amend the Heliport Manual whenever it is necessary to do so, to maintain the accuracy of the manual ;

Amendments
of Heliport
Manual.

(b) The Authority may give written directives to the heliport operator requiring operator to amend the Heliport Manual if necessary ;

(c) The Heliport operator shall comply with the directive given to the operator by the Authority in paragraph (b).

12.11.6. The Heliport operator shall inform the Authority, in writing, of any amendment to the Heliport Manual within 30 days.

Notice of
Amendments.

12.11.7. The Authority shall accept or approve the Heliport Manual and any amendments thereto, provided they meet the requirement of this section.

The
Authority's
acceptance/
approval of
the Heliport
Manual.

12.11.8. The Heliport operator shall appoint a person to be the Heliport Manual Controller, whose functions shall include :

Heliport
Manual
Controller

(a) keeping a record of persons who hold copies of the whole or part of the Heliport Manual ;

(b) updating of information in the manual given to those holders referred to in (a).

12.12.—(a) An applicant for the issuance of a Heliport Certificate shall ensure that the heliport is provided with the following :

Heliport
Design
Requirements

- (1) heliport data ;
- (2) physical characteristics ;

(3) obstacle limitation surfaces ; and

(4) visual aids.

(b) The Heliport data, physical characteristics, obstacle limitation surfaces, visual aids, equipment and installations provided at the Heliport shall comply with the appropriate Heliport design standards as prescribed in Chapter 15 of the Aerodrome Standards Manual.

12.13. OBLIGATIONS OF THE HELIPORT OPERATOR

12.13.1. A Heliport operator shall comply with the standards and practices specified in the Aerodrome Standards Manual and these regulations.

12.13.2. The Heliport operator shall employ an adequate number of qualified and skilled personnel to perform all critical activities for Heliport operation and maintenance.

12.13.3.—(a) The Heliport operator shall maintain the Heliport in accordance with the procedures set out in the approved Heliport Manual ;

(b) carry out checks, preventive maintenance and repairs on the heliport facilities, using a maintenance programme ;

(c) co-ordinate work and ensure compliance with safety requirements for routine maintenance, minor or major construction or maintenance work at the Heliport in line with the procedures in Chapter 5 of the Aerodrome Standards Manual and related guidance material ;

(d) The Heliport operator shall co-ordinate with the ATS provider in order to be satisfied that appropriate air traffic services are available to ensure the safety of helicopters in the airspace associated with the Heliport. The co-ordination shall cover other areas related to safety such as aeronautical information service, meteorological service and aviation security.

12.13.4. The Heliport operator shall :

(a) have and put in effect, a safety management system that includes the policies, procedures and practices necessary to provide the services covered by its approval safely ;

(b) oblige all users of the Heliport to comply with the requirements laid down by the Heliport operator with regard to safety at the Heliport ;

(c) require all users of the Heliport to co-operate in the programme to promote safety at, and the safe use of the heliport by immediately informing it of any accidents, incidents, defects and faults which have bearing on safety ;

(d) keep under review its safety management system and take such corrective action as is necessary to ensure that it operates properly.

Compliance
with
standards
and
practices.

Competence
of
Operational
and
Maintenance
Personnel.

Heliport
operation
and
maintenance.

Heliport
Operator's
Safety
Management
System.

12.13.5.—(a) The Heliport operator shall arrange for an audit of the safety management system, including inspection of the Heliport facilities and equipment ;

Heliport
Operator's
Internal
System
Audit/
Reporting.

(b) The audits referred to in paragraph (a) above shall be carried out every 12 months, or less as agreed with the Authority ;

(c) The Heliport operator shall ensure that the audit reports, including the report on the Heliport facilities, services and equipment are prepared by suitably qualified safety personnel ;

(d) The Heliport operator shall retain a copy of the report(s) referred to in paragraph (c) above for a period to be agreed with the Authority. The Authority may request a copy of the report(s) for its review and reference ;

(e) The report(s) referred to in paragraph (c) above must be prepared and signed by the persons who carried out the audits and inspections.

12.13.6. The applicant for or holder of Heliport Certificate shall :

Access to
the Heliport.

(a) allow access of personnel so authorised by the Authority to inspect and test the Heliport facilities, services and equipment, inspect the Heliport operator's document and records.

(b) co-operate in conducting the activities referred to in paragraph (a) above.

12.13.7. The Heliport operator shall inspect the Heliport daily and as circumstances require to ensure aviation safety.

Heliport
Inspection.

12.13.8. The Heliport operator shall :

Removal of
obstructions
from the
Heliport
surface.

(a) establish the obstacle limitation surfaces and meet the requirements for the surfaces and any obstacles that may affect them, as set out for Heliports in Chapter 15, section 15.4 of the Aerodrome Standards Manual.

(b) remove from the Heliport surface any obstruction that is likely to be hazardous to helicopter operation.

12.13.9. The heliport operator shall provide public protection and Heliport security in accordance with Part 1 of these Regulations.

Public
Protection
and Heliport
Security.

12.13.10. The Heliport operator shall ensure the accuracy of the determination and reporting of Heliport related aeronautical data with emphasis on the following areas :

Heliport
Data.

(1) Adherence to accuracy and integrity requirements set forth in the Aerodrome Standards Manual ;

(2) Maintenance of integrity of aeronautical data and avoidance of corruption of data at all times ;

(3) Ensuring that data are measured or described as appropriate and should cover heliport reference point, elevation, final approach and take-off area (FATO), touchdown and lift-off area (TLOF) and declared distances and other required data items specified in the Aerodrome Standards Manual.

Notifying
and
Reporting.

12.13.11. A Heliport operator shall adhere to the requirement to notify and report appropriately to the Authority, the air traffic service provider and pilots any condition that may affect aviation safety, within the specified time limits required by these Regulations.

Physical
Characteris-
tics.

12.13.12. The Heliport operator shall provide at least one final approach and take-off area (FATO), one touchdown and lift-off area (TLOF), helicopter clearway where necessary, safety areas, helicopter ground taxiways, air taxiways, air transit routes and apron with particular attention to the following :

- (a) class of helicopters the Heliport can serve ;
- (b) local conditions such as elevation, temperature and visual or general meteorological conditions ; and
- (c) the need to adhere to standards and specifications in the Aerodrome Standards Manual.

Visual Aids.

12.13.13. The Heliport operator shall provide and maintain at least one wind direction indicator, markings and markers including heliport identification marking, heliport beacon, heliport light including approach lightings where desirable and practicable, obstacle protection surface (HAPI and PAPI), aiming point lights, taxiway lights and floodlighting of obstacles in accordance with the requirements specified in Chapter 15, section 15.5 of the Aerodrome Standards Manual.

Rescue and
Fire Fighting
at Heliports.

12.13.14. The Heliport operator shall :

- (a) determine the level of protection to be provided for rescue and fire fighting based on the over-all size of the largest helicopter that uses the heliport in accordance with heliport fire fighting category ;
- (b) provide principal extinguishing agents (foam compound) meeting the minimum performance level B ;
- (c) provide complimentary agents preferably dry chemical powder and halons ;
- (d) provide vehicles with a discharge rate of foam compound as prescribed in Chapter 15, section 15.6.1.4. of the Aerodrome Standards Manual ;
- (e) provide rescue equipment commensurate with the level of helicopter operations ;
- (f) equip the fire fighting unit with trained personnel, vehicle and equipment to achieve a response time not exceeding two minutes in optimum conditions of visibility and surface conditions ;
- (g) provide rescue and fire fighting services as prescribed in Chapter 15, section 15.6.1 of the Aerodrome Standards Manual.

Heliport
Emergency
Management
Systems.

12.13.15. The Heliport operator shall :

- (a) establish procedures to ensure that all participants in any heliport emergency with allocated duties are familiar with and are properly trained for their assignments ;

(b) test the effectiveness of the emergency management system through periodic exercise including a full-scale heliport emergency exercise annually ;

(c) correct any deficiencies identified during any full-scale exercise and review his or her system with the aim of achieving improved efficiency and safety.

12.13.16. The Heliport operator shall carry out aeronautical studies where necessary under the conditions, procedures and technical guidelines given in Chapter 2, section 2.1.4 of the Aerodrome Standards Manual and this section.

Aeronautical
Studies.

12.13.17. *General Requirements.*

12.13.17.1. An applicant to be designated as Helideck Inspector shall meet the following requirements :

Designation
of Helideck
Inspector.

- (1) Possess and exhibit adequate knowledge of Helideck Operations ;
- (2) Possess at least 10 (ten) years experience on Helideck facilities and inspection ;
- (3) Function from an operational base and possess adequate equipment and materials necessary to demonstrate the basic skills for designation ; and
- (4) Possess tools, equipment, current ICAO publications and necessary apparatus required to complete the helideck assigned task.

Knowledge

12.13.17.2. An applicant to be designated as Helideck Inspector shall undergo a pre-designation screening by the Authority on the following :

- (1) Regulations for Helideck ;
- (2) Current practices for the helideck operations to be utilized ;
- (3) Best industry practices ; and
- (4) Recent improvement in technology and facilities tools.

Currency

12.13.17.3. A Designated Helideck Inspector (DHI) shall maintain competency by :

- (1) Ensuring training and re-training on helideck safety and facilities inspection for all relevant person(s) ;
- (2) Maintaining current competency level with applicable certificate ; and
- (3) The Designated Helideck Inspector shall conduct at least 2 inspections during any calendar month in other for the designation to remain current.

Privilege

12.13.17.4.—(a) A Designated Helideck Inspector shall conduct helideck inspection in accordance with ICAO Standards and Recommended Practices and best industry practices.

Validity and Renewal

12.13.17.6.—(a) The designation of an Helideck Inspector shall be valid for one year.

(b) The designation may be renewed by the Authority upon satisfactory performance of the Designated Helideck Inspector (DHI).

IMPLEMENTING STANDARDS (IS)

IS 12.4.2.—INFORMATION TO BE INCLUDED IN THE AERODROME MANUAL

1. General information includes the following :

General.

- (a) Purpose and scope of the Aerodrome Manual ;
- (b) The legal requirement for an Aerodrome Certificate and an Aerodrome Manual as prescribed in these Regulations ;
- (c) Conditions for use of a Public or Private Aerodrome; a statement to indicate that the Aerodrome shall at all times, when it is available for the take-off and landing of Aircraft, be also available to all persons on equal terms and conditions ;
- (d) The available aeronautical information systems and procedures for its adoption ;
- (e) The system for recording aircraft movements ; and
- (f) Obligations of the Aerodrome Operator to the Authority including granting authorised personnel, access to the Aerodrome to carry out safety audit inspection, testing and to be responsible for notifying or reporting as prescribed in the Regulations ;
- (g) Co-ordination Policy or Letters of Agreement between AIS and Aerodrome Operator on areas of co-ordination including but not limited to Aerodrome Emergency Planning, Aerodrome Condition Reporting and Aerodrome Vehicle Operations.

2. General information, including the following :

Particulars of
the
Aerodrome
Site.

- (a) a plan of the Aerodrome showing the main Aerodrome facilities for the operation of the Aerodrome including, particularly, the location of each Wind Direction Indicator ;
- (b) a plan of the Aerodrome showing the Aerodrome boundaries ;
- (c) a plan showing the distance of the Aerodrome from the city or other populous area, and the location of any Aerodrome facilities and equipment outside the boundaries of the Aerodrome ; and
- (d) particulars of the title of the Aerodrome site. If the boundaries of the Aerodrome are not defined in the title documents, particulars of the title to or interest in the property on which the Aerodrome is located and a plan showing the boundaries and position of the Aerodrome.

3. PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THE AERONAUTICAL INFORMATION SERVICE (AIS)

General
Information.

- 3.1.—(a) the name of the Aerodrome ;
- (b) the location of the Aerodrome ;
- (c) the geographical coordinates of the Aerodrome reference point determined in terms of the World Geodetic System – 1984 (WGS-84) reference datum ;

(d) the Aerodrome elevation and geoid undulation ;

(e) the elevation of each threshold and geoid undulation, the elevation of the runway end and any significant high and low points along the runway, and the highest elevation of the touchdown zone of a precision approach runway ;

(f) the Aerodrome reference temperature ;

(g) details of the Aerodrome beacon ; and

(h) the name of the Aerodrome operator and the address and telephone number at which the Aerodrome operator may be contacted at all times.

3.2. General information, including the following :

(a) runway – true bearing, designation number, length, width, displaced threshold location, slope, surface type, type of runway and, for a precision approach runway, the existence of an obstacle free zone ;

(b) length, width and surface type of strip, runway end safety areas, stopways ;

(c) length, width and surface type of taxiways ;

(d) apron surface type and aircraft stands ;

(e) clearway length and ground profile ;

(f) visual aids for approach procedures, viz, approach lighting type and visual approach slope indicator system (PAPI/APAPI and T-VASIS/AT-VASIS) ; marking and lighting of runways, taxiways, and aprons ; other visual guidance and control aids on taxiways (including runway holding positions, intermediate holding positions and stop bars) and aprons, location and type of visual docking guidance system ; availability of standby power for lighting ;

(g) the location and radio frequency of VOR Aerodrome checkpoints ;

(h) the location and designation of standard taxi routes ;

(i) the geographical co-ordinates of each threshold ;

(j) the geographical co-ordinates of appropriate taxiway centre line points ;

(k) the geographical co-ordinates of each aircraft stand ;

(l) the geographical coordinates and the top elevation of significant obstacles in the approach and take-off areas, in the circling area and in the vicinity of the Aerodrome. (This information may best be shown in the form of charts such as those required for the preparation of Aeronautical Information Publications, as specified in *Annexes 4 and 15 to the Convention*) ;

(m) pavement surface type and bearing strength using the Aircraft Classification Number – Pavement Classification Number (ACN-PCN) method ;

(n) one or more pre-flight altimeter check locations established on an apron and their elevation ;

(o) declared distances : Take-Off Run Available (TORA), Take-Off Distance Available (TODA), Accelerate-Stop Distance Available (ASDA), Landing Distance Available (LDA) ;

(p) disabled aircraft removal plan : the telephone/telex/facsimile numbers and email address of the Aerodrome co-ordinator for the removal of a disabled aircraft on or adjacent to the movement area, information on the capability to remove a disabled aircraft, expressed in terms of the largest type of aircraft which the Aerodrome is equipped to remove ; and

(q) rescue and fire-fighting : the level of protection provided, expressed in terms of the category of the rescue and fire-fighting services, which should be in accordance with the longest aeroplane normally using the Aerodrome and the type and amount of extinguishing agents normally available at the Aerodrome.

NOTE : The accuracy of the information in Paragraph 4 above is critical to aircraft safety.

Information requiring engineering survey and assessment should be gathered or verified by qualified technical persons.

4. PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES

4.1. Particulars of the procedures for reporting any changes to the Aerodrome information set out in the AIP and procedures for requesting the issue of NOTAMs, including the following :

Aerodrome
Reporting.

(a) arrangement for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of Aerodrome operations ;

(b) the names and roles of persons responsible for notifying the changes, and their telephone numbers during and outside the normal hours of Aerodrome operations ; and

(c) the address and telephone numbers, as provided by the Authority of the place where changes are to be reported to the Authority.

4.2. Particulars of the procedures that have been developed and are to be followed in coordination with the agency responsible for preventing unlawful interferences in civil aviation at the Aerodrome and for preventing unauthorised entry of persons, vehicles, equipment, animals or other things into the movement area, including the following :

Access to
the
Aerodrome
Movement
Area.

(a) the role of the Aerodrome operator, the aircraft operator, Aerodrome fixed base operators, the Aerodrome security entity, the Authority and other government departments, as applicable ; and

(b) the names and roles of the personnel responsible for controlling access to the Aerodrome, and the telephone numbers for contacting them during and after working hours.

4.3. Particulars of the Aerodrome emergency plan, including the following :

Aerodrome
Emergency
Plan.

(a) plans for dealing with emergencies occurring at the Aerodrome or in its vicinity, including the malfunction of aircraft in flight ; structural fire ; sabotage,

including bomb threats (aircraft or structure); unlawful seizure of aircraft ; and incidents on the airport covering “during the emergency” and “after the emergency” considerations ;

(b) details of test for Aerodrome facilities and equipment to be used in emergencies, including the frequency of those tests ;

(c) details of exercises to test emergency plans, including the frequency of those exercises ;

(d) a list of organisations, agencies and persons of authority, both on and off airport, for site roles; their telephone and facsimile numbers, e-mail and SITA addresses and the radio frequencies of their offices ;

(e) the establishment of an Aerodrome emergency committee to organize training and other preparations for dealing with emergencies ; and

(f) the appointment of an on-scene commander for the overall emergency operation.

Rescue And
Fire-fighting.

4.4. Particulars of the facilities, equipment, personnel and procedures for meeting the rescue and fire-fighting requirements, including the names and roles of the persons responsible for dealing with the rescue and fire-fighting services at the Aerodrome.

NOTE : This subject should also be covered in appropriate detail in the Aerodrome Emergency Plan.

Inspection of
the
Aerodrome
Movement
Area and
Obstacle
Limitation
Surface by
the
Aerodrome
Operator.

4.5. Particulars of the procedures for the inspection of the Aerodrome movement area and obstacle limitation surfaces, including the following :

(a) arrangement for carrying out inspections, including runway friction and water-depth measurements on runways and taxiways, during and outside the normal hours of Aerodrome operations ;

(b) arrangement and means of communicating with the Aerodrome Air Traffic Control unit during an inspection ;

(c) arrangements for keeping an inspection logbook, and the location of the logbook ;

(d) details of inspection intervals and times ;

(e) inspection checklist ;

(f) arrangement for reporting the results of inspections and for taking prompt follow-up actions to ensure correction of unsafe conditions ;

(g) the names and roles of persons responsible for carrying out inspections, and their telephone number during and after working hours ;

(h) procedure to monitor and report the condition of movement areas ;

(i) procedure to report the presence of water on runway ; and

(j) procedures to report slippery runway condition.

4.6. Particulars of the procedures for the inspection and maintenance of aeronautical lights (including obstacle lighting), signs, markers and Aerodrome electrical systems, including the following :

Visual Aids
and
Aerodrome
Electrical
Systems.

(a) arrangement for carrying out inspections during and outside the normal hours of Aerodrome operation, and the checklist for such inspection ;

(b) arrangements for recording the results of inspections and for taking follow up action to correct deficiencies ;

(c) arrangements for carrying out routine maintenance and emergency maintenance ;

(d) arrangements for secondary power supplies, if any, and, if applicable, the particulars of any other method of dealing with partial or total system failure ;

(e) the names and roles of the persons responsible for the inspection and maintenance of the lighting, and the telephone numbers for contacting those persons during and after working hours ;

(f) sign plan and Surface Movement Guidance and Control Systems (SMGCS) plan approved by the Authority ;

(g) procedure to prevent aircraft from entering permanently closed runways and Taxiways.

4.7. Particulars of the facilities and procedures for the maintenance of the movement area, including :

Maintenance
of the
Movement
Area.

(a) arrangements for maintaining the paved areas ;

(b) arrangements for maintaining the unpaved runways and taxiways ;

(c) arrangements for maintaining the runway and taxiway strips ; and

(d) arrangements for the maintenance of Aerodrome drainage.

4.8. Particulars of the procedures for planning and carrying out construction and maintenance work, safely (including work that may have to be carried out at short notice) on or in the vicinity of the movement area which may extend above an obstacle limitation surface, including the following :

Aerodrome
Works -
Safety.

(a) arrangements for communicating with the Aerodrome Air Traffic Control unit during the progress of such work ;

(b) the names, telephone numbers and roles of the persons and organisations responsible for planning and carrying out the work, and arrangements for contacting those persons and organisations at all times ;

(c) the names and telephone numbers, during and after working hours, of the Aerodrome fixed-based operators, ground handling agents and aircraft operators who are to be notified of the work ;

(d) a distribution list for work plans, if required ;

(e) procedure to return a runway to operational status after pavement overlay.

4.9. Particulars of the apron management procedures, including the following :

- (a) arrangements between Air Traffic Control and the apron management units ;
- (b) arrangements for allocating aircraft parking positions ;
- (c) arrangements for initiating engine start and ensuring clearance of aircraft push-back ; and
- (d) marshalling service ;
- (e) leader (van) service.

4.10. Procedures to ensure apron safety, including :

- (a) protection from jet blast ;
- (b) enforcement of safety precautions during aircraft refuelling operations ;
- (c) apron sweeping ;
- (d) apron cleaning ;
- (e) arrangements for reporting incidents and accidents on an apron ; and
- (f) arrangements for auditing the safety compliance of all personnel working on the apron.

4.11. Particulars of the procedure for the control of surface vehicles operating on or in the vicinity of the movement area, including the following :

- (a) details of the applicable traffic rules (including speed limits and the means of enforcing the rules) ; and
- (b) the method of issuing driving permits for operating vehicles in the movement area.

4.12. Particulars of the procedures to deal with the danger posed to aircraft operations by the presence of bird or mammals in the Aerodrome flight pattern or movement area, including the following :

- (a) arrangements for assessing wildlife hazards ;
- (b) arrangements for implementing wildlife control programmes ; and
- (c) the names and roles of the persons responsible for dealing with wildlife hazards, and their telephone numbers during and after working hours.

4.13. Particulars setting out the procedures for :

- (a) monitoring the obstacle limitation surfaces and Type A Chart for obstacle in the take-off surface ;
- (b) controlling obstacles within the authority of the operator ;
- (c) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces ;
- (d) controlling new developments in the vicinity of Aerodromes ; and

notifying the Authority of the nature and location of obstacles and any subsequent addition or removal of obstacles for action as necessary, including amendment of the AIS publications.

4.14. Particulars of the procedures for removing a disabled aircraft on or adjacent to the movement area, including the following :

Removal of
Disabled
Aircraft.

(a) the roles of the Aerodrome operator and the holder of the aircraft certificate of registration ;

(b) arrangements for notifying the holder of the certificate of registration ;

(c) arrangements for liaising with the Aerodrome Air Traffic Control unit ;

(d) arrangements for obtaining equipment and personnel to remove the disabled aircraft ; and

(e) the names, role and telephone numbers of persons responsible for arranging for the removal of disabled aircraft.

4.15. Particulars of the procedures for the safe handling and storage of hazardous material on the Aerodrome, including the following :

Handling of
Hazardous
Materials.

(a) arrangements for special areas on the Aerodrome to be set up for the storage of inflammable liquids (including aviation fuels) and any other hazardous materials ; and

(b) the method to be followed for the delivery, storage, dispensing and handling of hazardous materials.

NOTE : Hazardous materials include inflammable liquids and solid, corrosive liquids, compressed gases and magnetized or radioactive materials. Arrangements for dealing with the accidental spillage of hazardous materials should be included in the Aerodrome Emergency Plan.

4.16. Particulars of procedures to be introduced for low-visibility operations, including the measurement and reporting of runway visual range as and when required, and the names and telephone numbers, during and after working hours, of the persons responsible for measuring the runway visual range.

Low-
Visibility
Operations.

4.17. Particulars of the procedures for the protection of sites for radar and radio navigational aids located on the Aerodrome to ensure that their performance will not be degraded, including the following :

Protection of
Sites for
Radar and
Navigational
Aids.

(a) arrangements for the control of activities in the vicinity of radar and nav aids installations ;

(b) arrangements for ground maintenance in the vicinity of these installations ; and

(c) arrangements for the supply and installation of signs warning of hazardous microwave radiation.

NOTE 1 : In writing the procedures for each category, clear and precise information should be included on :

when, or in what circumstances, an operating procedure is to be activated; how an operating procedure is to be activated ; actions to be taken ; the persons who are to carry out the actions ; and the equipment necessary for carrying out the actions, and access to such equipment.

Note 2 : If any of the procedures specified above are not relevant or applicable, the reason should be given.

5. AERODROME ADMINISTRATION AND SAFETY MANAGEMENT SYSTEM

Aerodrome
administra-
tion.

Particulars of the aerodrome administration, including the following :

- (1) an aerodrome organisational chart showing the names and positions of key personnel, including their responsibilities ;
- (2) the name, position and telephone number of the person who has overall responsibility for aerodrome safety ; and
- (3) airport committees.

Safety
Management
System
(SMS).

Particulars of the safety management system established for ensuring compliance with all safety requirements and achieving continuous improvement in safety performance, the essential features being :

- (1) the safety policy, insofar as applicable, on the safety management process and its relation to the operational and maintenance process ;
- (2) the structure or organisation of the SMS, including staffing and the assignment of individual and group responsibilities for safety issues ;
- (3) SMS strategy and planning, such as setting safety performance targets, allocating priorities for implementing safety initiatives and providing a framework for controlling the risks to as low a level as is reasonably practicable keeping always in view the requirements of the Standards and Recommended Practices in Volume I of Annex 14 to the Convention on International Civil Aviation, and the national regulations, standards, rules or orders ;
- (4) SMS implementation, including facilities, methods and procedures for the effective communication of safety messages and the enforcement of safety requirements ;
- (5) a system for the implementation of, and action on, critical safety areas which require a higher level of safety management integrity (safety measures programme) ;
- (6) measures for safety promotion and accident prevention and a system for risk control involving analysis and handling of accidents, incidents, complaints, defects, faults, discrepancies and failures, and continuing safety monitoring ;
- (7) the internal safety audit and review system detailing the systems and programmes for quality control of safety ;
- (8) the system for documenting all safety-related airport facilities as well as airport operational and maintenance records, including information on the design and construction of aircraft pavements and aerodrome lighting. The

system should enable easy retrieval of records including charts ;

(9) staff training and competency, including the review and evaluation of the adequacy of training provided to staff on safety-related duties and of the certification system for testing their competency ; and

(10) the incorporation and enforcement of safety-related clauses in the contracts for construction work at the aerodrome.

6.—(a) A copy of memorandum of understanding signed with FAAN, and a copy of approved airport security programme detailing the arrangement in place at the airport to ensure optimum implementation of aviation security measures.

Memorandum
of
Understanding
with
Designated
Service
Providers.

(b) A copy of memorandum of understanding or agreement signed with NAMA setting out the technical terms under which the services are to be provided.

(c) A copy of memorandum of understanding or agreement signed with NIMET setting out the technical terms under which the services are to be provided.

IS 12.6.16.6 (a)—(a) The principal extinguishing agent shall be a foam suitable for the type of equipment to be used, and

Extinguishing
Agents and
Equipment.

(1) the foams provided as principal extinguishing agents, and the date acquired ;

(2) the foam concentrates of different types or from a different manufacturer shall not be mixed except where it has been established that they are completely interchangeable and compatible ; and

(3) the quantity of foam concentrates provided on vehicles for foam production shall be in proportion to the quantity of water provided and the foam concentrate selected.

(b) The complementary extinguishing agent shall be a dry chemical powder suitable for the type of equipment to be used, and compatible with the foam or foams selected for use as the principal extinguishing agent at the airport or aerodrome ;

(c) The amount of foam concentrate on board vehicles shall be sufficient for at least two full loads of the required quantity of water ;

(d) Sufficient quantity of foam concentrate shall be held in reserve to allow for four complete discharges, at the correct percentage, of the water requirement for the critical category published. Part of this reserve may be carried on the fire-fighting vehicles ;

(e) A reserve supply of complementary extinguishing agent equivalent to 200 per cent of the quantity of complementary agent requirement for the category published shall be maintained at the airport or aerodrome. The reserve shall include sufficient propellant gas to utilize this reserve complementary agent ;

(f) The turrets and reel mounted hand lines designed for aircraft fire-fighting on vehicle(s) equipped with foam fire-fighting equipment shall be tested at least annually, at all pre-set discharge flow rates, to ensure that the correct discharge rate is being delivered, and the required foam physical characteristics are being met ;

(g) The equipment delivering the complementary extinguishing agent shall be tested at least annually to ensure that the correct discharge rate and reach is being delivered.

Training of
Personnel.

IS 12.6.16.10 (b)—(a) KNOWLEDGE AND SKILL TRAINING—Training shall be provided in the following areas :

(1) *Generic Training*

- (i) AFF Vehicles and Equipment ;
- (ii) Emergency Communications Systems including Fire Alarms ;
- (iii) Fire-Fighting Personnel Safety ;
- (iv) Fire Chemistry ;
- (v) Extinguishing Agents ;
- (vi) Portable Fire Extinguishers ;
- (vii) Fire Hoses, Nozzles, Turrets, and Other Appliances Available for Fire Fighting ;
- (viii) Fire-fighting Operations ;
- (ix) Emergency Aircraft Evacuation Assistance ;
- (x) Aircraft Cargo Hazards ;
- (xi) Live-Fire Training ;
- (xii) First Aid.

(2) *Site-Specific Training*

(i) Familiarisation with the aerodrome where the fire fighter will be carrying out fire-fighting duties ;

(ii) Familiarisation with the types of aircraft regularly operating at the airport or aerodrome where the fire fighter will be carrying out fire-fighting duties ; and

(iii) Familiarisation with fire-fighting duties under the Aerodrome Emergency Response Plan for the aerodrome where the fire fighter will be carrying out fire-fighting duties.

(b) **LEVEL OF ACHIEVEMENT TO BE ATTAINED**

(1) *Generic Training*

(i) With respect to AFF vehicles and equipment, the candidate shall be able to :

(a) Describe each tool and item of equipment on each aircraft fire-fighting vehicle at the airport or aerodrome, including a description of

its designated use, required maintenance, proper storage; and demonstrate its use ;

(b) Demonstrate knowledge and skills relative to routine inspection and maintenance of AFF vehicles as required by the manufacturer's specifications and maintenance manuals ; and

(c) Demonstrate the knowledge and skill required to operate AFF vehicles, including manual back-up systems.

(ii) With respect to emergency communications systems, including fire alarms, the candidate shall be able to :

(a) Identify the methods and procedures to be followed when an emergency alarm is received ;

(b) Identify radio frequencies and channels assigned for use by the aerodrome to control vehicular traffic ;

(c) Identify radio frequencies and channels assigned for use by the aerodrome Emergency Operations Centre ;

(d) Identify radio frequencies and channels assigned for use by mutual aid organisations ;

(e) Identify radio frequencies and channels assigned for use by responding units and organisations ;

(f) Identify procedures concerning multiple alarms and mutual aid ;

(g) Demonstrate knowledge of the phonetic alphabet ;

(h) Demonstrate the use of all communication equipment utilized by the fire-fighting service ;

(i) Provide an initial status report on a simulated aircraft accident ; and

(j) Demonstrate standard hand signals used to communicate with aircrew personnel as it relates to aircraft fire fighting.

(iii) With respect to fire-fighting personnel safety, the candidate shall be able to :

(a) Identify the hazards associated with aircraft fire fighting ;

(b) Identify the hazards associated with aircraft and aircraft systems on personnel ;

(c) Identify potential stress effects on personnel involved in a mass-casualty response ;

(d) Identify the purpose and limitations of protective clothing ;

(e) Demonstrate donning protective clothing ;

(f) Demonstrate techniques for action in a fire situation where trapped or disoriented, or when in an hostile environment ;

(g) Identify the hazards associated with cut-in entries ;

(h) Describe the hazardous respiratory environments encountered in aircraft fire fighting ;

(i) Identify techniques for protection from communicable-disease hazards ;

(j) Describe the proper techniques for approaching aircraft while engines are running ;

(k) Identify the purpose of self-contained breathing apparatus (SCBA) ;

(l) Identify the components and operation of the SCBA provided ;

(m) Identify the limitations of the SCBA provided ;

(n) Demonstrate that the SCBA is in a safe operating condition for immediate use ;

(o) Don SCBA equipment while wearing protective clothing ;

(p) Use SCBA equipment in dense smoke, or a blacked out environment ;

(q) Change a team member's exhausted air supply cylinder with an air supply cylinder ;

(r) While wearing SCBA equipment, demonstrate those actions necessary in the event of one of the following emergency situations :

- activation of low-air alarm ;

- exhausted air supply ;

- regulator malfunction ;

- damage to face piece ;

- damage to low pressure hose ;

- damage to high pressure hose.

(iv) With respect to fire behaviour, the candidate shall be able to :

(a) Explain the fire tetrahedron ;

(b) Describe the phases of a fire ;

(c) Describe the main products of combustion ;

(d) Describe the three methods of heat transfer ;

(e) Describe the classes of fire and extinguishment methods ;

(f) Define flash point, ignition temperature, flashover, rollover, backdraft and explosion ; and

(g) Describe the various aviation fuels' characteristics with respect to fire behaviour and explosion hazard.

(v) With respect to extinguishing agents, the candidate shall be able to :

(a) Identify the extinguishing properties of each agent, including advantages and disadvantages ;

(b) Identify those agents used at the aerodrome ;

- (c) Identify the locations of agents kept in inventory for vehicle re-supply ;
 - (d) State the quantity of each type of agent carried on each vehicle at the airport or aerodrome ; and
 - (e) Identify the preferred agent to use to suppress and extinguish fire in various case scenarios.
- (vi) With respect to portable fire extinguishers, the candidate shall be able to :
- (a) Identify the classification of fires as they relate to the use of fire extinguishers ;
 - (b) Identify each type of portable fire extinguisher by classification and rating ;
 - (c) Describe the agents' characteristics in the extinguishers used at the aerodrome ;
 - (d) Identify the limitations and operating characteristics of each type of portable fire extinguisher ;
 - (e) Identify the location of each portable fire extinguisher carried on each AFF vehicle used at the aerodrome ;
 - (f) Identify the appropriate extinguisher for a given class of fire from a group of different fire extinguishers ; and
 - (g) Operate the appropriate extinguisher on each class of fire.
- (vii) With respect to fire hoses, nozzles, turrets and other appliances available for fire-fighting, the candidate shall be able to :
- (a) Identify the location of each tool and item of equipment used at the aerodrome ;
 - (b) Identify the hazards associated with the use of each tool and item of equipment used at the aerodrome ;
 - (c) Demonstrate the proper procedures for use of each tool and item of equipment used at the aerodrome ;
 - (d) Describe the purpose of each hose, nozzle and adapter ;
 - (e) Describe the location of each hose, nozzle and adapter used by the fire-fighting unit at the aerodrome ;
 - (f) Describe the size and length of each hose carried on each AFF vehicle used at the airport or aerodrome ;
 - (g) Demonstrate the proper procedures for use of each hose, nozzle and adapter used at the airport or aerodrome ;
 - (h) Demonstrate the proper procedure to be used when advancing hose for fire attack ;
 - (i) Demonstrate the proper procedure to be used when laying hose to establish a re-supply of water ;

(j) Identify the primary purpose, agent capacity, water capacity, type of agent carried, agent discharge rate and range, personnel requirements, and response limitations for each AFF vehicle used at the airport or aerodrome ;

(k) Demonstrate the operation of handlines and vehicle-mounted discharge devices ; and

(l) Demonstrate the procedures for re-supply using a hydrant, structural vehicles, tank trucks and other vehicles for each AFF vehicle used at the airport or aerodrome.

(viii) With respect to fire-fighting operations, the candidate shall be able to :

(a) State the objective of aircraft fire fighting and the role of the firefighter in response to an aircraft emergency ;

(b) Describe fire-fighting tactics and evacuation of occupied aircraft ;

(c) Describe fire-fighting tactics of unoccupied aircraft ;

(d) Select a strategy and tactics for incident control and termination ;

(e) Perform fire-fighting tactics ;

(f) Explain the correct procedures for fighting three-dimensional fires ;

(g) Explain the correct procedures for fighting engine fires ;

(h) Describe the correct procedures for securing and maintaining a fire free egress route ;

(i) Describe the proper procedure to use when protecting an aircraft fuselage from fire exposure ;

(j) Describe the correct procedures to be used when providing protective streams for personnel ;

(k) Describe the hazards of a brake and wheel fire ;

(l) Describe the correct procedures to be used when fighting a brake and wheel fire ;

(m) Describe the correct procedures for controlling runoff from fire control operations and fuel spills ;

(n) Describe the correct procedures to be used to stabilize aircraft wreckage ;

(o) Describe the safety precautions for controlling fuel spills ;

(p) Describe grounding, bonding and hazards associated with static electricity related to aircraft ;

(q) Describe the hazards of a hydraulic fire ; and

(r) Describe the correct procedures to use in the event of fighting a hydraulic fire.

(ix) With respect to emergency aircraft evacuation assistance, the candidate shall be able to :

(a) Describe the correct procedures to use to protect evacuation points ;

(b) Identify those openings to use to gain entry for a given aircraft and situation ;

(c) Select the tools and equipment to use to gain entry for a given aircraft and situation ;

(d) While wearing full protective clothing, demonstrate the ability to open :

(i) aircraft doors and exits, or

(ii) equivalent training doors and exits.

(e) Identify potential locations for break-in entry using reference materials, aircraft markings, or general guidelines for a given aircraft ; and

(f) Demonstrate the correct procedures to use for a victim search inside and outside the aircraft.

(x) With respect to aircraft cargo hazards, the candidate shall be able to :

(a) Identify the dangerous goods' classifications ;

(b) Identify the hazards indicated by each label ; and

(c) Identify the emergency procedures to be followed using the reference material in the event of a problem transporting hazardous materials at the airport or aerodrome.

(xi) With respect to live-fire training, in order that the agent is applied with proper technique and the fire extinguished, the candidate shall be able to :

(a) Extinguish a minimum of 9m² fuel fire with a minimum of a 45 kg dry chemical extinguisher ;

(b) Extinguish a minimum of 36 m² fuel fire with an AFF vehicle hand line and appropriate agent ;

(c) Extinguish a minimum of 400 m² fuel fire with AFF vehicle turrets and appropriate agent ;

(d) Extinguish a three-dimensional aircraft fuel fire with AFF vehicle hand lines and appropriate agent ;

(e) Control simulated engine and auxiliary power unit (APU) fires on aircraft with an AFF vehicle hand line or turrets and appropriate agent ; and

(f) Extinguish a simulated tire assembly fire with an AFF vehicle hand line and appropriate agent.

(xii) With respect to first aid, the candidate shall be able to :

- (a) Identify primary and secondary life-threatening injuries ;
- (b) Determine whether or not a victim has an open airway ;
- (c) Locate an open airway in a person who is not breathing ;
- (d) Recognize types and characteristics of external and internal bleeding ;
- (e) Demonstrate techniques to control bleeding ;
- (f) Perform cardiopulmonary resuscitation ;
- (g) Recognize shock ;
- (h) Recognize injuries to the skull, spine, chest, and extremities ;
- (i) Recognize internal injuries ;
- (j) Demonstrate procedures for moving patients ;
- (k) Treat burns ; and
- (l) Demonstrate knowledge concerning triage methodology.

(2) *Site-Specific Training*

(i) With respect to familiarisation with the aerodrome where the firefighter will be carrying out fire-fighting duties, the candidate shall be able to :

- (a) Describe the runway and taxiway identification system ;
- (b) Describe the movement area pavement markings, signs, and lighting ;
- (c) Identify the various on-field aircraft navigation aids ;
- (d) Cite aerodrome rules and regulations concerning vehicle movement and access ;
- (e) Cite rules and regulations governing aerodrome security ;
- (f) Locate a given point at the aerodrome on a grid map, or other standard map ;
- (g) Identify terrain features using map symbols ;
- (h) Identify and locate all emergency access roads and standard routes across the movement area ;
- (i) Identify and locate all points giving access to the airside from non-operational areas ;
- (j) Identify and locate all points giving access to portions of the critical fire-fighting access area, located outside the aerodrome perimeter ;
- (k) Identify installations and features in the critical fire-fighting access area that present a hazard to vehicle response ;
- (l) Identify installations and terrain features in the critical fire-fighting access area that limit vehicle response capability ;
- (m) Identify the direction of travel of fuel in a simulated leak in the fuel distribution system applicable to the aerodrome ;

(n) Demonstrate the operation of fuel system valves and pumps to control the flow of fuel within the system applicable to the aerodrome ;

(o) Identify hazardous materials that are frequently stored or used on the aerodrome property ; and

(p) Identify elements of the aerodrome and surrounding water distribution system.

(ii) With respect to familiarisation with the types of aircraft regularly operating at the airport or aerodrome where the firefighter will be carrying out fire-fighting duties, the candidate shall be able to :

(a) Identify the types of aircraft regularly operating at their airport or aerodrome ;

(b) Identify the categories of aircraft propulsion systems ;

(c) Use the correct terms to describe major aircraft structural components ;

(d) Describe the types of batteries found on aircraft and their associated hazards ;

(e) Identify the general location of portable fire extinguishers ;

(f) Describe the materials used in aircraft construction ;

(g) Explain the differences in aircraft construction as it relates to fire fighting ;

(h) Use an aircraft crash chart to identify and describe the location of normal and emergency exits, fuel tanks, passenger and crew compartments, oil tanks, hydraulic reservoirs, oxygen tanks, batteries, and break-in points for given aircraft ;

(i) Use an aircraft crash chart to describe passenger, crew and fuel capacities for a given aircraft ;

(j) Identify a flight data recorder and cockpit voice recorder ;

(k) Locate normal entry doors, emergency exit openings and evacuation slides for a given aircraft ;

(l) Describe the opening of all doors and compartments for a given aircraft ;

(m) Describe the operation of evacuation slides and/or other emergency egress systems for a given aircraft ;

(n) Identify aircrew and passenger locations for a given aircraft ;

(o) Indicate the type of fuel used and location of fuel tanks for a given aircraft ;

(p) Locate break-in points for a given aircraft ;

(q) Locate the batteries for a given aircraft ;

(r) Locate key components of the fuel, oxygen, hydraulic, electrical,

fire protection, APU, brake, wheel systems, and pressurization systems for a given aircraft ; and

(s) Describe aircraft hazards that may be unique or unusual for a given aircraft.

NOTE : Examples of unusual hazards include military aircraft equipped with ejection seats, tanks containing pesticides on crop-spraying aircraft, and aircraft equipped with additional fuel tanks for ferry purposes.

(iii) With respect to familiarisation with firefighter duties under the Aerodrome Emergency Response Plan where the fire-fighter will be carrying out fire-fighting duties, the candidate shall be able to :

(a) Describe each emergency listed in the plan ;

(b) Describe the chain of command and authority, and identify the individuals associated with each position requiring a response from the aircraft fire-fighting service for each emergency listed in the plan ;

(c) If applicable, describe the procedure for the change of command during any phase of the emergency requiring a response from the aircraft fire-fighting service for each emergency listed in the plan ;

(d) With reference to the emergency response plan, identify other agencies involved in the plan requiring a response from the aircraft fire-fighting service, and describe their respective roles and responsibilities for each emergency listed in the plan ; and

(e) Demonstrate knowledge of their individual role and duties during regular exercises under the plan.

(c) ADDITIONAL TRAINING

(1) *Low-Visibility Training*

At an aerodrome certified for low-visibility operations for Category III approaches, firefighters shall practice the use of low-visibility equipment provided at that aerodrome in simulated Category III low-visibility conditions, and demonstrate the ability to :

(i) Locate a simulated accident site ;

(ii) Navigate the aircraft fire-fighting vehicle to the simulated accident site ; and

(iii) Negotiate terrain and obstacles with the AFF vehicle.

(2) *Command and Control Training*

Where a firefighter is assigned operational command and control responsibilities for the aircraft fire-fighting service, training in command and control functions shall be provided to enable that fire-fighter to :

(i) Assess tactical priorities ;

(ii) Control and manage a fire stream ;

(iii) Control and manage resources ;

(iv) Select, employ and direct a defensive strategy ;

- (v) Assess fire-ground factors ;
- (vi) Direct apparatus placement ; and
- (vii) Explain command procedures.

(d) RECURRENT TRAINING

(1) *General*

Recurrent training shall be provided to enable each firefighter to maintain the level of proficiency established in this standard.

Except for live-fire training, every firefighter must complete training in each element of the standards at least once every three years.

(e) LIVE-FIRE TRAINING

Live-fire drill training shall be provided to all fire-fighting personnel every 12 months as follows :

(i) A live-fire drill shall simulate a realistic fire-fighting situation, and be of sufficient size and intensity to provide a challenge to the firefighter in relation to the equipment used ;

(ii) The conditions simulated in a live-fire drill shall emulate the type of fire which could be encountered on a typical aircraft at the aerodrome ;

(iii) During the drill, each firefighter shall demonstrate the control and extinguishment of a simulated aircraft fire using :

(a) Handlines and or turrets using an AFF vehicle of a type used at the aerodrome, and

(b) Fire-fighting streams to protect firefighters and aircraft occupants using either handlines or turrets.

NOTE: It is intended that the live-fire drill will provide an opportunity for the fire-fighting team to become familiar with the use of all fire extinguishment equipment that will be used in the event of an accident. If possible, a simulated evacuation of aircraft occupants will help in creating a realistic situation.

IS 12.6.16.10 (d)—(a) TRAINING RECORDS

Fire Fighter
Qualifications.

Individual training records shall be maintained on each firefighter and shall include as a minimum :

- (1) the name of the individual being trained ;
- (2) the date of training ;
- (3) the place where training is received ;
- (4) the subjects covered and course methodology ;
- (5) the climatic conditions, in the case of practical training ;
- (6) the duration of training ;
- (7) any instructor comments ;
- (8) the performance evaluation ;

(9) the name of the instructor ; and

(10) the signature of the student.

**Communica-
tion and
Alerting
System.**

IS 12.6.16.13.—(a) The alerting system shall allow the activating agency to alert the personnel and dispatch the aircraft fire-fighting vehicles. A secondary power supply or alternate system shall be provided as a contingency in the event of a primary system failure.

(b) Each aircraft fire-fighting vehicle shall be provided with communication equipment capable of communicating with at least :

(1) every other aircraft fire-fighting vehicle ;

(2) the fire station exercising operational control as specified in the Aerodrome Emergency Response Plan ;

(3) the air traffic services unit, or the aerodrome traffic frequency (ATF) ; and

(4) an aircraft in a situation of emergency using an established discreet frequency.

(c) A communication system shall be provided to ensure the prompt and dependable transmission of alarms and other essential emergency information. Direct communication shall be provided between the activating agency or authority, the fire station, and responding vehicles.

(d) An alerting system for fire-fighting personnel, and or other aerodrome personnel shall be provided at a fire station and capable of activation from that station, or other designated agency.

**Wild Life
Planning
Management-
Application.**

IS 12.6.23.1.—(a) The wildlife hazards referred to in Regulation 12.6.23.1(a)(4), Regulation 12.6.23.3.3, Regulation 12.6.23.1 and Regulation 12.6.23.6(a) include, in the following descending order of priority with respect to risk, the following hazards :

(1) Black kites ;

(2) egrets ;

(3) hawks ;

(4) swallows ;

(5) goats ;

(6) dogs.

(b) The list of wildlife hazards referred to paragraph (a) is not intended to be exhaustive.

NOTE : The above list ranks wildlife hazards in descending order from the most hazardous to the least hazardous with respect to risk and as such, identifies the hazards that are of primary concern for the operator. All hazards contained in this list have the potential to cause an incident outlined in Regulation 12.6.23.1(a)(3) and Regulation 12.6.23.4.1(f)(2).

**Risk
Analysis.**

IS 12.6.23.3.—(a) The following constitutes the information to be collected by the operator of an airport pursuant to Regulation 12.6.23.3(a).

(1) wildlife strike data ;

NOTE : When reporting a wildlife strike, the form specified by the Authority shall be used. Any information that the operator of an airport has that is outlined on that form should be included.

(b) aircraft movement statistics ;

(c) aircraft types ; and

(d) ecological studies and wildlife inventories.

NOTE : An Airport Wildlife Management Plan template may be used to assist operators with the layout of risk assessments and management plans.

IS 12.6.23.4.—(a) Pursuant to Regulation 12.6.23.4.1, the operator shall, in developing an airport wildlife management plan, use the guidance material (Advisory Circular No. NCAA-AC-ARD012), that may be provided by the Authority.

Airport
Wildlife
Management
Plan.

(b) The operator shall submit the airport wildlife management plan in the form of a manual and in duplicate to the Authority.

IS 12.6.23.4.2. Pursuant to Regulations 12.6.23.4.1(a)(3), the requirements that shall be contained in an airport wildlife management plan are :

Content of
Airport
Wildlife
Management
Plan.

(1) the identification of the species of any wildlife struck by aircraft ;

(2) the regular maintenance of wildlife management logs indicating management activities, environmental changes; wildlife interactions and animal remains identified by species ; and

(3) the evaluation of habitats, land uses and food sources, located at or near the airport, that might attract wildlife which may affect the safe operation of the airport including, if needed, arrangements for assessments, studies and monitoring.

IS 12.6.23.4.3. Pursuant to Regulation 12.6.23.4.3, the following constitutes the matters in which the operator shall provide training to persons having duties in respect of the airport wildlife management plan :

Training.

(1) nature and extent of the wildlife management problem ;

(2) regulations, standards and guidance material related to airport wildlife management programs ;

(3) bird ecology and biology ;

(4) bird identification, including the use of field guides ;

(5) mammal ecology and biology ;

(6) mammal identification, including the use of field guides ;

(7) rare and endangered species and species of special concern, including related regulations and policies ;

(8) habitat management ;

(9) off-airport land use issues ;

(10) active wildlife control measures ;

(11) wildlife removal techniques ;

- (12) firearm safety ;
- (13) wildlife management planning ; and
- (14) development of awareness programs.

Communication and Alerting Procedure.

IS 12.6.23.4.4. Pursuant to Regulation 12.6.23.4.4, the communication and alerting procedure to be used in order to alert pilots as soon as possible of the wildlife hazards at the airport and associated risks may include :

- (1) where the aerodrome has air traffic services (ATS), bilateral radio communications or broadcast of airport advisories ;
- (2) if an immediate alert is required, direct radio contact can be used, when available ;
- (3) publication of a NOTAM in respect of the airport, whether in combination or not with the procedure referred to in paragraph (1) or (2).

Information to be included in Heliport Manual.

IS 12.11.3.—(1) General Information

- (a) purpose, and scope of the heliport manual ;
- (b) conditions for use of the heliport ;
- (c) the available aeronautical information system and procedures for its promulgation ;
- (d) the system for recording helicopter movements ;
- (e) obligations of the heliport operator.

Particulars of Heliport Site.

- 2.—**(a) a plan of the heliport showing the main heliport facilities and heliport boundaries ;
- (b) a plan showing distance of heliport from the nearest city and airport ;
- (c) particulars of the title of the heliport site.

Particulars of the Heliport required to be Reported to the Aeronautical Information Service (AIS).

- 3.—**(a) the name of the heliport ;
- (b) the location of the heliport ;
- (c) the geographical co-ordinates of the heliport reference point determined by reference to the World Geodetic System 1984 (WGS - 84) reference datum ;
- (d) the heliport dimensions and related information ;
- (e) the declared distances ;
- (f) information about visual aids systems ;
- (g) the operational status of associated facilities services, navigational aids and heliport conditions.

Heliport operating procedures and safety measures.

- 4.—**(a) heliport administration ;
- (b) heliport emergency plan ;
- (c) heliport lighting including inspection and maintenance ;
- (d) heliport reporting system ;
- (e) procedures for preventing unauthorised entry to heliport ;

- (f) safety management system for the heliport ;
- (g) heliport serviceability inspections ;
- (h) vehicle and movement control ;
- (i) obstacle control measures ;
- (j) measures to protect navigational aids within the heliport.

5. Particulars of Quality Systems with emphasis on operations, maintenance and quality of service delivery to helicopter operators and heliport users.

- 6.—(a) particulars of the category ;
- (b) vehicles ;
- (c) extinguishing agents ;
- (d) equipment.

Heliport
rescue and
fire fighting.

7. Particulars of environmental protection.

8. Programme for the heliport ATS.

Provision for air traffic services and airspace category, where applicable.

9. The procedures to control, amend and distribute the heliport manuals.

IS 12.13.17.1. Prerequisites

Designation
of Helideck
Inspector.

1. This task requires knowledge of Civil Aviation Act 2006 and/or Nig.CARs part 12 and Technical Guidance Materials with designee oversight responsibilities.

2. In addition to the above, a Designated Helideck Inspector shall :

(a) either be an engineer (holding B.Sc. in Civil, Electrical or Mechanical), or Pilot or Aerodrome Safety Inspector with adequate experience in helideck planning, operations or maintenance and should possess a sound knowledge of Annex 14, Vol. II, all relevant manuals published by ICAO and the state's national standards and industry practices. Helideck management experience knowledge of modern safety management system is required.

(b) Provide sufficient and qualified personnel to comply with the requirements of its Helideck certification.

(c) Equip personnel with sufficient resources needed to comply with the requirement of this part.

(d) Train all personnel who access helideck facilities to perform their duties in compliance with these Regulations.

PART 14—AIR NAVIGATION SERVICES

INTRODUCTION

The Nigeria Civil Aviation Regulations (Nig. CARs) Part 14 together with ANS (ATM, PANS-OPS, SAR, AIS, AEROCHARTS, AEROMET and AEROTELs) Manual of Standards constitutes an adaptation of Annexes 2, 3, 4, 5, 10, 11, 12 and 15 which addresses the Air Navigation rules, procedures and services' applications as stated in Articles 13, 37 and 38 of the Convention on International Civil Aviation (Chicago) 1944. Of special interest to these Regulations (Nig. CARs) are the Implementing Standards (IS) that accompany them. These Implementing Standards provide detailed requirements that support the intent of the Regulations presented in a part, and unless otherwise indicated, have the legal force and effect of the referring Regulation.

In the circumstance of any conflict or perceived disparity between the Directorate of Aerodrome and Airspace Standards Technical Guidance Material (DTGM) and these Regulations, primacy of intent rests with the regulations.

PART 14—AIR NAVIGATION SERVICES

TABLE OF CONTENTS

INTRODUCTION

- 14.0. General
 - 14.0.1. Applicability
 - 14.0.2. Definitions
 - 14.0.3. Approval of ANSP
- 14.1. PROVISION OF AIR TRAFFIC SERVICES
 - 14.1.2. Need for Provision of ATS
 - 14.1.3. Designation of Airspace
 - 14.1.4. Classification of Airspace
 - 14.1.5. Designation of Control Area
 - 14.1.6. Designation of Flight Information Regions
 - 14.1.7. Designation of Advisory Areas
 - 14.1.8. Establishment and Identification of ATS Routes
 - 14.1.9. Establishment of Change-over Points/Significant Points
 - 14.1.10. Grant of Endorsements
 - 14.1.11. Responsibility for Control of Air Traffic
 - 14.1.12. Transfer of Responsibility for Control of Air Traffic
 - 14.1.13. Reporting and Investigation of Accidents and Incidents
 - 14.1.14. Reporting of Aeronautical Information
 - 14.1.15. Requirement for Approval as ATS Providers
 - 14.1.16. Responsibility of Holder of Approval for Control of Air Traffic
 - 14.1.17. Co-ordination in Air Traffic Services
 - 14.1.18. Display of Air Traffic Services Provider Approval
 - 14.1.19. Safety Inspections and Audits
 - 14.1.20. Application for Approval, Amendment or Renewal
 - 14.1.21. Issuance of ATS Approval Certificate
 - 14.1.22. Scope and Variation of Approval
 - 14.1.23. Period of Validity of Approval
 - 14.1.24. Transferability of Approval
 - 14.1.25. Notice of Recommendation for Suspension of Approval Certificate
 - 14.1.26. Suspension, Cancellation or Variation of an Air Traffic Service Provider Approval Certificate by the Authority
 - 14.1.27. Right of Appeal of Holder of Approval Certificate
 - 14.1.28. Register of Approvals
 - 14.1.29. Substitution of Air Traffic Services Provider
 - 14.1.30. Notice of Availability of Air Traffic Services
 - 14.1.31. The Authority to Carry out Air Traffic Control Functions
 - 14.1.32. Rules Applicable when a Person Performs an ATC function under Supervision

- 14.1.33. Carrying out ATC Function without the Authority's Approval
- 14.1.34. Provision of Air Traffic Control
- 14.1.35. The Authority to use Ground-based Radio Equipment
- 14.1.36. Eligibility Statement by ATS Provider for Grant of Qualification
- 14.1.37. Agreement between an ATS Provider and Agency Providing Aviation Meteorological Services
- 14.1.38. Application of Human Factor Principles
- 14.1.39. Personnel Requirement
- 14.1.40. Training and Checking of ATS Staff
- 14.1.41. Granting of Ratings and Endorsements
- 14.1.42. Periods of Validity of Ratings and Endorsements
- 14.1.43. Proficiency
- 14.1.44. ATS Provider's Obligation to provide Currency and Recency Training and Assessment
- 14.1.45. Conduct of Practical Training
- 14.1.46. Safety Management System
- 14.1.47. Contingency Plan
- 14.1.48. Security Programme
- 14.1.49. Facilities, Equipment, Maintenance and Calibration
- 14.1.50. Control Tower
- 14.1.51. Fault and Defect Reporting
- 14.1.52. Maintenance of Documents
- 14.1.53. Record Maintenance
- 14.1.54. Statistics
- 14.1.55. Search and Rescue Responsibilities
- 14.1.56. Local Air Traffic Control Instructions Manual
- 14.1.57. External Data Sources
- 14.1.58. Output Data
- 14.1.59. Ancillary Qualifications
- 14.1.60. Amendments
- 14.2. PROVISION OF PROCEDURES DESIGN (PANS-OPS)
 - 14.2.1. Procedure Design Certificate
 - 14.2.2. Procedures Design Authorisation
 - 14.2.3. Requirement for Approval as a Procedure Designer for Air Navigation Services
 - 14.2.4. Privileges of an Approval Holder
 - 14.2.5. Responsibilities of Holder of Approval
 - 14.2.6. Display of Procedures Design for Air Navigation Service Provider Approval
 - 14.2.7. Safety Inspections and Audit
 - 14.2.8. Applications for Approval, Amendment or Renewal
 - 14.2.9. Issuance of Procedure Design for Air Navigation Service Provider Approval Certificate

- 14.2.10. Scope and Variation of Approval
- 14.2.11. Period of Validity of Approval
- 14.2.12. Transferability of Approval
- 14.2.13. Notice of Recommendation for Suspension of Approval Certificate
- 14.2.14. Suspension, Cancellation or Variation of Procedure Design for Air Navigation Service Provider Approval Certificate by the Authority
- 14.2.15. Right of Appeal of Holder of Certificate
- 14.2.16. Register of Approvals
- 14.2.17. Substitution of Procedure Design for Air Navigation Service
- 14.2.18. Verification of Terminal Instrument Flight Procedures
- 14.2.19. Validation of Terminal Instrument Flight Procedures
- 14.2.20. Publication of Terminal Instrument Flight Procedures
- 14.2.21. Radio Navigation Aids
- 14.2.22. Maintenance of Terminal Instrument Flight Procedures
- 14.2.23. Application of Human Factor Principles
- 14.2.24. Training and Checking of Instrument Procedures Designer and Publisher Staff
- 14.2.25. Safety Management System
- 14.2.26. Facilities, Equipment, Maintenance and Calibration
- 14.2.27. Fault and Defect Reporting
- 14.2.28. Maintenance of Documents and Records
- 14.3. PROVISION OF AERONAUTICAL SEARCH AND RESCUE
 - 14.3.1. Aeronautical Search and Rescue Establishment
 - 14.3.2. Aeronautical Search and Rescue Action
 - 14.3.3. Communication and Equipment of Rescue Unit
 - 14.3.4. Co-operation with other Contracting States
 - 14.3.5. Co-operation with other Agencies
 - 14.3.6. Information Concerning Emergencies
 - 14.3.7. Aeronautical Search and Rescue Training
 - 14.3.8. Search and Rescue Responsibilities and Co-ordination
- 14.4. PROVISION OF AERONAUTICAL INFORMATION SERVICES
 - 14.4.1. Applicability
 - 14.4.2. Definitions
 - 14.4.3. Provision of Aeronautical Information Services
 - 14.4.4. Responsibilities of Holder of Approval
 - 14.4.5. Telecommunication Requirements
 - 14.4.6. Quality Management System
 - 14.4.7. Responsibilities of Holder of Approval
 - 14.4.8. Eligibility of Applicant
 - 14.4.9. Issuance of Aeronautical Information Service Provider Approval Certificate
 - 14.4.10. Scope and Variation of Approvals

- 14.4.11. Period of Validity of Approval
- 14.4.12. Transferability of Approval
- 14.4.13. Notice of Recommendation for Suspension of Approval Certificate
- 14.4.14. Suspension, Cancellation or Variation of an Aeronautical Information Service Provider Approval Certificate by the Authority
- 14.4.15. Right of Appeal of Holder of Approval Certificate
- 14.4.16. Substitution of Aeronautical Information Service Provider
- 14.4.17. Pre-Flight and Post-Flight Information
- 14.4.18. Electronic Terrain and Obstacle Data (E-TOD)

14.5 PROVISION OF AERONAUTICAL CHARTS

- 14.5.1. General
 - 14.5.1.1. Applicability
- 14.5.2. Definitions
- 14.5.3. Provision of Aeronautical Charts
- 14.5.4. Eligibility of Aeronautical Chart Provider
- 14.5.5. Quality System
- 14.5.6. Contingency Plan
- 14.5.7. Security Programme
- 14.5.8. Issuance of Aeronautical Charts Provider Approval Certificate
- 14.5.9. Scope and Variation of Approvals
- 14.5.10. Period of Validity of Approval
- 14.5.11. Transferability of Approval
- 14.5.12. Responsibilities of an Aeronautical Charts Provider
- 14.5.13. Display of Approval
- 14.5.14. Safety Audit and Inspections
- 14.5.15. Application of Human Factor Principles
- 14.5.16. Facilities, Equipment and Maintenance
- 14.5.17. Search and Rescue Responsibilities and Co-ordination
- 14.5.18. Local Procedures
- 14.5.19. Co-ordination
- 14.5.20. Collection of Information
- 14.5.21. Notice of Recommendation for Suspension of Approval Certificate
- 14.5.22. Suspension, Cancellation, or Variation of an Aeronautical Charts Provider Approval Certificate by the Authority
- 14.5.23. Right of Appeal of Holder of Approval Certificate
- 14.5.24. Maintenance of Aeronautical Charts Providers Register
- 14.5.25. Substitution of another Aeronautical Charts Provider
- 14.5.26. Operational Requirements and General Specifications

14.6. PROVISION OF AERONAUTICAL METEOROLOGICAL SERVICES

14.6.1. General

14.6.1.1. Applicability

14.6.1.2. Definitions

14.6.2. Approval of Aeronautical Meteorological Service Providers (AMSP)

14.6.2.1. Co-ordination between Aeronautical Meteorological watch Office and Associated Area Control Center

14.6.2.2. Protection of Aeronautical Meteorological Equipment

14.6.3. Requirement for Approval as an Aeronautical Meteorological Service Provider

14.6.4. Provision of Aeronautical Meteorological Service

14.6.5. Submission and Review of AMSP Manual of Operations

14.6.6. Responsibilities of Holder of AMSP Approval

14.6.7. Display of Aeronautical Meteorological Service Provider Approval Certificate

14.6.8. Safety Audit and Inspections

14.6.9. Application for Approval, Amendment or Renewal

14.6.10. Issuance of Aeronautical Meteorological Service Provider Approval Certificate

14.6.11. Scope and Variation of AMSP Approval Certificate

14.6.12. Period of Validity of AMSP Approval Certificate

14.6.13. Transferability of AMSP Approval Certificate

14.6.14. Notice of Recommendation for Suspension of AMSP Approval Certificate

14.6.15. Suspension, Cancellation or Variation of an Aeronautical Meteorological Service Provider Approval Certificate by the Authority

14.6.16. Right of Appeal of Holder of AMSP Approval Certificate

14.6.17. Register of AMSP Approval Certificates

14.6.18. Substitution of Aeronautical Meteorological Service Provider

14.6.19. Approval of Outside Source (Contract) for Aeronautical Meteorological Service Provider

14.7. PROVISION OF AERONAUTICAL TELECOMMUNICATIONS SERVICES (AERONAUTICAL TELECOMMUNICATIONS)

14.7.0. General

14.7.0.1. Applicability

14.7.0.2. Definitions

14.7.1. Requirements for Approval of Aeronautical Telecommunications Services

14.7.2. Requirements for Approval as an Aeronautical Telecommunications Service Provider

14.7.3. Provision of Aeronautical Telecommunications Services

14.7.4. Responsibilities of Holder of Aeronautical Telecommunications Approval

- 14.7.5. Privileges of an Aeronautical Telecommunications Approval Holder
- 14.7.6. Display of Aeronautical Telecommunications Services Provider Approval
- 14.7.7. Site Validation Inspection, Safety Inspections and Audits
- 14.7.8. Persons Authorised to perform Inspections
- 14.7.9. Application for Aeronautical Telecommunications Approval, Amendment or Renewal
- 14.7.10. Issuance of Aeronautical Telecommunications Services Provider Approval Certificate
- 14.7.11. Scope and Variation of Aeronautical Telecommunications Approval
- 14.7.12. Period of Validity of Aeronautical Telecommunications Approval
- 14.7.13. Transferability of Aeronautical Telecommunications Approval
- 14.7.14. Notice of Recommendation for Suspension of Aeronautical Telecommunications Approval Certificate
- 14.7.15. Suspension, Cancellation or Variation of an Aeronautical Telecommunication Services Provider Approval Certificate by the Authority
- 14.7.16. Right of Appeal of Holder of Aeronautical Telecommunications Approval Certificate
- 14.7.17. Register of Aeronautical Telecommunications Approvals
- 14.7.18. Substitution of Aeronautical Telecommunications Services Provider
- 14.7.19. Certification of Aeronautical Telecommunications Equipment, Facility and Procedures
- 14.7.20. Provision for GNSS Procedure
- 14.7.21. Continued Serviceability, Availability and Maintainability of Aeronautical Telecommunications Facility and Components
- 14.7.22. Faults and Defects Reporting
- 14.7.23. Persons Authorised to Perform Maintenance, Preventive Maintenance and Alterations
- 14.7.24. Flight Inspection and Calibration
- 14.7.25. Maximum Periodicity of Ground Check and Flight Calibration
- 14.7.26. Approval for Return of Equipment/Facility to Services
- 14.7.27. Authority to Return Equipment to Service
- 14.7.28. Maintenance of Documents and Entries
- 14.7.29. Search and Rescue Responsibilities and Co-ordination
- 14.7.30. General Requirement for Maintenance and Inspection
- 14.7.31. Performance Rules Maintenance, Preventive Maintenance or Alterations/Upgrade

IMPLEMENTING STANDARDS (IS)

- IS 14.1.15.2. Application for Approval as an Air Traffic Service Provider
- IS 14.1.32.2. The Authority to Carry out Air Traffic Control Function
- IS 14.1.47.3 (a) Contingency Plan
- IS 14.1.49.2. Facilities
- IS 14.1.50(1-3) Control Tower
- IS 14.1.52.1. Maintenance of Documents and Records (Operational Documents)
- IS 14.1.56.1. Contents of Local Air Traffic Control Instructions (LATCI)
- IS 14.2.2.1. Standards for Design of Terminal Instrument Flight Procedures
- IS 14.2.3.2. Application for Approval as a Procedure Designer for Air Navigation Services
- IS 14.2.5.1. Responsibility of Holder of Approval of a Procedure Design
- IS 14.2.8.1. Requirement for Approval as a Procedure Designer for Air Navigation Services
- IS 14.4.3. Provision of Aeronautical Information Service (AIS)
- IS 14.4.7.1(a) Responsibility of Holder of an AIS Approval Certificate
- IS 14.4.7.1(b)(i) Personnel Requirements
- IS 14.4.7.1(b)(ii) Training and Checking of Staff
- IS 14.4.7.1(b)(iii) Contingency Plan
- IS 14.4.7.1(b)(iv) Facilities, Equipment and Maintenance
- IS 14.4.7.1(b)(v) Fault and Defect Reporting
- IS 14.4.7.1(b)(vi) Maintenance of Documents and Records
- IS 14.4.7.7. Local Operating Procedures
- IS 14.5.3.1. Provision of Aeronautical Charts
- IS 14.5.4.2. Application for an Aeronautical Charts Provider Approval
- IS 14.5.4.4. Personnel Requirement and Responsibility of an Aeronautical Charts Provider
- IS 14.5.4.5. Training and Checking of Staff of an Aeronautical Charts Provider
- IS 14.5.5. Quality System for an Aeronautical Charts Provider
- IS 14.5.6. Contingency Plan for an Aeronautical Charts Provider
- IS 14.5.16. Facilities, Equipment and Maintenance
- IS 14.5.26.1. Operational Requirements and General Specifications for Charts
- IS 14.5.26.5. General Specifications and Other Requirements
- IS 14.6.2.1 (f and n) Hazardous Weather and Meteorological Information on Wind

IS 14.6.2.2.	SIGMET Information
IS 14.6.4.1(b)	Quality Management System
IS 14.6.5.1 (a)	AMSP Manual of Operations
IS 14.6.6.2.	Personnel Requirements
IS 14.6.6.3.	Training and Checking of Staff
IS 14.6.6.4.	Agreement between AMSP and ATS Provider
IS 14.6.8(a)-(k)	Safety Audit and Inspection
IS 14.7.4.1(b)(i)	Personnel Requirements and Responsibilities of Aeronautical Telecommunications Service Provider
IS 14.7.4.1(b)(ii)	Training and Checking of Aeronautical Telecommu- nications Personnel
IS 14.7.4.1(b)(iii)	Safety Management System
IS 14.7.4.1(b)(iv)	Contingency Plan of Aeronautical Telecommu- nications Service Provider
IS 14.7.4.1(b)(v)	Security Plan of Aeronautical Telecommu- nications Service Provider
IS 14.7.4.1(i)	Standard Operation Procedure Manual (SOP)
IS 14.7.10.1.	Application for Approval, Amendment or Renewal as an Aeronautical Telecommunications Service Provider
IS 14.7.28.1.	Maintenance of Documents and Entries
IS 14.7.26.1.	Authorized Personnel to Approve Return to Service
IS 14.7.24.	Flight Inspection and Calibration
IS 14.7.30.1.	Facilities, Equipment and Maintenance Tools

S. I. 44 of 2012

AIR NAVIGATION SERVICES

14.0. GENERAL

14.0.1.—This Part shall apply to the provision of :

Applicability.

- (a) Air Traffic Services within the Nigerian Airspace ;
- (b) Procedures Design (PANS/OPS) ;
- (c) Aeronautical Search and Rescue ;
- (d) Aeronautical Information Services ;
- (e) Aeronautical Charts ;
- (f) Aeronautical Meteorology ; and
- (g) Aeronautical Telecommunications.

14.0.2.—*Accepting unit*—Air traffic control unit next to take control of an aircraft.

Definitions.

Accident—An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which :

(a) a person is fatally or seriously injured as a result of :

- being in the aircraft, or
- direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
- direct exposure to jet blast, *except* when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew ; or

(b) the aircraft sustains damage or structural failure which :

- adversely affects the structural strength, performance or flight characteristics of the aircraft, and
- would normally require major repair or replacement of the affected component, *except* for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin ; or

(c) the aircraft is missing or is completely inaccessible.

Note 1.— *For statistical uniformity only, an injury resulting in death within thirty days of the date of the accident is classified as a fatal injury by ICAO.*

Note 2.— *An aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located.*

Acrobatic flight—Manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed.

ADS-C agreement—A reporting plan which establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services unit and frequency of ADS-C reports which have to be agreed to prior to using ADS-C in the provision of air traffic services).

Note—The terms of the agreement will be exchanged between the ground system and the aircraft by means of a contract, or a series of contracts.

Advisory airspace—An airspace of defined dimensions, or designated route, within which air traffic advisory service is available.

Advisory route—A designated route along which air traffic advisory service is available.

Aerodrome—A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

Aerodrome climatological summary—Concise summary of specified meteorological elements at an aerodrome, based on statistical data.

Aerodrome climatological table—Table providing statistical data on the observed occurrence of one or more meteorological elements at an aerodrome.

Aerodrome control service—Air traffic control service for aerodrome traffic.

Aerodrome control tower—A unit established to provide air traffic control service to aerodrome traffic.

Aerodrome elevation—The elevation of the highest point of the landing area.

Aerodrome meteorological office—An office, located at an aerodrome, designated to provide meteorological service for international air navigation.

Aerodrome operating minima—The limits of usability of an aerodrome for:

(a) take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions ;

(b) landing in precision approach and landing operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) as appropriate to the category of the operation ;

(c) landing in approach and landing operations with vertical guidance, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) ; and

(d) landing in non-precision approach and landing operations, expressed in terms of visibility and/or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions.

Aerodrome reference point—The designated geographical location of an aerodrome.

Aeronautical chart—A representation of a portion of the Earth, its culture and relief, specifically designated to meet the requirements of air navigation.

Aeronautical meteorological station—A station designated to make observations and meteorological reports for use in international air navigation.

Aeronautical mobile service (RR S1.32)—A mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft stations may participate; emergency position-indicating radio beacon stations may also participate in this service on designated distress and emergency frequencies.

Aeronautical telecommunication station—A station in the aeronautical telecommunication service.

Aeronautical Information Circular (AIC)—A notice containing information that does not qualify for the origination of a NOTAM or for inclusion in the AIP, but which relates to flight safety, air navigation, technical, administrative or legislative matters.

Aeronautical Information Publication (AIP)—A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

Aeronautical information service (AIS)—A service established within the defined area of coverage responsible for the provision of aeronautical information/data necessary for the safety, regularity and efficiency of air navigation.

AIP Amendment—Permanent changes to the information contained in the AIP.

AIP Supplement—Temporary changes to the information contained in the AIP which are published by means of special pages.

AIRAC—An acronym (aeronautical information regulation and control) signifying a system aimed at advance notification based on common effective dates, of circumstances that necessitate significant changes in operating practices.

Air defence identification zone (ADIZ)—Special designated airspace of defined dimensions within which aircraft are required to comply with special identification and/or reporting procedures additional to those related to the provision of air traffic services (ATS).

AIS product—Aeronautical information provided in the form of the elements of the Integrated Aeronautical Information Package (except NOTAM and PIB), including aeronautical charts, or in the form of suitable electronic media.

Application—Manipulation and processing of data in support of user requirements (ISO 19104*).

Aeronautical station (RR S1.81)—A land station in the aero- nautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea.

Aeroplane—A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Airborne collision avoidance system (ACAS)—An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.

Aircraft—Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

Aeroplane—A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Airborne collision avoidance system (ACAS)—An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.

Air-ground control radio station—An aeronautical tele-communication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area.

Air-taxiing—Movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).

Note—The actual height may vary, and some helicopters may require air-taxiing above 8m (25 ft) AGL to reduce ground effect turbulence or provide clearance for cargo slingloads.

Aircraft stand—A designated area on an apron intended to be used for parking an aircraft.

Air defence identification zone—Special designated airspace of defined dimensions within which aircraft are required to comply with special identification and/or reporting procedures additional to those related to the provision of air traffic services (ATS).

Aircraft observation—The evaluation of one or more meteorological elements made from an aircraft in flight.

AIRMET information—Information issued by a meteorological watch office concerning the occurrence or expected occurrence of specified en-route weather phenomena which may affect the safety of low-level aircraft operations and which was not already included in the forecast issued for low-level flights in the flight information region concerned or sub-area thereof.

Air-report—A report from an aircraft in flight prepared in conformity with requirements for position, and operational and/or meteorological reporting.

Note—Details of the AIREP form are given in the PANS-ATM (Doc 4444).

Air traffic service—A generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service).

Air traffic advisory service—A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.

Air traffic control clearance—Authorization for an aircraft to proceed under conditions specified by an air traffic control unit.

Note 1.—For convenience, the term "air traffic control clearance" is frequently abbreviated to "clearance" when used in appropriate contexts.

Note 2.—The abbreviated term "clearance" may be pre-fixed by the words "taxi", "take-off", "departure", "en-route", "approach" or "landing" to indicate the particular portion of flight to which the air traffic control clearance relates.

Air traffic control service—A service provided for the purpose of :

(a) preventing collisions :

(1) between aircraft, and

(2) on the manoeuvring area between aircraft and obstructions, and

(b) expediting and maintaining an orderly flow of air traffic.

Air traffic control unit—A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic service—A generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service).

Air traffic services airspaces—Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

Note—ATS airspaces are classified as Class A to G.

Air traffic services reporting office—A unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure.

Note—An air traffic services reporting office may be established as a separate unit or combined with an existing unit, such as another air traffic services unit, or a unit of the aeronautical information service.

Air traffic services unit—A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.

Air Traffic Management (ATM)—The dynamic, integrated management of air traffic and Airspace, including air traffic services, airspace management

and air traffic flow management—safely, economically and efficiently through the provision of facilities and seamless services in collaboration with all parties and involving airborne and ground-based functions.

Air transit route—A defined route for the air transiting of helicopters.

Airway—A control area or portion thereof established in the form of a corridor.

Alerting post—Any facility intended to serve as an intermediary between a person reporting an emergency and a rescue coordination centre or rescue subcentre.

Alert phase—A situation wherein apprehension exists as to the safety of an aircraft and its occupants.

Alerting service—A service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required.

Alternate aerodrome—An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome of intended landing. Alternate aerodromes include the following:

Take-off alternate—An alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.

En-route alternate—An aerodrome at which an aircraft would be able to land after experiencing an abnormal or emergency condition while en-route.

ETOPS en-route alternate—A suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shut-down or other abnormal or emergency condition while en-route in an ETOPS operation.

Destination alternate—An alternate aerodrome to which an aircraft may proceed should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Note—The aerodrome from which a flight departs may also be an en-route or a destination alternate aerodrome for that flight.

Alternative means of communication—A means of communication provided with equal status, and in addition to the primary means

Altitude—The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL).

AIS Provider—The body responsible for providing aeronautical information services.

Approach control service—Air traffic control service for arriving or departing controlled flights.

Approach control unit—A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Appropriate authority—

(a) *Regarding flight over the high seas*—The relevant authority of the State of Registry.

(b) *Regarding flight other than over the high seas*—The relevant authority of the State having sovereignty over the territory being overflown.

Appropriate ATS authority—The relevant authority designated by the State responsible for providing air traffic services in the airspace concerned.

Assemble—A process of merging data from multiple sources into a database and establishing a baseline for subsequent processing.

Area control centre—A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Application—Manipulation and processing of data in support of user requirements (ISO 19104*).

Apron—A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Area minimum altitude (AMA)—The minimum altitude to be used under instrument meteorological conditions (IMC), that provides a minimum obstacle clearance within a specified area, normally formed by parallels and meridians.

Area navigation (RNAV)—A method of navigation which permits aircraft operation on any desired flight path within the coverage of ground- or space-based navigation aids or within the limits of the capability of self-contained aids, or a combination of these.

Note—Area navigation includes performance-based navigation as well as other operations that do not meet the definition of performance-based navigation.

Arrival routes—Routes identified in an instrument approach procedure by which aircraft may proceed from the en-route phase of flight to an initial approach fix.

ATS route—A specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services.

Note 1—The term *ATS route* is used to mean variously, *airway, advisory route, controlled or uncontrolled route, arrival or departure route, etc.*

Note 2—An *ATS route* is defined by route specifications that include an *ATS route designator, the track to or from significant points (waypoints), distance between significant points, reporting requirements and, as determined by the appropriate ATS authority, the lowest safe altitude.*

ATS surveillance system.—A generic term meaning variously, *ADS-B, PSR, SSR* or any comparable ground-based system that enables the identification of aircraft.

Note—A comparable ground-based system is one that has been demonstrated, by comparative assessment or other methodology, to have a level of safety and performance equal to or better than monopulse SSR.

Authorised designer—A person who is the holder of procedure design authorisation that is in force.

Automatic dependent surveillance-broadcast (ADS-B)—A means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Automatic dependent surveillance-contract (ADS-C)—A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.

Note—The abbreviated term “ADS contract” is commonly used to refer to ADS event contract, ADS demand contract, ADS periodic contract or an emergency mode.

Automatic dependent surveillance (ADS)—A surveillance technique in which aircraft automatically provide, via a data link, data derived from on-board navigation and position-fixing systems, including aircraft identification, four-dimensional position and additional data as appropriate.

Bare Earth.—Surface of the Earth including bodies of water and permanent ice and snow, and excluding vegetation and man-made objects.

Briefing—Oral commentary on existing and/or expected meteorological conditions.

Calendar—Discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108*).

Canopy—Bare Earth supplemented by vegetation height.

Ceiling—The height above the ground or water of the base of the lowest layer of cloud below 6 000 metres (20 000 feet) covering more than half the sky.

Certified designer—A person authorised to carry on instrument on flight procedure of a type covered by the certificate subject to any condition set out therein.

Change-over point—The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft.

Note—Change-over points are established to provide the optimum balance in respect of signal strength and quality between facilities at all levels to be used and to ensure a common source of azimuth guidance for all aircraft operating along the same portion of a route segment.

* All ISO Standards are listed at the end of this chapter.

Clearance limit—The point to which an aircraft is granted an air traffic control clearance.

Clearway—A defined rectangular area on the ground or water under the control of the appropriate authority, selected or prepared as a suitable area over which an aeroplane may make a portion of its initial climb to a specified height.

Cloud of operational significance—A cloud with the height of cloud base below 1,500m (5,000ft) or below the highest minimum sector altitude, whichever is greater, or a cumulonimbus cloud or a towering cumulus cloud at any height.

Consultation—Discussion with a meteorologist or another qualified person of existing and/or expected meteorological conditions relating to flight operations ; a discussion includes answers to questions.

Continental Shelf—means the continental shelf of Nigeria.

Control area—A controlled airspace extending upwards from a specified limit above the earth.

Controlled aerodrome—An aerodrome at which air traffic control service is provided to aerodrome traffic.

Note—The term "controlled aerodrome" indicates that air traffic control service is provided to aerodrome traffic but does not necessarily imply that a control zone exists.

Controlled airspace—An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Note—Controlled airspace is a generic term which covers ATS airspace Classes A, B, C, D and E as described in Annex 11, 2.6.

Controlled flight—Any flight which is subject to an air traffic control clearance.

Controller-pilot data link communications (CPDLC)—A means of communication between controller and pilot, using data link for ATC communications.

Control zone—A controlled airspace extending upwards from the surface of the earth to a specified upper limit.

Cruise climb—An aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decrease.

Cruising level—A level maintained during a significant portion of a flight.

Current flight plan—The flight plan, including changes, if any, brought about by subsequent clearances.

Contour line—A line on a map or chart connecting points of equal elevation.

Culture—All man-made features constructed on the surface of the Earth, such as cities, railways and canals.

Cyclic redundancy check (CRC)—A mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data.

Danger area—An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Data link communications—A form of communication intended for the exchange of messages via a data link.

Data product specification—Detailed description of a data set or data set series together with additional information that will enable it to be created, supplied to and used by another party (ISO 19131*).

Note— *A data product specification provides a description of the universe of discourse and a specification for mapping the universe of discourse to a data set. It may be used for production, sales, end-use or other purpose.*

Database—One or more files of data so structured that appropriate applications may draw from the files and update them.

Note— *This primarily refers to data stored electronically and accessed by computer rather than in files of physical records.*

Data product—Data set or data set series that conforms to a data product specification (ISO 19131*).

Data product specification—Detailed description of a data set or data set series together with additional information that will enable it to be created, supplied to and used by another party (ISO 19131*).

Data quality—A degree or level of confidence that the data provided meet the requirements of the data user in terms of accuracy, resolution and integrity.

Data set—Identifiable collection of data (ISO 19101*).

Data set series—Collection of data sets sharing the same product specification (ISO 19115*).

Design work— in relation to a terminal instrument flight procedure, means any of the following work :

- (a) designing the procedure or a part of the procedure ;
- (b) verifying, maintaining, reviewing or amending the procedure ;
- (c) supervising a person carrying on any work mentioned in paragraph (a) or (b)

Datum—Any quantity or set of quantities that may serve as a reference or basis for the calculation of other quantities (ISO 19104*).

Digital Elevation Model (DEM)—The representation of terrain surface by continuous elevation values at all intersections of a defined grid, referenced to common datum.

Note—Digital Terrain Model (DTM) is sometimes referred to as DEM.

*Distress phase—*A situation wherein there is a reasonable certainty that an aircraft and its occupants are threatened by grave and imminent danger and require immediate assistance.

*Ditching—*The forced landing of an aircraft on water.

*Direct transit arrangements—*Special arrangements approved by the public authorities concerned by which traffic which is pausing briefly in its passage through the Contracting State may remain under their direct control.

*Displaced threshold—*A threshold not located at the extremity of a runway.

*Double channel simplex—*Simplex using two frequency channels, one in each direction.

Note— This method was sometimes referred to as crossband.

*Duplex—*A method in which telecommunication between two stations can take place in both directions simultaneously.

*Effective acceptance bandwidth—*The range of frequencies with respect to the assigned frequency for which reception is assured when all receiver tolerances have been taken into account.

*Effective adjacent channel rejection—*The rejection that is obtained at the appropriate adjacent channel frequency when all relevant receiver tolerances have been taken into account.

*Electronic aeronautical chart display—*An electronic device by which flight crews are enabled to execute, in a convenient and timely manner, route planning, route monitoring and navigation by displaying required information.

*Elevation—*The vertical distance of a point or a level, on or affixed to the surface of the earth, measured from mean sea level.

*Ellipsoid height (Geodetic height)—*The height related to the reference ellipsoid, measured along the ellipsoidal outer normal through the point in question.

*Emergency phase—*A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase.

*Employee of a certified designer or an authorised designer—*a person who carries on design work on a terminal instrument flight procedure for the designer in the course of performing services for the designer.

*Estimated off-block time—*The estimated time at which the aircraft will commence movement associated with departure.

*Estimated time of arrival—*For IFR flights, the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

Essential radio navigation service—A radio navigation service whose disruption has a significant impact on operations in the affected airspace or aerodrome.

Expected approach time—The time at which ATC expects that an arriving aircraft, following a delay, will leave the holding fix to complete its approach for a landing.

Note—The actual time of leaving the holding fix will depend upon the approach clearance.

Extended range operation—Any flight by an aeroplane with two turbine engines where the flight time at the one engine in operative cruise speed (in ISA and still air conditions), from a point on the route to an adequate alternate aerodrome, is greater than the threshold time approved by the State of the Operator.

Fan marker beacon—A type of radio beacon, the emissions of which radiate in a vertical fan-shaped pattern.

Feature—Abstraction of real world phenomena (ISO 19101*).

Feature attribute—Characteristic of a feature (ISO 19101*).

Note—A feature attribute has a name, a data type and a value domain associated with it.

Feature operation—Operation that every instance of a feature type may perform (ISO 19110*).

Note—An operation upon the feature type dam is to raise the dam. The result of this operation is to raise the level of water in the reservoir.

Feature relationship—Relationship that links instances of one feature type with instances of the same or a different feature type (ISO 19101*).

Feature type—Class of real world phenomena with common properties (ISO 19110*).

Note—In a feature catalogue, the basic level of classification is the feature type.

Filed flight plan—The flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes.

Final approach—That part of an instrument approach procedure which commences at the specified final approach fix or point, or where such a fix or point is not specified,

(a) at the end of the last procedure turn, base turn or inbound turn of a racetrack procedure, if specified ; or

(b) at the point of interception of the last track specified in the approach procedure; and ends at a point in the vicinity of an aerodrome, from which :

(1) a landing can be made ; or

(2) a missed approach procedure is initiated.

Final approach and take-off area (FATO)—A defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available.

Final approach fix or point—That fix or point of an instrument approach procedure where the final approach segment commences.

Final approach segment—That segment of an instrument approach procedure in which alignment and descent for landing are accomplished.

Flight information region—An airspace of defined dimensions within which flight information service and alerting service are provided.

Flight crew member—A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

Flight information centre—A unit established to provide flight information service and alerting service.

Flight information service—A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

Flight level—A surface of constant atmospheric pressure which is related to a specific pressure datum, 1 013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals.

Note 1.—A pressure type altimeter calibrated in accordance with the Standard Atmosphere :

- (a) *when set to a QNH altimeter setting, will indicate altitude ;*
- (b) *when set to a QFE altimeter setting, will indicate height above the QFE reference datum;*
- (c) *when set to a pressure of 1013.2 hPa, may be used to indicate flight levels.*

Note 2.—The terms "height" and "altitude", used in Note 1 above, indicate altimetric rather than geometric heights and altitudes.

Flight plan—Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

Flight visibility—The visibility forward from the cockpit of an aircraft in flight.

Forecast—A statement of expected meteorological conditions for a specified time or period, and for a specified area or portion of airspace.

GAMET area forecast—An area forecast in abbreviated plain language for low-level flights for a flight information region or sub-area thereof, prepared by the meteorological office designated by the meteorological authority concerned and exchanged with meteorological offices in adjacent flight information regions, as agreed between the meteorological authorities concerned.

Geodesic distance—The shortest distance between any two points on a mathematically defined ellipsoidal surface.

Geodetic datum—A minimum set of parameters required to define location and orientation of the local reference system with respect to the global reference system/frame.

Geoid—The equipotential surface in the gravity field of the Earth which coincides with the undisturbed mean sea level (MSL) extended continuously through the continents.

Note—The geoid is irregular in shape because of local gravitational disturbances (wind tides, salinity, current, etc.) and the direction of gravity is perpendicular to the geoid at every point.

Geoid undulation—The distance of the geoid above (positive) or below (negative) the mathematical reference ellipsoid.

Note—In respect to the World Geodetic System — 1984 (WGS-84) defined ellipsoid, the difference between the WGS-84 ellipsoidal height and orthometric height represents WGS-84 geoid undulation.

Glide path—A descent profile determined for vertical guidance during a final approach.

Gregorian calendar—Calendar in general use; first introduced in 1582 to define a year that more closely approximates the tropical year than the Julian calendar (ISO 19108*).

Note—In the Gregorian calendar, common years have 365 days and leap years 366 days divided into twelve sequential months.

Grid point data in digital form—Computer processed meteorological data for a set of regularly spaced points on a chart, for transmission from a meteorological computer to another computer in a code form suitable for automated use.

Note—In most cases, such data are transmitted on medium- or high-speed telecommunications channels.

Ground visibility—The visibility at an aerodrome as reported by an accredited observer or by automatic systems.

Heading—The direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid).

Head designer for a certified designer—A person appointed as head designer for the certified designer.

Height—The vertical distance of a level, a point or an object considered as a point, measured from a specified datum.

Helicopter stand—An aircraft stand which provides for parking a helicopter and where ground taxi operations are completed or where the helicopter touches down and lifts off for air taxi operations.

Heliport—An aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters.

Holding procedure—A predetermined manoeuvre which keeps an aircraft within a specified airspace while awaiting further clearance.

Hot spot—A location on an aerodrome movement area with a history or potential risk of collision or runway incursion, and where heightened attention by pilots/drivers is necessary.

Human Factors principles—Principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

Hypsometric tints—A succession of shades or colour gradations used to depict ranges of elevation.

ICAO Doc. 8168 (PANS-OPS)—Doc. 8168-OPS/611 Volume II (Procedures for Air Navigation Services—Construction of Visual and Instrument Flight Procedures) approved and published by decision of the Council of the International Civil Aviation Organisation, as in force from time to time.

Initial approach segment—That segment of an instrument approach procedure between the initial approach fix and the intermediate approach fix or, where applicable, the final approach fix or point.

Instrument approach procedure—A series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply. Instrument approach procedures are classified as follows :

Non-precision approach (NPA) procedure—An instrument approach procedure which utilizes lateral guidance but does not utilize vertical guidance.

Approach procedure with vertical guidance (APV)—An instrument approach procedure which utilizes lateral and vertical guidance but does not meet the requirements established for precision approach and landing operations.

Precision approach (PA) procedure—An instrument approach procedure using precision lateral and vertical guidance with minima as determined by the category of operation.

Note—Lateral and vertical guidance refers to the guidance provided either by :

- (a) a ground-based navigation aid ; or
- (b) computer-generated navigation data.

Integrated Aeronautical Information Package—A package which consists of the following elements :

- AIP, including amendment service ;
- Supplements to the AIP ;
- NOTAM and PIB ;
- AIC ; and
- checklists and lists of valid NOTAM.

Integrity (aeronautical data)—A degree of assurance that an aeronautical data and its value has not been lost or altered since the data origination or authorized amendment.

International airport—Any airport designated by the Contracting State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

International NOTAM office (NOF)—An office designated by a State for the exchange of NOTAM internationally.

International Airways Volcano Watch (IAVW)—International arrangement for monitoring and providing warnings to aircraft of volcanic ash in the atmosphere.

Note—The IAVW is based on the cooperation of aviation and non-aviation operational units using information derived from observing sources and networks that are provided by States. The watch is coordinated by ICAO with the cooperation of other concerned international organizations.

Logon address—A specified code used for data link logon to an ATS unit.

Intermediate approach segment—That segment of an instrument approach procedure between either the intermediate approach fix and the final approach fix or point, or between the end of a reversal, racetrack or dead reckoning track procedure and the final approach fix or point, as appropriate.

Intermediate holding position—A designated position intended for traffic control at which taxiing aircraft and vehicles shall stop and hold until further cleared to proceed, when so instructed by the aerodrome control tower.

International airways volcano watch (IAVW)—International arrangements for monitoring and providing warnings to aircraft of volcanic ash in the atmosphere.

Note—The IAVW is based on the cooperation of aviation and non-aviation operational units using information derived from observing sources and networks that are provided by States. The watch is coordinated by ICAO with the cooperation of other concerned international organizations.

Isogonal—A line on a map or chart on which all points have the same magnetic variation for a specified epoch.

Isogriv—A line on a map or chart which joins points of equal angular difference between the North of the navigation grid and Magnetic North.

Joint rescue coordination centre (JRCC)—A rescue coordination centre responsible for both aeronautical and maritime search and rescue operations.

Landing area—That part of a movement area intended for the landing or take-off of aircraft.

Landing direction indicator—A device to indicate visually the direction currently designated for landing and for take-off.

Level—A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.

Logon address—A specified code used for data link logon to an ATS unit.

Magnetic variation—The angular difference between True North and Magnetic North.

Note—The value given indicates whether the angular difference is East or West of True North.

Manoeuvring area—That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Marking—A symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information.

Mean power (of a radio transmitter)—The average power supplied to the antenna transmission line by a transmitter during an interval of time sufficiently long compared with the lowest frequency encountered in the modulation taken under normal operating conditions.

Note—A time of 1/10 second during which the mean power is greatest will be selected normally.

Metadata—Data about data (ISO 19115*).

Note—Data that describes and documents data.

Meteorological authority—The authority providing or arranging for the provision of meteorological service for international air navigation on behalf of a Contracting State.

Meteorological bulletin—A text comprising meteorological information preceded by an appropriate heading.

Meteorological information—Meteorological report, analysis, forecast, and any other statement relating to existing or expected meteorological conditions.

Meteorological office—An office designated to provide meteorological service for international air navigation.

Meteorological report—A statement of observed meteorological conditions related to a specified time and location.

Meteorological satellite—An artificial Earth satellite making meteorological observations and transmitting these observations to Earth.

Minimum en-route altitude (MEA)—The altitude for an en-route segment that provides adequate reception of relevant navigation facilities and ATS communications, complies with the airspace structure and provides the required obstacle clearance.

Minimum obstacle clearance altitude (MOCA)—The minimum altitude for a defined segment of flight that provides the required obstacle clearance.

Minimum sector altitude—The lowest altitude which may be used which will provide a minimum clearance of 300 m (1,000 ft) above all objects located in an area contained within a sector of a circle of 46 km (25 NM) radius centred on a radio aid to navigation.

Missed approach point (MAPt)—That point in an instrument approach procedure at or before which the prescribed missed approach procedure must be initiated in order to ensure that the minimum obstacle clearance is not infringed.

Missed approach procedure—The procedure to be followed if the approach cannot be continued.

Movement area—That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Navigation specification—A set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace. There are two kinds of navigation specifications:

Required navigation performance (RNP) specification—A navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, e.g. RNP 4, RNPAPCH.

Area navigation (RNAV) specification—A navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1.

Note 1.—The Performance-based Navigation (PBN) Manual (Doc. 9613), Volume II, contains detailed guidance on navigation specifications.

Note 2.—The term RNP, previously defined as “a statement of the navigation performance necessary for operation within a defined airspace”, has been removed from this Annex as the concept of RNP has been overtaken by the concept of PBN. The term RNP in this Annex is now solely used in the context of navigation specifications that require performance monitoring and alerting, e.g. RNP 4 refers to the aircraft and operating requirements, including a 4 NM lateral performance with on-board performance monitoring and alerting that are detailed in Doc. 9613.

NOTAM—A notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

Observation (meteorological)—The evaluation of one or more meteorological elements.

Obstacle—All fixed (whether temporary or permanent) and mobile objects, or parts thereof, that :

- (a) are located on an area intended for the surface movement of aircraft ; or
- (b) extend above a defined surface intended to protect aircraft in flight ; or
- (c) stand outside those defined surfaces and that have been assessed as being a hazard to air navigation.

Note.—The term *obstacle* is used in this Annex solely for the purpose of specifying the charting of objects that are considered a potential hazard to the safe passage of aircraft in the type of operation for which the individual chart series is designed.

Obstacle clearance altitude (OCA) or obstacle clearance height (OCH)—The lowest altitude or the lowest height above the elevation of the relevant runway threshold or the aerodrome elevation as applicable, used in establishing compliance with appropriate obstacle clearance criteria.

Note 1.—Obstacle clearance altitude is referenced to mean sea level and obstacle clearance height is referenced to the threshold elevation or in the case of non-precision approaches to the aerodrome elevation or the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. An obstacle clearance height for a circling approach is referenced to the aerodrome elevation.

Note 2.—For convenience when both expressions are used they may be written in the form “obstacle clearance altitude/height” and abbreviated “OCA/H”.

Note 3.—See Procedures for Air Navigation Services — Aircraft Operations (Doc 8168), Volume I, Part I, Section 4, Chapter 1, 1.5, and Volume II, Part I, Section 4, Chapter 5, 5.4, for specific applications of this definition.

Obstacle free zone (OFZ)—The airspace above the inner approach surface, inner transitional surfaces, and balked landing surface and that portion of the strip bounded by these surfaces, which is not penetrated by any fixed obstacle other than a low-mass and frangibly mounted one required for air navigation purposes.

Orthometric height—Height of a point related to the geoid, generally presented as an MSL elevation.

Operational control—The exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight.

Operational flight plan—The operator's plan for the safe conduct of the flight based on considerations of aeroplane performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes concerned.

Operational planning—The planning of flight operations by an operator.

Operator—A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Performance-based navigation (PBN)—Area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace.

Note.—*Performance requirements are expressed in navigation specifications (RNAV specification, RNP specification) in terms of accuracy, integrity, continuity, availability and functionality needed for the proposed operation in the context of a particular airspace concept.*

Pilot-in-command—The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

Prevailing visibility—The greatest visibility value, observed in accordance with the definition of "visibility", which is reached within at least half the horizon circle or within at least half of the surface of the aerodrome. These areas could comprise contiguous or non-contiguous sectors.

Note.—*This value may be assessed by human observation and/or instrumented systems. When instruments are installed, they are used to obtain the best estimate of the prevailing visibility.*

Point light—A luminous signal appearing without perceptible length.

Portrayal—Presentation of information to humans (ISO 19117*).

Position (geographical)—Set of co-ordinates (latitude and longitude) referenced to the mathematical reference ellipsoid which define the position of a point on the surface of the Earth.

Precision approach procedure—An instrument approach procedure utilizing azimuth and glide path information provided by ILS or PAR.

Pre-flight information bulletin (PIB)—A presentation of current NOTAM information of operational significance, prepared prior to flight.

Procedure altitude/height—A specified altitude/height flown operationally at or above the minimum altitude/height and established to accommodate a stabilized descent at a prescribed descent gradient/angle in the intermediate/final approach segment.

Procedure turn—A manoeuvre in which a turn is made away from a designated track followed by a turn in the opposite direction to permit the aircraft to intercept and proceed along the reciprocal of the designated track.

Note 1.—Procedure turns are designated “left” or “right” according to the direction of the initial turn.

Note 2.—Procedure turns may be designated as being made either in level flight or while descending, according to the circumstances of each individual procedure.

Pilot-in-command—The pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight.

Pressure-altitude—An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere.*

Primary means of communication—The means of communication to be adopted normally by aircraft and ground stations as a first choice where alternative means of communication exist.

Problematic use of substances—The use of one or more psychoactive substances by aviation personnel in a way that :

(a) constitutes a direct hazard to the user or endangers the lives, health or welfare of others ; and/or

(b) causes or worsens an occupational, social, mental or physical problem or disorder.

Prognostic chart—A forecast of a specified meteorological element(s) for a specified time or period and a specified surface or portion of airspace, depicted graphically on a chart.

Prohibited area—An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

Protected service volume—A part of the facility coverage where the facility provides a particular service in accordance with relevant SARPs and within which the facility is afforded frequency protection.

Psychoactive substances—Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

Quality—Degree to which a set of inherent characteristics fulfils requirements (ISO 9000*).

Note 1.—The term “quality” can be used with adjectives such as poor, good or excellent.

Note 2.—“Inherent”, as opposed to “assigned”, means existing in something, especially as a permanent characteristic.

Quality assurance—Part of quality management focused on providing confidence that quality requirements will be fulfilled (ISO 9000*).

Quality control—Part of quality management focused on fulfilling quality requirements (ISO 9000*).

Quality management—Co-ordinated activities to direct and control an organization with regard to quality (ISO 9000*).

Radio navigation service—A service providing guidance information or position data for the efficient and safe operation of aircraft supported by one or more radio navigation aids.

Radiotelephony—A form of radiocommunication primarily intended for the exchange of information in the form of speech.

Regional air navigation agreement—Agreement approved by the Council of ICAO normally on the advice of a regional air navigation meeting.

Rescue—An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.

Rescue co-ordination centre (RCC)—A unit responsible for promoting efficient organization of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region.

Rescue subcentre (RSC)—A unit subordinate to a rescue co-ordination centre, established to complement the latter according to particular provisions of the responsible authorities.

Relief—The inequalities in elevation of the surface of the Earth represented on aeronautical charts by contours, hypsometric tints, shading or spot elevations.

Repetitive flight plan (RPL)—A flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by ATS units.

Reporting point—A specified (named) geographical location in relation to which the position of an aircraft can be reported.

Note.—There are three categories of reporting points : ground-based navigation aid, intersection and waypoint. In the context of this definition, intersection is a significant point expressed as radials, bearings and/or distances from ground-based navigation aids. A reporting point can be indicated as "on request" or as "compulsory".

Requirement—Need or expectation that is stated, generally implied or obligatory (ISO 9000*).

Note 1.—"Generally implied" means that it is custom or common practice for the organization, its customers and other interested parties, that the need or expectation under consideration is implied.

Note 2.—A qualifier can be used to denote a specific type of requirement, e.g. product requirement, quality management requirement, customer requirement.

Note 3.—A specified requirement is one which is stated, for example, in a document.

Note 4.—Requirements can be generated by different interested parties.

Resolution—A number of units or digits to which a measured or calculated value is expressed and used.

Restricted area—An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.

Reversal procedure—A procedure designed to enable aircraft to reverse direction during the initial approach segment of an instrument approach procedure. The sequence may include procedure turns or base turns.

Route stage—A route or portion of a route flown without an intermediate landing.

Runway—A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

Runway-holding position—A designated position intended to protect a runway, an obstacle limitation surface, or an ILS/MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorized by the aerodrome control tower.

Note.—In radiotelephony phraseologies, the expression “holding point” is used to designate the runway-holding position.

Runway strip—A defined area including the runway and stopway, if provided, intended :

- (a) to reduce the risk of damage to aircraft running off a runway ; and
- (b) to protect aircraft flying over it during take-off or landing operations.

Runway visual range (RVR)—The range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.

Search and rescue services unit—A generic term meaning, as the case may be, rescue co-ordination centre, rescue subcentre or alerting post.

Safety-sensitive personnel—Persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers.

Search—An operation normally co-ordinated by a rescue co-ordination centre or rescue subcentre using available personnel and facilities to locate persons in distress.

Search and rescue aircraft—An aircraft provided with specialized equipment suitable for the efficient conduct of search and rescue missions.

Search and rescue facility—Any mobile resource, including designated search and rescue units, used to conduct search and rescue operations.

Search and rescue service—The performance of distress monitoring, communication, co-ordination and search and rescue functions, initial medical assistance or medical evacuation, through the use of public and private resources, including co-operating aircraft, vessels and other craft and installations.

Search and rescue region (SRR)—An area of defined dimensions, associated with a rescue co-ordination centre, within which search and rescue services are provided.

Search and rescue unit—A mobile resource composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations.

State of Registry—The State on whose register the aircraft is entered.

Uncertainty phase—A situation wherein uncertainty exists as to the safety of an aircraft and its occupants.

Shoulder—An area adjacent to the edge of a pavement so prepared as to provide a transition between the pavement and the adjacent surface.

SIGMET information—Information issued by a meteorological watch office concerning the occurrence or expected occurrence of specified en-route weather phenomena which may affect the safety of aircraft operations.

Signal area—An area on an aerodrome used for the display of ground signals.

Special VFR flight—A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC.

Significant point—A specified geographical location used in defining an ATS route or the flight path of an aircraft and for other navigation and ATS purposes.

Note.—There are three categories of significant points : ground-based navigation aid, intersection and waypoint. In the context of this definition, intersection is a significant point expressed as radials, bearings and/or distances from ground-based navigation aids.

Simplex—A method in which telecommunication between two stations takes place in one direction at a time.

Note.—In application to the aeronautical mobile service, this method may be subdivided as follows :

- (a) single channel simplex ;
- (b) double channel simplex ;
- (c) offset frequency simplex.

Single channel simplex—Simplex using the same frequency channel in each direction.

Standard isobaric surface—An isobaric surface used on a worldwide basis for representing and analysing the conditions in the atmosphere.

Stopway—A defined rectangular area on the ground at the end of take-off run available prepared as a suitable area in which an aircraft can be stopped in the case of an abandoned take-off.

Station declination—An alignment variation between the zero degree radial of a VOR and true north, determined at the time the VOR station is calibrated.

Taxiing—Movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing.

Taxi-route—A defined path established for the movement of helicopters from one part of a heliport to another. A taxi-route includes a helicopter air or ground taxiway which is centred on the taxi-route.

Taxiway—A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including :

(a) *Aircraft stand taxilane*—A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only.

(b) *Apron taxiway*—A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron.

(c) *Rapid exit taxiway*—A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times.

Terminal arrival altitude (TAA)—The lowest altitude that will provide a minimum clearance of 300 m (1,000 ft) above all objects located in an arc of a circle defined by a 46 km (25 NM) radius centred on the initial approach fix (IAF), or where there is no IAF on the intermediate approach fix (IF), delimited by straight lines joining the extremity of the arc to the IF. The combined TAAs associated with an approach procedure shall account for an area of 360 degrees around the IF.

Terminal control area—A control area normally established at the confluence of ATS routes in the vicinity of one or more major aerodromes

Terrain—The surface of the Earth containing naturally occurring features such as mountains, hills, ridges, valleys, bodies of water, permanent ice and snow, and excluding obstacles.

Note.—In practical terms, depending on the method of data collection, terrain represents the continuous surface that exists at the bare Earth, the top of the canopy or something in-between, also known as "first reflective surface".

Threshold—The beginning of that portion of the runway usable for landing.

Total estimated elapsed time—For IFR flights, the estimated time required from take-off to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from take-off to arrive over the destination aerodrome.

Touchdown and lift-off area (TLOF)—A load bearing area on which a helicopter may touch down or lift off.

Touchdown zone—The portion of a runway, beyond the threshold, where it is intended landing aeroplanes first contact the runway.

Track—The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).

Traffic avoidance advice—Advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision.

Traffic information—Information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision.

Transition altitude—The altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes.

Tropical cyclone—Generic term for a non-frontal synoptic-scale cyclone originating over tropical or sub-tropical waters with organized convection and definite cyclonic surface wind circulation.

Tropical cyclone advisory centre (TCAC)—A meteorological centre designated by regional air navigation agreement to provide advisory information to meteorological watch offices, world area forecast centres and international OPMET databanks regarding the position, forecast direction and speed of movement, central pressure and maximum surface wind of tropical cyclones.

Unmanned free balloon—A non-power-driven, unmanned, lighter-than-air aircraft in free flight.

Note.—Unmanned free balloons are classified as heavy, medium or light in accordance with specifications contained in Appendix 4.

Upper-air chart—A meteorological chart relating to a specified upper-air surface or layer of the atmosphere.

Validation—Confirmation, through the provision of objective evidence, that the requirements for a specific intended use or application have been fulfilled (ISO 9000*).

Vectoring—Provision of navigational guidance to aircraft in the form of specific headings, based on the use of an ATS surveillance system.

Verification—Confirmation, through the provision of objective evidence, that specified requirements have been fulfilled (ISO 9000*).

Note 1.—The term "verified" is used to designate the corresponding status.

Note 2.—Confirmation can comprise activities such as :

— performing alternative calculations;

— comparing a new design specification with a similar proven design specification ;

— *undertaking tests and demonstrations ; and*

— *reviewing documents prior to issue.*

Visibility—Visibility for aeronautical purposes is the greater of :

(a) the greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background ;

(b) the greatest distance at which lights in the vicinity of 1,000 candelas can be seen and identified against an unlit background.

Note.—*The two distances have different values in air of a given extinction coefficient, and the latter (b) varies with the background illumination. The former (a) is represented by the meteorological optical range (MOR).*

Visual approach procedure—A series of predetermined manoeuvres by visual reference, from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, a go-around procedure can be carried out.

Volcanic ash advisory centre (VAAC)—A meteorological centre designated by regional air navigation agreement to provide advisory information to meteorological watch offices, area control centres, flight information centres, world area forecast centres and international OPMET databanks regarding the lateral and vertical extent and forecast movement of volcanic ash in the atmosphere following volcanic eruptions.

VOLMET—Meteorological information for aircraft in flight.

Data link-VOLMET (D-VOLMET)—Provision of current aerodrome routine meteorological reports (METAR) and aerodrome special meteorological reports (SPECI), aerodrome forecasts (TAF), SIGMET, special air-reports not covered by a SIGMET and, where available, AIRMET via data link.

VOLMET broadcast. Provision, as appropriate, of current METAR, SPECI, TAF and SIGMET by means of continuous and repetitive voice broadcasts.

Waypoint—A specified geographical location used to define an area navigation route or the flight path of an aircraft employing area navigation. Waypoints are identified as either :

World area forecast centre (WAFC)—A meteorological centre designated to prepare and issue significant weather forecasts and upper-air forecasts in digital form on a global basis direct to States by appropriate means as part of the aeronautical fixed service.

World area forecast system (WAFS)—A worldwide system by which world area forecast centres provide aeronautical meteorological en-route forecasts in uniform standardized formats.

Z marker beacon—A type of radio beacon, the emissions of which radiate in a vertical cone-shaped pattern.

* ISO Standard

- 9000 — *Quality Management Systems — Fundamentals and Vocabulary*
 19101 — *Geographic information — Reference model*
 19104 — *Geographic information — Terminology*
 19108 — *Geographic information — Temporal schema*
 19109 — *Geographic information — Rules for application schema*
 19110 — *Geographic information — Feature cataloguing schema*
 19115 — *Geographic information — Metadata*
 19117 — *Geographic information — Portrayal*
 19131 — *Geographic information — Data product specification*

ABBREVIATIONS

A

ACC	Area Control Centre
AEROMET	Aeronautical Meteorology
AFS	Aeronautical Fixed Service
AFTN	Aeronautical Fixed Telecommunication Network
AIP	Aeronautical Information Publication
AIP SUP	Aeronautical Information Publication Supplements
AIC	Aeronautical Information Circular
AIRAC	Aeronautical Information Regulation and Control
AIS	Aeronautical Information Services
AMSP	Aeronautical Meteorological Service Provider
ANS	Air Navigation Standards
ANSP	Air Navigation Service Provider
ARD	Aerodrome
ARFFS	Aerodrome Rescue and Fire Fighting Services
ATC	Air Traffic Control
ATE	Aeronautical Telecommunications
ATIS	Automatic Terminal Information Service
ATM	Air Traffic Management
ATS	Air Traffic Services
ATSEP	Air Traffic Safety electronic Personnel

C

CAA	Civil Aviation Authority
CAP	Corrective Action Plan
CAT	Category

D

D- ATIS	Data ATIS
DTGM	DAAS Technical Guidance Materials

E	ENR	En-route
	E-TOD	Electronic Terrain and Obstacle
F	FIR	Flight Information Region
	FIC	Flight Information Centre
	Fl.	Foot (feet)
G	GEN	General
	GNSS	Global Navigation Satellite System
I	ICA	International Civil Aviation
	ICAO	International Civil Aviation Organisation
	ICAO PANS	International Civil Aviation Organisation Procedural Air Navigation Services
	IFR	Instrument Flight Rules
	IS	Implementing Standards
	ISO-9000	International Organisation for Standardisation
K	Km.	Kilometre(s)
	Kt.	Knots
L	LATCI	Local Air Traffic Control Instructions
M	M	Metre
	MANFEL	Minimum Air Navigation Facility Equipment List
	Met.	Meteorology/Meteorological
	METAR	Aviation Routine Weather Report
	MOO	Manual of Operations
	MOS	Manual of Standards
	MoU	Memorandum of Understanding
N	NCAA	Nigerian Civil Aviation Authority
	NEMA	Nigerian Emergency Management Agency
	NIG. CARS	Nigerian Civil Aviation Regulations
	NOF	International NOTAM Office
O	OPMET	Operational Meteorological Information
	OVC	Overcast

P

PANS-OPS	Procedural Air Navigation Services Operations
PANS-RAC	Rules of the Air and Air Traffic Control
PANS-ABC	ICAO Abbreviation and Codes
PIB	Pre-flight Information Bulletin

Q

QFE	Atmospheric pressure at aerodrome level
QNH	Observed Atmospheric pressure at aerodrome elevation corrected for temperature and reduced to mean sea level using the ICAO formula
QMS	Quality Management System

R

RCC	Rescue Coordination Centre
RFFS	Rescue and Fire Fighting Services
RVR	Runway Visual Range
RNP	Require Navigation Performance

S

SADIS	Satellite Distribution System
SAR	Search and Rescue
SARP	Standards and Recommended Practices
SKC	Sky Clear
SIGMET	Significant Meteorological Information
SOP	Standard Operating Procedure
SRR	Search and Rescue Region

T

TCU	Towering Cumulus
TGM	Technical Guidance Materials
TURB	Turbulence

U

UTC	Universal Co-ordinated Time
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V

VOR	Very High Frequency Omni directional Ranging
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W

WAFC	World Area Forecast Centre
WAFS	World Area Forecast System
WGS-84	World Geodetic Survey
WMO	World Meteorological Organisation

Approval of
ANSP.

14.0.3.1. Provision of Air Navigation Services, in designated airspaces, aerodromes and portions of the airspace over the high seas that lie within the designated airspace, is subject to approval under Nig. CARs.

14.0.3.2. A prospective ANSP will be granted an ANSP approval certificate upon submission of a formal application and proof of conformance with prescribed requirements.

14.0.3.3. An applicant for an approval certificate shall make a formal application to the Authority in a manner prescribed by the Authority.

14.0.3.4. There are five phases in the air navigation services provider approval process. The five phases are :

Phase 1 : Pre-application

Phase 2 : Formal Application

Phase 3 : Document Evaluation

Phase 4 : Demonstration and Inspection

Phase 5 : Certification

14.0.3.5. In some cases, the sequence of events may not be entirely appropriate. In such situations, the Authority and the service provider would proceed in a manner that considers existing conditions and circumstances. The service provider, however, should not expect to be approved until the Authority is assured that the Nig. CARs will be complied with in an appropriate and continuing manner.

14.0.3.6. Each phase is described in sufficient detail to provide a general understanding of the entire approval process in the ANS Advisory Circular :

NCAA-AC-ANS (UNIT) 001 for approval of Air Navigation Services' Providers.

14.1.1. The Authority shall determine the portions of the Nigerian airspace and the aerodromes which shall be provided with air traffic services to :

Provision of
Air Traffic
Services.

(a) prevent collisions between aircraft ;

(b) prevent collisions between aircraft on the manoeuvring area of the aerodrome concerned and obstructions on such area ;

(c) expedite and maintain an orderly flow of air traffic ;

(d) provide advice and information useful for the safe and efficient conduct of flights ; and

(e) provide search and rescue and related support services.

14.1.2. The need for the provision of air traffic services shall be determined after consideration of :

Need for
provision of
ATS.

(a) the types of air traffic involved ;

(b) the density of air traffic ;

(c) the meteorological conditions ; and

(d) any other factor which may be relevant.

Designation
of Airspace.

14.1.3.1. The Authority may designate a particular portion of the airspace as a :

(a) *Flight information region* : To encompass the portions of the airspace over the territory of Nigeria and her territorial waters, where air traffic services shall be provided ;

(b) *Control area* : where air traffic control service shall be provided to meet the objectives of 14.1.1 (a), (b) and (c) of these Regulations ;

(c) *Control zone* : where air traffic control service shall be provided to meet the objectives of 14.1.1 (a), (b) and (c) of these Regulations ; or

(d) *Advisory area* : where air traffic service shall be provided to meet objectives of 14.1.1 (a), (b), (c) and (d) of these Regulations.

14.1.3.2. A particular portion of the airspace shall only be designated under 14.1.1 :

(a) after consultation with all stakeholders within the industry ; and

(b) in relation to the air traffic services which are to be provided.

14.1.3.3. The Authority shall publish the designation of a particular portion of the airspace in accordance with the AIRAC cycle in the AIP, AIP SUP or NOTAM.

14.1.3.4. The Authority may, on a temporary basis, designate a particular portion of the airspace, after consultation with all users ;

Classification
of Airspace.

14.1.4.1. The Authority shall classify ATS airspaces using ICAO classification system for the purpose of providing air traffic services ; and shall publish the classification of airspace in accordance with the AIRAC cycle in the AIP, AIP SUP or NOTAM.

14.1.4.2. When applicable, the Authority shall prescribe RNP types for designated areas of the airspace.

14.1.4.3. The Authority shall upgrade a particular airspace of a lower cadre to a higher classification, when the need arises.

Designation
of Control
Area.

14.1.5.1. The Authority shall, when designating a particular portion of the airspace as a control area, in line with this regulation, prescribe the horizontal and vertical limits of such area.

14.1.5.2. The lowest limit of designated control areas shall be at least 700 feet above the ground or water.

14.1.5.3. Control zones and aerodrome traffic zones shall extend upwards from the surface of the earth.

Designation
of Flight
Information
Regions.

14.1.6.1. The Authority shall, when designating a particular portion of the airspace as a flight information region under this Part, prescribe the borders of such region and make such designation in accordance with the requirements prescribed in this Part.

14.1.7.1. The Authority shall, when designating a particular portion of the airspace as an advisory area under this Part, prescribe the horizontal and vertical limits of such area.

Designation of Advisory Areas.

14.1.8.1. Where ATS routes are established for protecting and channeling air traffic flow, a safe spacing between adjacent ATS routes shall be provided ;

Establishment and Identification of ATS Routes.

14.1.8.2. ATS routes shall be identified by approved designators.

14.1.9.1. Change-over points shall be established on ATS route segments defined with reference to VORs ;

Establishment of Change-Over Points/ Significant Points.

14.1.9.2. Significant points shall be established by the Authority for the purpose of defining ATS routes and, or in relation to the requirements of air traffic services for information regarding the progress of flights.

14.1.10.1. An endorsement certifies that an ATC license holder is competent to perform a particular air traffic control function at a particular aerodrome, or in relation to a particular airspace.

Grant of Endorsement.

14.1.10.2. The Authority may designate an ANSP to grant an endorsement to a person who :

(a) is a senior controller within the ATS organisation ;

(b) has held a rating for five years for the position in which an endorsement is being sought ; and

(c) has been assessed as appropriate.

14.1.11.1. Only one air traffic control unit shall control a controlled flight at any given time.

Responsibility for Control of Air Traffic.

14.1.12.1. An air traffic control unit may transfer the responsibility for control of an aircraft or group of aircraft to another air traffic control unit, provided that co-ordination between such air traffic control units are effected in line with these Regulations.

Transfer of Responsibility for Control of Air Traffic.

14.1.12.2. The holder of an approval certificate shall ensure that, where transfer of responsibility for control takes place between one air traffic control unit and any other air traffic control unit, the procedures as prescribed in the letter of agreement are complied with, to ensure safe co-ordination.

14.1.12.3. The conditions and requirements for and the rules, procedures and standards connected with a transfer of responsibility for control shall be prescribed in its Manual of Operations.

14.1.13.1. The holder of an approval certificate shall report any accident or incident reported to or witnessed by it to the Authority.

Reporting and Investigation of Accidents and Incidents.

14.1.13.2. The reporting and investigation of accidents and incidents by the holder of an approval certificate shall be done in accordance with the requirements as prescribed in the Civil Aviation (Aircraft Accidents /Incidents) Regulation.

**Reporting of
Aeronautical
Information.**

14.1.14.1. An ATS provider, shall as soon as practicable after obtaining any aeronautical information, notify the Authority of :

- (a) information on aerodrome conditions and any changes thereto, which are relevant and applicable in its area of responsibility ;
- (b) the operational and serviceability status of associated facilities, services and navigation aids within its area of responsibility ;
- (c) meteorological information as required for the safe and expeditious operation of flights, and
- (d) any other information considered to be of operational significance.

14.1.14.2.— (a) The Authority shall develop and review aerodrome operating minima based on horizontal visibility and type of navigation aid and landing aid for each landing facility ;

(b) No aircraft may be operated in any aerodrome with conditions below such published aerodrome operating minima or amendments thereto ;

(c) Such aerodrome operating minima (as amended) shall be published in the Nigeria AIP.

**Requirement
for Approval
as ATS
Providers.**

14.1.15.1. No person or organisation, shall provide air traffic services in Nigerian airspace and aerodromes unless such person or organisation belongs to any of the under mentioned categories and holds an approval certificate issued by the Authority in accordance with this section :

- (a) the organisation is established as a designated ATS provider ; or
- (b) the person or organisation has a co-operation arrangement with a designated ATS provider ; or
- (c) there is a commercial agreement with a designated ATS provider.

14.1.15.2. An application for approval as an ATS provider shall be made in the form specified in IS 14.1.15.2.

**Responsibility
of Holder of
Approval
Certificate
for Control
of Air
Traffic.**

14.1.16.1. The holder of an air traffic services provider approval certificate shall :

(a) provide the services listed in its Manual of Operations, in accordance with the procedures as prescribed in these Regulations ;

(b) the service provider's Manual of Operations shall include the following information in its manual of operations :

- (i) personnel requirements and the responsibilities of personnel.
- (ii) training and checking of staff and how that information is tracked ;
- (iii) Quality Assurance/Safety Management System ;
- (iv) Contingency plans developed for part or total system failure for which the organisation provides the service ;
- (v) Security plan ;

- (vi) Facilities and equipment and how those facilities are maintained ;
- (vii) Fault and Defect reporting ;
- (viii) Maintenance of documents and records ;
- (ix) Search and Rescue responsibilities and co-ordination ;
- (x) procedures for aerodrome surface movement guidance and control ;
- (xi) any other information requested by the Authority.

(c) an approval to operate as a Service Provider shall include in its manual of operations, any letters of agreement that the service provider has entered into ;

(d) hold at least one complete and current copy of its Manual of Operations at each air traffic service unit specified in its Manual of Operations ;

(e) comply with all procedures detailed in its Manual of Operations ;

(f) comply with the Manual of Standards, prescribed by the Authority, for the provision of Air Traffic Services ;

(g) make each applicable part of the Manual of Operations available to the personnel who require those parts to carry out their duties ;

(h) continue to comply with the appropriate requirements prescribed in these Regulations ;

(i) keep the records of all regular internal inspections for a period of five years from the date of each inspection ;

(j) furnish the Authority with the *en route* facility financial data and enroute facility traffic statistics ;

(k) replace or upgrade any obsolete installation ;

(l) keep the Authority informed of its plans for the development and modernisation of its facilities.

14.1.17.1. Air Traffic Services Providers, in carrying out their objectives, shall have due regards for the requirement to co-ordinate with other airspace users. In particular, Air Traffic Services Providers shall :

(a) make available to other Service Providers such information as may be available to the ATS provider to enable the operators meet their obligations under these Regulations ;

(b) establish close co-operation and liaison with the military authorities responsible for activities that may affect civil flights. Military activities potentially hazardous to civil aircraft, whether over the territory of a state or over the high seas shall be co-ordinated with the appropriate ATS provider ;

(c) make adequate arrangement for the reception of the most up-to-date meteorological information for aircraft operations with the appropriate Aeronautical Meteorological Service Provider ;

Co-
ordination in
Air Traffic
Services.

(d) provide operational information to the Aeronautical Information Services Provider in sufficient time to allow the aeronautical information services provider to provide up-to-date information to meet the need for the provision of in-flight information ; and

(e) include the agreement between the applicant and an Aviation Meteorological Service Provider for the provision of Aeronautical Meteorological Services. The agreement should specify the criteria for special observations and reports and the duplication of meteorological indicators concurrently in the meteorological office and the Control Tower. The agreement should also include that the calibration of meteorological equipment used by the Air Traffic Services Provider will be in accordance with these regulations.

Display of
Air Traffic
Services
Provider
Approval
Certificate.

14.1.18.1. The holder of an air traffic service provider approval certificate shall display the approval certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval certificate is displayed, it shall produce the original to the Authority's officials, if so requested.

Safety
Inspections
and Audits.

14.1.19.1. An applicant for the issuance of an Air Traffic Service Provider approval certificate shall permit an air traffic service inspector to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations.

14.1.19.2. The holder of an Air Traffic Service approval certificate shall permit an Air Traffic Service Inspector to carry out such safety inspections and audits as may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Application
for
Approval,
Amendment
or Renewal.

14.1.20.1. An applicant is eligible to become an ATS provider if he is able to comply with the requirements of these Regulations.

14.1.20.2. An application for the issuance of an ATS Provider Approval certificate or an amendment thereof shall be made in the manner prescribed by the Authority and shall include :

(a) a copy of the applicant's Manual of Operations ;

(b) a written statement setting out air traffic services that the applicant proposes to provide ;

(c) enough information to identify, for each air traffic service :

(i) the location from which the service is proposed to be provided ;

(ii) if the service is to be provided within a particular airspace allocated to the applicant by the airspace authority—the airspace ;

(iii) if the service is to be provided for an aerodrome allocated to the applicant by the airspace authority—the aerodrome ;

(d) a written statement setting out the hours during which each aeronautical information service is proposed to be available ;

(e) a written statement describing the arrangements the applicant has made to comply with the requirements of these Regulations ;

(f) the appropriate fee prescribed by the Authority.

14.1.20.3. In the case of approval certificate renewal, the holder of an approval certificate shall ensure that the process for renewal is commenced at least 60 days prior to the date on which such approval certificate expires.

14.1.20.4. If an ATS provider's approval certificate is subject to conditions, the provider shall comply with the conditions so specified.

14.1.21.1. The Authority shall issue an ATS provider an approval certificate to provide air traffic services, if the applicant complies with the requirements prescribed in these Regulations.

Issuance of
ATS
Approval
Certificate.

14.1.21.2. The Authority shall issue the approval certificate in the appropriate form. -

14.1.21.3. The approval certificate shall authorise the provision of :

(a) a single air traffic service by means of a single air traffic service unit ;
or

(b) a combination of air traffic services by means of a network of air traffic service units.

14.1.21.4. An approval certificate issued under this Part shall include the following information :

(a) the provider's name and address of its principal place of business ;

(b) a list of the air traffic services covered by the provider's approval certificate ; and

(c) for each air traffic service :

(i) the location from which the service will be provided ;

(ii) if the service is to be provided within a particular airspace allocated to the provider by the airspace authority — the airspace ;

(iii) if the service is to be provided for an aerodrome allocated to the provider by the airspace authority — the aerodrome.

14.1.22.1. The holder of an approval certificate shall be entitled to provide any service or combination of services listed in its Manual of Operations.

Scope and
Variation of
Approval
Certificate.

14.1.22.2. If an ATS provider wants to vary its approval certificate, it shall apply to the Authority under this Regulation for that purpose :

(a) the application shall contain, or have with it, a copy of the proposed variation ;

(b) if the Authority approves the variation, the variation shall take effect from the day proposed by the applicant ;

(c) where no date is proposed by the applicant, the effective date of the variation shall be the date the approval certificate notice is given to the provider.

Period of
Validity of
Approval
Certificate.

14.1.23.1. An Approval certificate shall be valid for a period determined by the Authority, which period shall not exceed five years from the date of issuance or renewal thereof.

14.1.23.2. The Approval certificate shall remain in force until it is expired, suspended, or cancelled by the Authority.

14.1.23.3. The holder of an approval certificate which expires shall forthwith surrender the approval certificate to the Authority.

14.1.23.4. The holder of an approval certificate, which is suspended, shall forthwith produce the approval certificate to the Authority for appropriate endorsement.

14.1.23.5. The holder of an approval certificate, which is cancelled, shall, within 30 days from the date on which the approval certificate is cancelled, surrender such approval certificate to the Authority.

Transferability
of Approval
Certificate.

14.1.24.1. Subject to the provisions of these Regulations, an approval certificate shall not be transferable.

14.1.24.2. A change in ownership of the holder of an approval certificate shall be deemed to be a change of significance that shall be notified to the Authority.

Notice of
Recommendation for
Suspension
of Approval
Certificate.

14.1.25.1. An Air Traffic Service Inspector may recommend suspension, for a period not exceeding 30 days, of an air traffic service unit approval certificate issued under this Part, if :

(a) after a safety inspection and audit carried out in terms of these Regulations, it is evident that the holder of the approval certificate does not comply with the requirements prescribed in this Part, and such a holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the Air Traffic Service Inspector to do so ; or

(b) the Air Traffic Service Inspector is prevented by the holder of the approval certificate from carrying out a safety inspection and audit in accordance with these Regulations ;

Suspension,
Cancellation
or Variation
of an Air
Traffic
Service
Provider
Approval
Certificate
by the
Authority.

14.1.26.1. The Authority may, arising from the recommendation of an ATS Inspector, by written notice given to an Air Traffic Service Provider, suspend, cancel or vary the air traffic service provider certificate if there are reasonable grounds for believing that the certificate holder :

(a) has breached a condition of the certificate ; or

(b) has contravened a provision of this Part ; or

(c) does not meet, or continue to meet, a requirement of this Part for getting or holding the certificate ; or

(d) has otherwise been guilty of conduct that renders the Air Traffic Service Provider's continued holding of the certificate likely to have an adverse effect on the safety of air navigation.

14.1.26.2. Before suspending, cancelling or varying an Air Traffic Service Provider approval certificate, the Authority :

(a) shall give written notice to the certificate holder of the facts or circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the certificate ;

(b) shall invite the certificate holder to show cause in writing, within 30 days after the date of the notice, why the certificate should not be suspended, cancelled or varied ; and

(c) shall take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the air traffic service provider explaining why the certificate should not be cancelled.

14.1.27.1. The holder of an approval certificate who feels aggrieved by the suspension of the approval certificate may appeal against such suspension to the Authority, within 30 days after such holder becomes aware of such suspension.

Right of
Appeal of
Holder of
Approval
Certificate.

14.1.27.2. An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be upheld or set aside.

14.1.27.3. The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the Air Traffic Service Inspector concerned and shall furnish proof of such submission for the information of the Authority.

14.1.27.4. The Air Traffic Service Inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in subsection (3) above, deliver to the Authority his or her written reply.

14.1.27.5. The Authority may :

(a) adjudicate the appeal on the basis of the documents submitted ; or

(b) order the appellant and the Air Traffic Service Inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the Authority, to give evidence.

14.1.27.6. The Authority may confirm, vary or set aside the suspension referred to in 14.1.25 of these Regulations.

14.1.27.7. The Authority shall :

(a) if it confirms the suspension in line with this regulation ; or

(b) if an approval certificate is suspended in line with 14.1.25 of these Regulations and the holder thereof does not appeal against such suspension as required by paragraph (4) of this Regulation, cancel the approval certificate concerned.

14.1.28.1. The Authority shall maintain a register of all Air Traffic Service Unit Approval certificates issued under this Part.

14.1.28.2. The register shall contain the following particulars :

- (a) the full name of the holder of the Approval certificate ;
- (b) the business address of the holder of the Approval certificate ;
- (c) the postal address of the holder of the Approval certificate ;
- (d) the date on which the Approval certificate was issued or renewed ;
- (e) the type of air traffic service in respect of which the Approval certificate was issued ;
- (f) the date on which the Approval certificate was suspended, if applicable ;
and
- (g) the date on which the Approval certificate expires.

14.1.28.3. The particulars referred to in 14.1.28.2 shall be recorded in the register within seven days from the date on which the Approval certificate is issued by the Authority.

14.1.28.4. The register shall be kept in a safe place at the office of the Director-General.

14.1.28.5. A copy of the register shall be furnished by the Authority, on payment of the appropriate fee as prescribed, to any person who requests the copy.

14.1.29.1. The Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of an Air Traffic Service Unit approval certificate as a substitute air traffic service provider to provide an air traffic service in respect of an approval certificate which has been suspended by the Authority under this Part, for the duration of such suspension.

14.1.30.1. An ATS provider shall provide the Aeronautical Information Service Provider details of each air traffic service that it provides in a particular airspace, or for a particular aerodrome, including the hours during which the service is available ;

14.1.30.2. An ATS provider shall inform the Aeronautical Information Service Provider about changes, interruptions or the un-serviceability of any of its air traffic services.

14.1.31.—(1) A person may carry out an air traffic control function in Nigeria if, at the time the person carries out the function :

- (a) he or she holds an ATC licence with a rating for the function and an endorsement for the place where, or the airspace in relation to which, he or she carries it out ; and
- (b) the licence, rating and endorsement are in force ;

(c) he or she :

(i) satisfies the recency and currency requirements in relation to the endorsement ; and

(ii) satisfies the currency requirement in relation to the rating as specified in this regulation.

(2) A person may carry out an air traffic control function in Nigeria under the supervision of a person who meets the requirements of 14.1.31(1) ;

(3) A person who may carry out an air traffic control function in Nigeria under supervision is a person who the Authority has authorised in writing to carry out the relevant function and is ;

(a) a person who :

(i) holds an ATC licence with a rating for the function and an endorsement for the place where, or the airspace in relation to which, he or she carries it out ; but at the relevant time, in relation to the rating or endorsement, does not satisfy the recency or currency requirement ;

(b) a person who :

(i) holds an ATC licence ; and

(ii) carries out the function in the course of training for a rating or endorsement (whether or not the person holds a rating or endorsement at the time) ;

(c) a person (other than a person who held an ATC licence that has been cancelled) who :

(i) has completed an approved course of training in the theory of air traffic control ; and

(ii) carries out the function in the course of undergoing practical training for an ATC licence.

14.1.32.1. If a person defined as a trainee is carrying out an air traffic control function under supervision of a person (supervisor) who meets the requirements; the trainee shall comply with the supervisor's directives.

14.1.32.2. Any failure by the supervisor to supervise the trainee adequately shall be taken into account in considering whether the supervisor's ATC licence should be suspended or cancelled and the Supervisor is accountable for any deficiency in the provision of ATC.

Rules applicable when a person performs an ATC function under supervision.

14.1.33.1. A person shall not carry out ATC function in Nigeria except he or she meets the requirements of Part 2 of Nig. CARs (Personnel Licensing).

14.1.33.2. A trainee shall not carry out an air traffic control function in Nigeria if the person is not acting under the supervision of a person who meets the requirements of IS14.1.33.2.

Carrying out ATC function without the Authority's approval.

Provision of
Air Traffic
Control.

14.1.34.1. The ATS provider shall provide ATC services in accordance with the Manual of Standards, approved, authorised, published and amended by the Authority.

14.1.34.2. The ATS provider shall not deviate from the standards specified by the Authority except in emergency, or other circumstance that may make the deviation necessary in the interest of safety.

14.1.34.3. As soon as practicable, the provider shall report, the deviation to the Authority, stating how long the deviation is expected to last.

14.1.34.4. An ATS provider shall ensure that the air traffic services it provides are provided in accordance with the radiotelephony procedures and the procedures for aeronautical telecommunications.

14.1.34.5. An ATS provider shall ensure that any air traffic service that it provides is provided in accordance with its Manual of Operations.

The
Authority to
use ground-
based Radio
Equipment.

14.1.35.1. A person authorised to provide an air traffic control service shall operate, for the purpose of performing an air traffic control function, a radio-communication system used for the purpose of ensuring the safety of air navigation but not installed in or carried on an aircraft.

14.1.35.2. This paragraph applies to the following :

(a) a person who is authorised to carry out an air traffic control function in Nigeria ; or

(b) a person who is engaged by an ATS provider (whether or not as an employee), and who is acting in the course of his or her duties.

Eligibility
statement by
ATS
provider for
grant of
qualification.

14.1.36.1. A statement by an ATS provider, given in accordance with procedures set out in his or her operations manual, that a person meets the requirements in Part 2 of Nig CARs is, in the absence of contrary evidence, sufficient evidence of that fact.

Agreement
between an
ATS
provider and
an agency
providing
Aeronautical
Meteorological
services.

14.1.37.1. An application for the provision of Air Traffic Services shall include the agreement between the applicant and an Aeronautical Meteorological Service Provider for the provision of Aeronautical Meteorology services. The agreement shall specify the criteria for special observations and reports and the duplication of meteorological indicators concurrently in the meteorological office and the Control Tower. The agreement shall also include that the calibration of meteorological equipment used by the Air Traffic Services Provider will be in accordance with these regulations.

Application
of Human
Factor
principles.

14.1.38.1. The applicant shall demonstrate that human factors principles are considered when assessing the appropriateness of equipment, systems, software, facilities, procedures, jobs, environments, training, staffing, and personnel management to produce safe, comfortable, and effective human performance.

14.1.39.1. An applicant for the provision of ATS shall provide in its Operations Manual :

- (a) current unit organisational chart and written delegated responsibilities and position descriptions ;
- (b) staffing-levels for operational positions ;
- (c) designated instructors and ratings and proficiency assessment officers ;
- (d) staffing numbers and qualifications at unit level ; and
- (e) policy and procedures document for determining the capacity of the Air Traffic Services system, including the number of operational staff required to ensure the provision of an adequate Air Traffic Services system.

14.1.39.2. An ATS provider shall, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it provide, in accordance with the standards set out in the Regulations, the air traffic services covered by its approval certificate.

14.1.39.3. An ATS provider shall have, at all times, enough suitably qualified and trained personnel to enable it provide, in accordance with the standards set out in the Regulations, the air traffic services covered by its approval certificate.

14.1.39.4. The ATS provider shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities.

14.1.39.5. The ATS provider shall advise the minimum qualifications required for air traffic services personnel operating positions.

14.1.39.6. An ATS provider shall arrange the work flow schedule of air traffic controllers to provide duty rest periods. A copy of the ATS providers fatigue management procedure is to be included in the Manual of Operations.

14.1.39.7. An air traffic controller shall not exercise the privileges of his license if he knows or suspects that he is suffering from or having regards to the circumstances of the period of duty to be undertaken is likely to suffer from such fatigue as may endanger the safety of any aircraft to which an air traffic control service is provided.

14.1.39.8. A person shall not when exercising the privileges of an air traffic controller's licence be under the influence of alcohol or a drug to the extent as to impair his capacity to exercise such privileges.

14.1.39.9. At the unit level the ATS provider shall engage, employ or contract :

- (a) a senior person to whom authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this section, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements ;

(i) unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service within the unit ;

(ii) full rights of consultation with any such person(s) in respect of such compliance by him or her ;

(iii) powers to order cessation of any activity where such compliance is not effected ;

(iv) a duty to establish liaison mechanisms with the Authority with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Authority, and to facilitate liaison between the Authority and the unit concerned ; and

(v) powers to report directly to the management of his or her organisation, on his or her investigations and consultations generally, and in cases contemplated in sub-paragraph (iii), and with regard to the results of the liaison contemplated in sub-paragraph (iv) ;

(b) a person who is responsible for safety management system and quality control, and who shall have direct access to the person referred to herein on matters affecting aviation safety ; and

(c) enough licensed personnel to plan, provide and supervise the services listed in its approval as a service provider, in a safe and efficient manner.

Training and
Checking of
ATS
Personnel.

14.1.40.1. The ATS provider shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel required to operate and maintain the unit concerned. This shall include copies of the relevant assessment forms.

Granting of
Ratings and
Endorsements.

14.1.41.1. Refer to Part 2 of Nig. CARs 2009.

Periods of
validity of
Ratings and
Endorsement.

14.1.42.1 Refer to Part 2 of Nig. CARs 2009.

Proficiency.

14.1.43.1. As part of the quality system, the holder of an air traffic service unit approval certificate shall assess the air traffic service personnel in their employment.

14.1.43.2. A formal proficiency assessment shall be carried out before a validation certificate or a rating validation can be issued to assess whether the applicant has achieved the required level of competence.

14.1.43.3. At each facility the ATS provider shall nominate a person to establish and maintain unit proficiency standards; specific senior officers are to be appointed and tasked by the person responsible for the service as proficiency assessment officers for each discipline; at units where operational staff are

multi-disciplined, the person responsible for the service shall appoint and task at least one proficiency assessment officer. Proficiency assessment officers may be appointed and tasked for each discipline although it is a multi-discipline environment.

14.1.43.4. At approach and/or aerodrome units, the Air Traffic Service provider shall appoint and task the officer or air traffic controller responsible for satellite units as the proficiency assessment officer.

14.1.43.5. A person assessed as unsatisfactory shall not be permitted to continue in the assessed discipline without supervision. If after a reasonable period a person is unable to pass the proficiency check, all details pertaining to the unsatisfactory assessment shall be assembled and sent to the Authority.

14.1.43.6. Proficiency assessment officers shall prepare proficiency check rosters so that all operational staff are screened on a regular basis. Personnel shall be given advanced notice of a real time annual proficiency check so that adequate preparation, mentally and functionally, can be made.

14.1.43.7. In addition, the Authority shall carry out a formal assessment at least every 12 months to determine whether all operational personnel are maintaining the required level of competence in the positions for which a valid rating is held. Routine assessments should be conducted on an on-going basis during duty assignment.

14.1.43.8. Personnel shall be assessed in key elements of the performance areas detailed on an assessment form.

14.1.43.9. An assessment shall be made of both the quality of work and the level of knowledge of the elements assessed.

14.1.43.10. Manual of Operations shall also include the procedures for :

- (a) air traffic services personnel to undertake remedial training ; and
- (b) updating air traffic services personnel skills when introducing new equipment into service and updated communications.

14.1.43.11. Proficiency and training records shall be maintained for all air traffic services personnel.

14.1.44.1. An ATS provider shall set up and maintain, in accordance with the Manual of Standards, programmes for :

- (a) continuing assessment of its employees' competency for the purposes of ensuring that they continue to satisfy the currency requirements in relation to ratings and endorsements ; and
- (b) familiarisation, retraining and assessment of any of its employees who at any time do not satisfy the currency or recency requirement in relation to an endorsement.

14.1.44.2. The provider shall include details of the programme, including necessary training and tests of competency, in its operations manual.

ATS
provider's
obligation to
provide
currency and
recency
training and
assessment.

Conduct of
Practical
Training.

14.1.45.1. An ATS provider shall ensure that practical training carried out on their behalf, for the award of an ATC licence, rating, endorsement or ATC qualification, is carried out in accordance with :

- (a) the standards and requirements set out in the Manual of Standards ; and
- (b) the provider's operations manual.

Safety
Management
System.

14.46.1. An ATS provider shall have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to provide the air traffic services covered by its approval certificate safely.

14.46.2. The provider shall keep under review its safety management system and take such corrective action as is necessary to ensure that it operates properly. Safety reviews shall be conducted on a regular basis by qualified personnel.

14.46.3. A safety assessment shall be undertaken for any safety related change.

14.46.4. For assessment, the applicant shall include information on the procedures for the :

- (a) recording and investigation of incidents ;
- (b) recording and investigation of accidents ;
- (c) monitoring of equipment outages ; and
- (d) assessment of elements critical to the service provision.

Contingency
Plan.

14.1.47.1. An ATS provider shall develop and maintain Contingency Plans for implementation in the event of disruption, or potential disruption, of air traffic services and related supporting services in the airspace for which it is responsible. The disruption may be caused intentionally (sabotage) or unintentionally (equipment failure). Other causes may include civil unrests, industrial disputes, natural disasters, public health emergencies, military conflicts or acts of unlawful interference with civil aviation.

14.1.47.2. In developing such contingency plans, the ATS provider shall liaise closely with the air traffic services authorities responsible for the provision of services in adjacent or contiguous airspaces and other airspace users concerned.

14.1.47.3. The plan shall include :

(a) the actions to be taken by the members of the provider's personnel responsible for providing the service including the notification of suspected communicable diseases, or other public health risk, on board an aircraft in accordance with IS 14.1.47.3

(b) possible alternative arrangements for providing the service ; and

(c) the arrangements for resuming normal operations for the service.

14.1.47.4. These plans shall be submitted as part of the Manual of Operations.

14.1.48.1. The applicant shall provide a plan that details what measures, both physical and procedural, that they have in place to protect the facility and the services provided from that facility. This should include a security assessment of the facilities used by the applicant.

Security
Programme.

14.1.49.1. An ATS provider shall, at all times, make available for the use by its personnel, the equipment and facilities necessary for providing air traffic services covered by its approval certificate.

Facilities,
Equipment,
Maintenance
and
Calibration.

14.1.49.2. The ATS provider shall include in the Operations Manual a list of facilities from which ATS will be provided as contained in IS 14.1.49.2.

14.1.49.3. The equipment shall meet with the requirements and calibration standards specified in these Regulations.

14.1.49.4. All persons involved with the provision of maintenance shall be fully conversant with standards and practices, instructions, directives and relevant information as contained in these regulations.

14.1.49.5. The ATS provider shall describe the processes for the installation, commissioning and transition into service phases of new facilities, equipment and services, and provide evidence, for acceptance of the operational performance and the safety of the facility, equipment, procedure or service.

14.1.50.1. If the provider uses a control tower in providing an air traffic service, the provider shall ensure the control tower is designed, sited, constructed and maintained in accordance with the standards set out for its construction as detailed in IS 14.1.50 (1-3).

Control
Tower.

14.1.51.1. The applicant shall develop and maintain a system for tracking and rectifying faults within the ATS system.

Fault and
Defect
Reporting.

14.1.51.2. Procedures for the reporting and the resolution of faults and defects shall be documented in the Manual of Operations.

14.1.51.3. The ATS provider shall maintain a record of the number of reported equipment faults on a monthly basis.

14.1.52.1. The applicant for service provider approval certificate shall provide the following operational documentation in a location at an air traffic service unit in accordance with IS 14.1.52.1.

Maintenance
of
Documents.

14.1.52.2. The ATS provider shall ensure that :

(a) the documentation is reviewed and authorised by appropriate personnel before issue ;

(b) current issues of relevant documentation are available to personnel ;

(c) obsolete documentation is removed from all points of issue or use ;

(d) changes to documentation are reviewed and approved by appropriate personnel ; and

(e) the current version of each document can be identified to preclude the use of obsolete editions.

14.1.52.3. The ATS provider shall demonstrate that there is a system in place to record and retain operational data.

Record
Maintenance.

14.1.53.1. Records shall be maintained on the following :

- (a) regular reports and returns to the Authority as specified in the Manual of Standards ;
- (b) local incidents with remedial actions ;
- (c) personnel files including supervisory reports ;
- (d) training files ;
- (e) licence and medical validity details ;
- (f) minutes of staff, aerodrome maintenance, bird control, emergency planning and other committee meetings ;
- (g) rosters and roster keys ; and
- (h) leave records.

Statistics.

14.1.54.1. The ATS provider shall provide the Authority of Airport movement data on a monthly basis. This information is to be submitted at the end of each calendar month.

14.1.54.2. The ATS provider shall provide the Authority a summary of incident and accident data on a monthly basis. This information is to be submitted at the end of each calendar month.

Search and
Rescue
Responsibilities.

14.1.55.1. Search and rescue is to be provided in accordance with the ATS providers Search and Rescue Manual as approved by the Authority.

Local Air
Traffic
Control
Instructions
(LATCI)
Manual.

14.1.56.1. The holder of an air traffic services provider approval certificate shall provide each air traffic services unit listed in its Manual of Operations , a local air traffic control manual which :

- (a) sets out the procedures for the operation of the air traffic services unit concerned ; and
- (b) contains the information as prescribed in the Requirements of these Regulations. For contents of LATCI see IS 14.1.56.1.

14.1.56.2. The local air traffic control instructions manual shall not be seen in isolation but rather as the document necessary to provide the interface between peculiarities of a particular unit and the various source documents, and does not relieve air traffic service personnel from the responsibility of being familiar with and the application of procedures laid down in the following documents :

- (a) Aeronautical Information Publication, AIP supplements, AIC and NOTAMs ;

- (b) Civil Aviation Act, 2006 ;
- (c) Nigerian Civil Aviation Regulation ;
- (d) Manual of Standards approved, authorised, published and amended by the Authority ; and
- (e) Relevant ATM documents.

14.1.57.1. An ATS provider shall consider the availability, reliability and integrity of external data sources required to provide Air Traffic Service including the means of receipt and display of the following information :

External
Data
Sources.

- (a) AIS ;
- (b) AFTN messages ;
- (c) NOTAMs ;
- (d) Flight notification ;
- (e) Meteorological information ;
- (f) Meteorological warning service ;
- (g) Voice coordination with adjacent ATS providers ;
- (h) Information on aerodrome conditions and the operational status of facilities and navigation aids ;
- (i) Aerodrome works and administration coordination ;
- (j) ARFFS coordination ;
- (k) Local and remote radar ;
- (l) Information on unmanned balloons ;
- (m) Information concerning volcanic activity ; and
- (n) Information concerning radioactive material and toxic chemical clouds.

14.1.58.1. The ATS provider shall provide a description of the arrangements made or proposed to be made by the applicant to ensure that it can, and will continue to be able to provide the information in relation to its air traffic services to other organizations whose functions reasonably require that information.

Output
Data.

14.1.58.2. Data recipients shall include :

- (a) AIS ;
- (b) Adjacent ATS providers ;
- (c) Aerodrome administration ;
- (d) ARFFS ;
- (e) Military ;
- (f) The Aeronautical Telecommunications provider ; and
- (g) Other Government agencies.

**Ancillary
Qualifications.**

14.1.59.—(1) An ATC qualification certifies that the holder is competent to perform a particular ancillary function.

(2) The functions include the following :

- (a) classroom instructor ;
- (b) on-the-job instructor ;
- (c) workplace assessor.

(3) Within the limits set out in the Manual of Standards, an ATS provider shall define, for the provider's organisation, the responsibilities of the holder of an ATC ancillary qualification.

(4) Paragraph 14.1.59.2 does not prevent an ATS provider from defining an ancillary function for use within its own organisation.

(5) An ATS provider shall set up and maintain a programme to grant ATC qualifications to, and administer ATC qualifications held by, its employees.

(6) The provider shall include details of the programme, including necessary training and tests of competency, in its operations manual.

(7) The programme shall be in accordance with the standards and requirements set out in the Manual of Standards.

Amendments.

14.1.60.1. Amendments to the LATCI's manual shall be recorded in the document itself and brought to the attention of all concerned.

14.1.60.2. Air traffic controllers are required to indicate, in the appropriate manner, that an amendment has been noted.

14.1.60.3. Any amendments by hand shall be accompanied by the authorised person's signature and date.

14.1.60.4. Authorised person means any air traffic controller authorised by the Airspace manager to make the relevant amendment by hand. Notice of these amendments shall be transmitted to the head office responsible for the relevant service for ratification.

**Provision of
Procedures
Design
(PANS-
OPS).**

14.2.1. PROCEDURE DESIGN CERTIFICATE

A procedure design certificate is a certificate that :

- (a) is granted by the Authority to a person under this Part ; and
- (b) certifies that the person is authorised to carry on design work on a terminal instrument flight procedure of a type covered by the certificate subject to any conditions set out in the certificate.

**Procedures
Design
Authorisation.**

14.2.2.1. A procedure design authorisation is an authorisation that :

- (a) is granted by the Authority to an authorised designer under this Part ; and
- (b) authorises him to carry on either of the following activities subject to any conditions set out in the authorization and in accordance with standards set out in IS 14.2.2.1.

(i) review or amend a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by any aircraft operating under the IFR at, or in the vicinity of, an aerodrome in Nigeria ;

(ii) carry on design work on a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by any aircraft operating under the IFR at, or in the vicinity of, an off-shore installation located no closer than 30 nm from the nearest land.

14.2.3.1. No person or organisation, shall design procedures for air navigation services or publish such procedures for air navigation services in Nigerian airspace and aerodromes unless such person or organization belongs to any of the under mentioned categories and as of 1st January, 2008 holds an approval certificate issued by the Authority in accordance with this section:

(a) the person or organisation is established as a procedure designer for air navigation services ; or

(b) the person or organisation has a co-operation arrangement with a designated procedure designer for air navigation services ; or

(c) there is a commercial agreement with a designated procedure designer for air navigation services.

14.2.3.2. An application for approval as a procedure designer for air navigation services provider shall be made in the form specified in IS.14.2.3.2.

14.2.4.1. An approval certificate for procedure design for air navigation issued under these regulations authorises the person or organisation to carry on either of the following activities subject to any conditions set out in the approval certificate to the person or organisation :

(a) review or amend a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by any aircraft operating under the IFR at, or in the vicinity of, an aerodrome in Nigeria ;

(b) carry on design work on a terminal instrument flight procedure that is of a type covered by the authorisation and is for use by any aircraft operating under the IFR at, or in the vicinity of, an off-shore installation located no closer than 30 nm from the nearest land.

14.2.5.1. The holder of a procedure design for air navigation service provider approval certificate shall :

(a) provide the services listed in its Manual of Operations, in accordance with the procedures as prescribed in these Regulations ;

(b) the service providers Manual of Operations shall include the following information :

(i) personnel requirements and the responsibilities of personnel as specified in IS. 14.2.5.1.

Requirement
for
Approval as
a Procedure
Designer for
Air
Navigation
Services.

Privileges of
an Approval
Certificate
Holder.

Responsi-
bilities of
Holder of
Approval
Certificate.

- (ii) training and checking of staff and how that information is tracked ;
- (iii) quality assurance and safety management system ;
- (iv) contingency plans developed for part or total system failure for which the organisation proves a service ;
- (v) security plan ;
- (vi) facilities and equipment and how those facilities are maintained ;
- (vii) fault and defect reporting ;
- (viii) maintenance of documents and records ;
- (ix) conduct system verification prior to implementation ;
- (x) ensure continuous monitoring and periodic assessment of any new system related to GNSS operations, and
- (xi) any other information requested by the Authority.

(c) comply with all procedures detailed in its Manual of Operations, the Manual of Standards as prescribed by the Authority, in the provision of procedure design for air navigation services ;

(d) make each applicable part of the Manual of Operations available to the personnel who require those parts to carry out their duties ;

(e) continue to comply with the appropriate requirements prescribed in these Regulations ;

(f) keep the records of all regular internal inspections for a period of five years from the date of each inspection ;

Display of
Procedures
Design for
Air
Navigation
Service
Provider
Approval
Certificate.

14.2.6.1. The holder of a procedure design for air navigation service provider approval certificate shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval certificate is displayed, it shall produce the original to the Authority's officials, if so requested.

Safety
Inspections
and Audit.

14.2.7.1. An applicant for the issuance of procedure design for air navigation service provider approval certificate shall permit an inspector to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations.

14.2.7.2. The holder of procedure design for air navigation service provider shall permit a procedures design inspector to carry out such safety inspections and audits as may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Applications
for
Approval,
Amendment
or Renewal.

14.2.8.1. An applicant is eligible to become a procedure designer for air navigation service provider if the applicant is able to comply with the requirements of these Regulations as outlined in IS 14.2.8.1.

14.2.8.2. An application for the issuance of procedure design for air navigation service provider approval certificate, or an amendment thereof shall be made in the manner prescribed by the Authority and shall include :

- (a) a copy of the applicant's Manual of Operations ;
- (b) a written statement setting out design procedures that the applicant proposes to provide ;
- (c) enough information to identify, for each procedure design :
 - (i) the location for which the service is proposed to be provided ;
 - (ii) if the service is to be provided within a particular airspace-the airspace ;
 - (iii) if the service is to be provided for an aerodrome-the aerodrome ;
- (e) a written statement describing the arrangements the applicant has made to comply with the requirements of these Regulations ;
- (f) the appropriate fee prescribed by the Authority.

14.2.8.3. In the case of approval certificate renewal, the holder of an approval certificate shall ensure that the process for renewal is commenced at least 60 days prior to the date on which such approval expires ;

14.2.8.4. If a procedure design for air navigation service provider's approval certificate is subject to conditions, the provider shall comply with the conditions so specified.

14.2.9.1. The Authority shall issue a procedure design approval certificate for air navigation service provider, if the applicant complies with the requirements prescribed in these Regulations.

14.2.9.2. The Authority shall issue the approval certificate in the appropriate form.

14.2.9.3. The approval certificate shall authorise the provision of procedure design in the departure, arrival, initial, intermediate, final and missed approach segments.

14.2.9.4. An approval certificate issued under this Part shall include the following information :

- (a) the provider's name and address of its principal place of business ;
- (b) a list of the procedure design services covered by the provider's approval ;
- and
- (c) for each procedure design service provider the type of service that is proposed to be provided.

14.2.10.1. The holder of an approval certificate shall be entitled to provide any service or combination of services listed in its Manual of Operations ;

14.2.10.2. If a procedure design for air navigation service provider wants to vary its approval certificate, it shall apply to the Authority under this Regulation for that purpose :

Issuance of
Procedure
Design
Approval
Certificate
for Air
Navigation
Service
Provider.

Scope and
Variation of
Approval
Certificate.

(a) the application shall contain, or have with it, a copy of the proposed variation ;

(b) if the Authority approves the variation, the variation shall take effect from the day proposed by the applicant ;

(c) where no date is proposed by the applicant, the effective date of the variation shall be the date the approval certificate notice is given to the provider.

Period of
validity of
Approval
Certificate.

14.2.11.1. An Approval certificate shall be valid for a period determined by the Authority, which period shall not exceed five years from the date of issuance or renewal thereof.

14.2.11.2. The Approval certificate shall remain in force until it is expired, suspended, or cancelled by the Authority.

14.2.11.3. The holder of an approval certificate which expires, shall forthwith surrender the approval certificate to the Authority ;

14.2.11.4. The holder of an approval certificate, which is suspended, shall forthwith produce the approval certificate to the Authority for appropriate endorsement.

14.2.11.5. The holder of an approval certificate, which is cancelled, shall, within 30 days from the date on which the approval certificate is cancelled, surrender such approval certificate to the Authority.

Transferability
of Approval
Certificate.

14.2.12.1. Subject to the provisions of these Regulations, an approval certificate shall not be transferable.

14.2.12.2. A change in ownership of the holder of an approval certificate shall be deemed to be a change of significance that shall be notified to the Authority.

Notice of
Recommendation
for
Suspension
of Approval
Certificate.

14.2.13.1. A procedures design inspector may recommend suspension, for a period not exceeding 30 days, of a procedure design for air navigation service providers' approval certificate issued under this Part, if :

(a) after a safety inspection and audit carried out in terms of these Regulations, it is evident that the holder of the approval certificate does not comply with the requirements prescribed in this Part, and such a holder fails to 'remedy such non-compliance within 30 days after receiving notice in writing from the air traffic service inspector to do so ; or

(b) the procedures design inspector is prevented by the holder of the approval certificate from carrying out a safety inspection and audit in accordance with these Regulations ;

14.2.14.1. The Authority may, arising from the recommendation of a procedures design Inspector, by written notice given to a procedure design for air navigation service provider suspend, cancel or vary the procedure designer for air navigation service provider certificate if there are reasonable grounds for believing that the certificate holder :

- (a) has breached a condition of the certificate ; or
- (b) has contravened a provision of this Part ; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting or holding the certificate ; or
- (d) has otherwise been guilty of conduct that renders the PANS-OPS provider's continued holding of the certificate likely to have an adverse effect on the safety of air navigation.

Suspension,
Cancellation
or Variation
of
Procedure
Design
Approval
Certificate
for Air
Navigation
Service
Provider by
the
Authority.

14.2.14.2. Before suspending, cancelling or varying a procedure designer provider certificate for air navigation service, the Authority shall :

- (a) give written notice to the certificate holder of the facts or circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the certificate ; and
- (b) invite the certificate holder to show cause in writing, within 30 days after the date of the notice, why the certificate should not be suspended, cancelled or varied ; and
- (c) take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the procedure design for air navigation service provider explaining why the certificate should not be cancelled.

14.2.15.1. The holder of an approval certificate who feels aggrieved by the suspension of the approval certificate may appeal against such suspension to the Authority, within 30 days after such holder becomes aware of such suspension.

Right of
Appeal of
Holder of
Certificate.

14.2.15.2. An appellant shall deliver an appeal in writing, stating the reasons why, in his, or her opinion, the suspension should be set aside.

14.2.15.3. The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the procedures design Inspector concerned and shall furnish proof of such submission for the information of the Authority.

14.2.15.4. The procedures design Inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in 14.2.15.3, deliver to the Authority his or her written reply.

14.2.15.5. The Authority may :

- (a) adjudicate the appeal on the basis of the documents submitted ; or
- (b) order the appellant and the procedures design inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the Authority, to give evidence.

14.2.15.6. The Authority may confirm, vary or set aside the suspension referred to in these Regulations.

14.2.15.7. The Authority shall :

(a) if it confirms the suspension in line with this regulation ; or

(b) if an approval certificate is suspended in line with 14.2.14.1 of these Regulations and the holder thereof does not appeal against such suspension as required by 14.2.15.4 of this Regulation, cancel the approval certificate concerned.

Register of
Approval
Certificates.

14.2.16.1. The Authority shall maintain a register of all procedure design for air navigation service provider Approval certificates issued under this Part.

14.2.16.2. The register shall contain the following particulars :

(a) the full name of the holder of the Approval certificate ;

(b) the business address of the holder of the Approval certificate ;

(c) the postal address of the holder of the Approval certificate ;

(d) the date on which the Approval certificate was issued or renewed ;

(e) the type of procedures design service in respect of which the Approval certificate was issued ;

(f) the date on which the Approval certificate was suspended, if applicable ;
and

(g) the date on which the Approval certificate expires.

14.2.16.3. The particulars referred to in 14.2.16.2 shall be recorded in the register within seven days from the date on which the approval certificate is issued by the Authority.

14.2.16.4. The register shall be kept in a safe place at the office of the Director-General.

14.2.16.5. A copy of the register shall be furnished by the Authority, on payment of the appropriate fee as prescribed, to any person who requests the copy.

Substitution
of Procedure
Design for
Air
Navigation
Service.

14.2.17.1. The Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of a design approval certificate as a substitute provider to design and publish procedures in respect of an approval which has been suspended by the Authority under this part, for the duration of such suspension.

Verification
of Terminal
Instrument
Flight
Procedures.

14.2.18.1. An Instrument Procedures Designer and Publisher shall establish procedures for verifying terminal instrument procedures that it is authorised to design under the designer's procedure design certificate or on which the designer is authorised to carry on design work.

14.2.18.2. The verification procedures shall :

(a) provide for 2 qualified designers to check independently the design of each terminal instrument flight procedure designed, or on which design work is carried on, under the Instrument Procedures Designer and Publisher's approval ; and

(b) provide for one of those checks to be made by a qualified designer who did not carry on the design work concerned.

14.2.18.3. A reference to verifying a terminal instrument flight procedure is a reference to the process of checking the procedure (including all data, computations and drawings for the procedure) in accordance with the applicable standards set out in the Manual of Standards.

14.2.19.1. An Instrument Procedures Designer and Publisher shall ensure that each terminal instrument flight procedure designed under the designer's approval certificate is validated by the Authority in accordance with the applicable standards set out in the Manual of Standards.

Validation
of Terminal
Instrument
Flight
Procedures.

14.2.20.1. An Instrument Procedures Designer and Publisher shall ensure that each terminal instrument flight procedure designed under the designer's procedure design approval certificate is given to the AIS for publication in the AIP together with an approval certificate by the Instrument Procedures Designer and Publisher's head designer to the effect that the procedure is designed and validated in accordance with the applicable standards set out in the Manual of Standards.

Publication
of Terminal
Instrument
Flight
Procedures.

14.2.20.2. However, the designer need not give a terminal instrument flight procedure to the AIS if the procedure is for use only by an aircraft in a specialised helicopter operation.

14.2.20.3. An Instrument Procedures Designer and Publisher shall ensure that all procedures designed under its procedure design approval certificate that are not given to the AIS for publication in the AIP are given to the Authority.

14.2.21.1. An Instrument Procedures Designer and Publisher shall ensure that a terminal instrument flight procedure designed under the designer's approval certificate does not require the use of a ground-based radio-navigation aid other than one that is operated and maintained by a person certificated to do so under these Regulations.

Radio
Navigation
Aids.

14.2.21.2. GNSS—All GNSS procedures shall be carried out in accordance with the standards set by the Authority (Reference the TGM).

14.2.22.1. An Instrument Procedures Designer and Publisher is responsible for maintaining, in accordance with the standards for the maintenance of terminal instrument flight procedures set out in the Manual of Standards, a terminal instrument flight procedure designed under the designer's procedure design approval certificate or for which that responsibility is transferred to the Instrument Procedures Designer and Publisher.

Maintenance
of Terminal
Instrument
Flight
Procedures.

14.2.22.2. The Instrument Procedures Designer and Publisher ceases to be responsible for the maintenance of the procedure :

(a) if the Instrument Procedures Designer and Publisher has notified the Authority ;

(b) if the Instrument Procedures Designer and Publisher's responsibility for the maintenance of the procedure is transferred to another Instrument Procedures Designer and Publisher on the day when the responsibility is transferred; or

(c) if the Instrument Procedures Designer and Publisher has notified Authority that the designer has ceased to design the type of terminal instrument flight procedure concerned ;

(d) if the Instrument Procedures Designer and Publisher's approval is varied to exclude that type of procedure ; and

(e) if the Instrument Procedures Designer and Publisher ceases to be an approved Instrument Procedures Designer and Publisher.

Application
of Human
Factor
principles.

14.2.23.1. The applicant shall demonstrate that human factor principles are considered when assessing the appropriateness of equipment, systems, software, facilities, procedures, jobs, environment, training, staffing, and personnel management to produce safe, comfortable, and effective human performance.

Training and
Checking of
Instrument
Procedures
Designer and
Publisher
Personnel.

14.2.24.1. An Instrument Procedures Designer and Publisher shall provide training and checking program that is of an adequate standard to ensure that the employees of the designer maintain their competence and are provided with ongoing training appropriate to their duties.

14.2.24.2. Training and checking records shall be retained for all personnel.

Safety
Management
System.

14.2.25.1. An Instrument Procedures Designer and Publisher shall have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to provide the Instrument Procedures Design covered by its approval certificate safely.

14.2.25.2. The provider shall keep under review its safety management system and take such corrective action as is necessary to ensure that it operates properly. Safety reviews shall be conducted on a regular basis by qualified personnel.

Facilities,
Equipment,
Maintenance
and
Calibration.

14.2.26.1. An Instrument Procedures Designer and Publisher shall provide and maintain adequate facilities for carrying on design work on terminal instrument flight procedures under the designer's procedure design certificate, including :

(a) providing premises and equipment appropriate for the Instrument Procedures Designer and Publisher's employees to carry on the design work ;

(b) ensuring that those personnel have access to all necessary data for designing the procedures including :

(i) accurate and current databases or charts detailing terrain and obstacle information ; and

(ii) accurate and current navigation aid co-ordinate data ;

(iii) accurate and current aerodrome reference point and threshold data, and

(iv) PHX or other acceptable software and topographical map of the area with an appropriate scale.

14.2.26.2. An Instrument Procedures Designer and Publisher shall, if an aeronautical database and aeronautical data are required for designing a terminal instrument flight procedure under the designer's procedure design certificate, have, and put into effect procedures to ensure the integrity of the database and the data.

14.2.27.1. The applicant shall maintain system for tracking and rectifying faults within the Instrument Procedures Designer and Publisher system.

Fault and
Defect
Reporting.

14.2.27.2. Procedures for the reporting and the resolution of faults and defects shall be documented in the Manual of Operations.

14.2.28.1. An Instrument Procedures Designer and Publisher shall maintain reference materials of the kinds specified in the Manual of Standards.

Maintenance
of
Documents
and Records.

14.2.28.2. An Instrument Procedures Designer and Publisher shall keep the reference materials up-to-date and in a readily accessible form.

14.2.28.3. Each personnel of the Instrument Procedures Designer and Publisher who carries on design work on a terminal instrument flight procedure under the Instrument Procedures Designer and Publisher's procedure design certificate shall have ready access to the reference materials.

14.2.28.4. An Instrument Procedures Designer and Publisher shall keep documents and records of the kinds specified in the Manual of Standards.

14.2.28.5. A document or record shall be retained for as long as the Manual of Standards specifies for the particular kind of document or record.

14.2.28.6. The designer shall, at the Authority's request, make the documents and records, or copies of them or extracts from them, available for inspection by the Authority.

14.2.28.7. An Instrument Procedures Designer and Publisher shall establish, and put into effect, a system for controlling documents and records relating to the terminal instrument flight procedures on which the designer carries on design work under the Instrument Procedures Designer and Publisher's procedure design certificate, including the policies and procedures for making, amending, preserving and disposing of those documents and records.

14.2.28.8. The system shall be in accordance with the standards set out in the Manual of Standards.

14.2.28.9. The Instrument Procedures Designer and Publisher provider shall ensure that :

- (a) the documentation is reviewed and authorised by appropriate personnel before issue ;
- (b) current issues of relevant documentation are available to personnel ;
- (c) obsolete documentation is removed from all points of issue or use ;
- (d) changes to documentation are reviewed and approved by appropriate personnel ; and
- (e) current version of each document can be identified to preclude the use of obsolete documents.

14.3. AERONAUTICAL SEARCH AND RESCUE

Aeronautical
Search and
Rescue
Establishment.

14.3.1.1. The designated Air Traffic Services Provider shall designate the search and rescue regions within which search and rescue services shall be provided in the Nigerian airspace on a 24 hour basis ;

14.3.1.2.—(a) The designated Air Traffic Services Provider shall designate Rescue Co-ordination Centre for each search and rescue region ;

(b) Each Rescue Co-ordination Centre shall develop and review the search and rescue plan of operations appropriate for its search and rescue region.

14.3.1.3. The designated Air Traffic Services Provider shall designate rescue sub-centre(s) for each search and rescue region to facilitate the provision of search and rescue services.

14.3.1.4. The designated Air Traffic Services Provider shall designate search and rescue facilities and units, as appropriate, for the expeditious conduct of search and rescue operations.

14.3.1.5. The designated Air Traffic Services Provider shall designate Joint Rescue Co-ordination Centre(s) with the appropriate Maritime Authority.

Aeronautical
Search and
Rescue
Action.

14.3.2.1. Aeronautical search and rescue action shall be instituted automatically when indications exist that the flight may be in distress in respect of :

- (a) all flights operating within the Kano FIR for which flight plan information have been received ;
- (b) other flights which request assistance.

14.3.2.2. Aeronautical search and rescue action shall be undertaken in accordance with the requirements of these Regulations.

14.3.2.3. National search and rescue mock exercises shall be held at least once a year.

14.3.2.4. The Authority shall monitor the exercise and assess the level of preparedness for search and rescue operations.

14.3.2.5. The Air Traffic Services Provider shall ensure that personnel engaged in SAR operations is sufficient in number and adequately trained in addition to ensuring participation in annual mock SAR exercises.

(a) The ATS provider shall adequately define all the functions and responsibilities of SAR personnel in addition to properly defined job descriptions ;

(b) Training records of SAR personnel shall be properly maintained. .

(c) The Air Traffic Services Provider shall ensure that rescue co-ordination centre personnel are proficient in the use of English Language as contained in Nigeria CARs, Part 2.

14.3.2.6. The Air Traffic Services Provider shall ensure that qualified personnel are deployed to take command of search and rescue operations at the scene of an accident.

14.3.2.7. Aeronautical search and rescue action shall be undertaken in accordance with the National Disaster Response Plan issued by the National Emergency Management Agency and the Air Traffic Services Provider's Aeronautical Search and Rescue Manual, as approved by the Authority.

14.3.3.1. Each Rescue Co-ordination Centre shall be equipped with rapid and reliable communication and equipment for search and rescue operations.

Communi-
cation and
Equipment
of Rescue
Unit.

14.3.3.2. Each Control Tower shall be equipped with a reliable alerting device for alerting the fire and safety services and other relevant agencies.

14.3.3.3. The approved Air Traffic Services Provider shall issue guidelines for the establishment of Rescue Co-ordination Centres and Rescue sub-centres including Personnel and Equipment requirements and also guidelines for Aerodrome emergencies of ATS at each Aerodrome.

14.3.3.4. Rescue Co-ordination Centres and sub centers shall be provided with facilities and equipment for locating scenes of the incident/accident promptly.

14.3.3.5. Each rescue co-ordination centre shall keep a record of the operational efficiency of the search and rescue organisation in its region.

14.3.4.1. The approved ATS provider, shall co-ordinate and co-operate with search and rescue organizations of other neighbouring contracting states.

Co-operation
with other
Contracting
States.

14.3.4.2. The approved Air Traffic Services Provider shall enter into written co-operation agreement with sovereign neighbouring contracting States for the purpose of searching for the site of aircraft accidents and rescuing the survivors of such accidents.

14.3.4.3. The approved Air Traffic Services Provider shall provide, when necessary, assistance to other Rescue Co-ordination Centres, including assistance in the form of aircraft, vessels, persons or equipment.

Co-operation
with other
Agencies.

14.3.5.1. The approved Air Traffic Services Provider shall :

(a) maintain and ensure continuous liaison with NEMA and other agencies relevant for Search and Rescue operations.

(b) maintain a database and/or schedule of supporting organizations, agencies and companies, together with available equipment and personnel for deployment to search and rescue operations.

(c) ensure the closest practicable coordination and co-operation with the Maritime Coordination Centre.

(d) designate the RCC responsible for each SRR to prepare and review a comprehensive plan of operations for the conduct of search and rescue operations.

14.3.5.2. The approved Air Traffic Services Provider shall enter into contracts, agreements and memoranda of understanding with the supporting organizations, agencies, companies and persons who render services and/or provide equipment for search and rescue operations.

Information
Concerning
Emergencies.

14.3.6.1. Any person, agency, authority or any element of the search and rescue organization having reason to believe that an aircraft is in an emergency shall give immediately, all available information to the Rescue Coordination Centre concerned.

14.3.6.2. Rescue Co-ordination Centres shall, immediately upon receipt of information concerning aircraft in emergency, evaluate such information and determine the extent of the operation required.

14.3.6.3. When information concerning aircraft in emergency is received from other sources than Air Traffic Services units, the Rescue Coordination Centre shall determine to which emergency phase the situation corresponds and shall apply the procedures applicable to that phase.

Aeronautical
Search and
Rescue
Training.

14.3.7.1. The Air Traffic Services Provider shall ensure that personnel engaged in SAR operations are adequately trained and in addition ensure their participation in annual mock SAR exercises.

Search and
Rescue
Respon-
sibilities and
Coordination.

14.3.8.1. Search and rescue is to be provided in accordance with the ATS Providers Search and Rescue Manual as approved by the Authority.

Aeronautical
Information
Services.

14.4.1. APPLICABILITY

This section of the regulation is applicable to the provision of Aeronautical Information Services (AIS).

Definitions.

14.4.2. The definitions are as contained in these Regulations.

14.4.3. No Aeronautical Information Services Provider shall provide aeronautical information services at aerodromes in Nigeria except under the authority of, and in accordance with the provisions contained in its Aeronautical Information Service Provider Approval certificate issued by the Authority. (IS 14.4.3).

14.4.4. An Aeronautical Information Services Provider issued with an approval certificate under these Regulations shall :

Responsi-
bilities of
Holder of
Approval
Certificate.

(a) be responsible for the provision of aeronautical information services to ensure that the information necessary for the safety, regularity or efficiency of air navigation is available in the form suitable for the operational requirements of :

(i) flight operations personnel including flight crew and the personnel responsible for the provision of pre-flight information ; and

(ii) its associated air traffic services unit ;

(b) collect, collate and disseminate edited aeronautical information concerning the entire territory of Nigeria ; and

(c) publish the aeronautical information as an integrated Aeronautical Information Package.

(2) The conditions, requirements, rules, procedures and standards for the provision and publication of the aeronautical information in an AIC, AIRAC, NOTAM, as the case may be, shall be in conformity with the AIS manual of standards.

(3) An Aeronautical Information Publication shall contain, in three parts; (Part 1—General (GEN), Part 2—En-route (ENR), Part 3—Aerodromes (AD) sections and subsections uniformly referenced to allow for standardized electronic data storage and retrieval.

(4) The Specifications for AIP Amendments and Supplements shall be in accordance with the provisions in the Aeronautical Information Services Manual of Standards.

(5) The approved Aeronautical Information Services Provider shall ensure that all entries to the AIP are approved by the Authority.

(6) The approved Aeronautical Information Services Provider shall ensure that :

(a) Copies of all AIC, NOTAM, List of Valid NOTAM, AIP, AIP Supplement and AIP Amendments to be promulgated shall be sent to the Authority for approval before publication.

(b) AIP amendments shall be sent to all AIP subscribers.

14.4.5.1. The approved Aeronautical Information Services Provider shall ensure that International NOTAM offices (NOF) shall be connected to the Aeronautical Fixed Service (AFS) and shall be provided with printed communications.

Telecommuni-
cation
Requirements.

14.4.5.2. The approved Aeronautical Information Services Provider shall ensure that each international NOTAM office shall be connected, through the Aeronautical Fixed Service (AFS), to the following points within the Nigerian Airspace :

(a) Area control centres and flight information centres ;

(b) Aerodromes/Heliports at which an information service is provided with preflight briefing and post-flight information.

14.4.5.3. The approved Aeronautical Information Services Provider may apply the use of internet for non-time critical types of aeronautical information.

Quality
Management
System.

14.4.6.1.—(a) The Aeronautical Information Services Provider shall establish a quality management system to provide among others for the procedures, processes, and resources necessary for implementing quality management of aeronautical information and data.

(b) The quality management system shall be documented in the approved Aeronautical Information Services Provider Manual of Operations.

(c) If the holder of an Aeronautical Information Services Provider approval certificate makes any change in the quality management system referred to in this section, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, the holder shall notify the Authority.

14.4.6.2. The approved Aeronautical Information Services Provider shall provide, in a timely manner, the personnel, facility and financial resources needed to :

(a) implement and improve the processes of the Quality Management System ;
and

(b) address customer satisfaction on all AIS/MAP related services.

Responsi-
bilities of
Holder of an
AIS
Approval
Certificate.

14.4.7.1. The holder of an Aeronautical Information Services Provider approval certificate shall :

(a) provide the services listed in its Manual of Operations, in accordance with the procedures as prescribed in these Regulations. IS 14.4.7.1(a)) ;

(b) The Aeronautical Information Services Provider Manual of Operations shall include the following information :

(i) personnel requirements and the responsibilities of personnel IS 14.4.7.1(b)(i) ;

(ii) training and checking of personnel engaged in Aeronautical Information Services activities in accordance with IS 14.4.7.1(b)(ii) ;

(iii) contingency plans developed for part or total system failure for which the organisation provides a service IS 14.4.7.1(b)(iii) ;

(iv) a security plan that details what measures both, physical and procedural, they have in place to protect their facilities and services.

(v) facilities and equipment and how those facilities are maintained. IS 14.4.7.1(b) (v) ;

(vi) fault and defect reporting. IS 14.4.7.1(b)(vi) ;

(vii) maintenance of documents and records. IS 14.4.7.1 (b)(vii) ; and

(viii) any other information requested by the Authority.

(c) hold at least one complete and current copy of its Manual of Operations at each Aeronautical Information Service Unit specified in its Manual of Operations ;

(d) comply with all procedures detailed in its Manual of Operations ;

(e) Comply with the Manual of Standards, prescribed by the Authority, in the provision of Aeronautical Information Services ;

(f) make each applicable part of the Manual of Operations available to the personnel who require those parts to carry out their duties ;

(g) continue to comply with the appropriate requirements prescribed in these Regulations ;

(h) keep the records of all regular internal inspections for a period of five years from the date of each inspection ;

(i) replace or upgrade any obsolete installation ;

(j) keep the Authority informed of its plans for the development and modernisation of its facilities.

14.4.7.2. The holder of an Aeronautical Information Services Provider Approval certificate shall display the approval certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval certificate is displayed, it shall produce the original to the Authority's officials, if so requested.

Display of
Aeronautical
Information
Services
Approval
Certificate.

14.4.7.3.1. An applicant for the issuance of an Aeronautical Information Services Provider Approval certificate shall permit an Aeronautical Information Service Inspector to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations.

Safety Audit
and
Inspections.

14.4.7.3.2. The holder of an Aeronautical Information Services Provider Approval certificate shall permit an Aeronautical Information Service Inspector to carry out such safety inspections and audits as may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

14.4.7.4. The applicant shall demonstrate that human factor principles are considered when assessing the appropriateness of equipment, systems, software, facilities, procedures, jobs, environment, training, staffing, and personnel management to produce safe, comfortable, and effective human performance.

Application
of Human
factor
principles.

Search and
Rescue
Responsibilities and Co-
ordination.

14.4.7.5. The Aeronautical Information Services Provider shall provide such assistance as requested from the authority responsible for conducting SAR activities.

Local
Operating
Procedures.

14.4.7.6. The Aeronautical Information Services Provider shall develop local operating procedures for the collection and dissemination of relevant data in AIS Aerodrome units IS14.4.7.6.

Eligibility of
Applicant.

14.4.8.1. An applicant is eligible to become an Aeronautical Information Services Provider if the applicant is able to comply with the requirements of these Regulations.

14.4.8.2. An application for the issuance of an Aeronautical Information Services Provider Approval certificate or an amendment thereof shall be made in the manner prescribed by the Authority and shall include :

- (a) a copy of the applicant's Manual of Operations ;
- (b) a written statement setting out aeronautical information services that the applicant proposes to provide ;
- (c) enough information to identify, for each aeronautical information service the type and the location from which the service is proposed to be provided.
- (d) a written statement setting out the hours during which each aeronautical information service is proposed to be available ;
- (e) a written statement describing the arrangements the applicant has made to comply with the requirements of these Regulations ;
- (f) the appropriate fee prescribed by the Authority.

14.4.8.3. In the case of approval certificate renewal, the holder of an approval certificate shall ensure that the process for renewal is commenced at least 60 days prior to the date on which such approval expires.

14.4.8.4. If an Aeronautical Information Service Provider's Approval certificate is subject to conditions, the provider shall comply with the conditions so specified.

Issuance of
Aeronautical
Information
Services
Provider
Approval
Certificate.

14.4.9.1. The Authority shall issue an Aeronautical Information Service Provider an Approval Certificate to provide aeronautical information service, if the applicant complies with the requirements prescribed in these Regulations.

14.4.9.2. The Authority shall issue the Approval in the appropriate form.

14.4.9.3. A Certificate issued under this Part shall include the following information :

- (a) the provider's name and address of its principal place of business ;
- (b) a list of the aeronautical information services covered by the provider's Approval ; and

(c) for each aeronautical information service the location from which the service will be provided ;

14.4.10.1. The holder of an Approval certificate shall be entitled to provide any service or combination of services listed in its manual of operations ;

14.4.10.2. If an Aeronautical Information Service Provider wants to vary its Approval Certificate, it shall apply to the Authority under this Regulation for that purpose :

(a) the application shall contain, or have with it, a copy of the proposed variation ;

(b) if the Authority approves the variation, the variation shall take effect from the day proposed by the applicant ;

(c) Where no date is proposed by the applicant, the effective date of the variation shall be the date the Approval notice is given to the provider.

14.4.11.1. An Approval Certificate shall be valid for a period determined by the Authority, which period shall not exceed five years from the date of issuance or renewal thereof.

14.4.11.2. The Approval Certificate shall remain in force until it expires, is suspended, or cancelled by the Authority.

14.4.11.3. The holder of an Approval Certificate, which is suspended, shall forthwith produce the Approval certificate to the Authority for appropriate endorsement.

14.4.11.4. The holder of an Approval Certificate, which is cancelled, shall, within 30 days from the date on which the Approval Certificate is cancelled, shall surrender such Approval Certificate to the Authority.

14.4.12.1. Subject to the provisions of these Regulations, an Approval Certificate shall not be transferable.

14.4.12.2. A change in ownership of the holder of an Approval Certificate shall be deemed to be a change of significance that shall be notified to the Authority.

14.4.13. An Aeronautical Information Service Inspector may recommend suspension, for a period not exceeding 30 days, of an Aeronautical Information Service Provider Approval Certificate issued under this Part, if :

(a) after a safety inspection and audit carried out in terms of these Regulations, it is evident that the holder of the Approval Certificate does not comply with the requirements prescribed in this Part, and such a holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the Aeronautical Information Service Inspector to do so ; or

(b) the Aeronautical Information Service Inspector is prevented by the holder of the Approval Certificate from carrying out a safety inspection and audit in accordance with these Regulations ;

Scope and
Variation of
Approval
Certificates.

Period of
Validity of
Approval
Certificate.

Transferabi-
lity of
Approval
Certificate.

Notice of
Recommen-
dation for
Suspension
of Approval
Certificate.

Suspension,
Cancellation
or Variation
of an
Aeronautical
Information
Service
Provider
Approval
Certificate
by the
Authority.

14.4.14.1. The Authority may, arising from the recommendation of an Aeronautical Information Service Inspector, by written notice given to an Aeronautical Information Service Provider, suspend, cancel or vary the Aeronautical Information Services Provider Approval Certificate if there are reasonable grounds for believing that the certificate holder :

- (a) has breached a condition of the certificate ; or
- (b) has contravened a provision of this Part ; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting or holding the certificate ; or
- (d) has otherwise been guilty of conduct that renders the Air Traffic Services Provider's continued holding of the certificate likely to have an adverse effect on the safety of Air Navigation.

14.4.14.2. Before suspending, cancelling or varying an Aeronautical Information Service Provider Certificate, the Authority :

- (a) shall give written notice to the certificate holder of the facts or circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the certificate ; and
- (b) shall invite the certificate holder to show cause in writing, within 30 days after the date of the notice, why the certificate should not be suspended, cancelled or varied ; and
- (c) shall take into account any written representations made, within the time allowed under 14.4.14.2 (b), by or on behalf of the Aeronautical Information Services Provider explaining why the certificate should not be cancelled.

Right of
Appeal of
Holder of
Approval
Certificate.

14.4.15.1. The holder of an Approval Certificate who feels aggrieved by the suspension of the Approval Certificate may appeal against such suspension to the Authority, within 30 days after such holder becomes aware of such suspension.

14.4.15.2. An appellant shall deliver an appeal in writing, stating the reasons why, in their opinion, the suspension should be set aside.

14.4.15.3. The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the Aeronautical Information Service Inspector concerned and shall furnish proof of such submission for the information of the Authority.

14.4.15.4. The Aeronautical Information Service Inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in 14.4.15.3 deliver to the Authority a written reply.

14.4.15.5. The Authority may :

- (a) adjudicate the appeal on the basis of the documents submitted ; or
- (b) order the appellant and the Aeronautical Information Service Inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the Authority, to give evidence.

14.4.15.6. The Authority may confirm, vary or set aside the suspension referred to in Subsection 14.4.14.1. of these Regulations.

14.4.15.7. The Authority shall :

- (a) if it confirms the suspension in line with this regulation ; or
- (b) if an Approval Certificate is suspended in line with Subsection 14.4.13 of these Regulations and the holder thereof does not appeal against such suspension as required by 14.4.13.7, the Approval Certificate concerned shall be cancelled.

14.4.15.8. The Authority shall maintain a register of all Aeronautical Information Services Provider Approvals issued under this Part.

14.4.15.9. The register shall contain the following particulars :

- (a) the full name of the holder of the Approval Certificate ;
 - (b) the business address of the holder of the Approval Certificate ;
 - (c) the postal address of the holder of the Approval Certificate ;
 - (d) the date on which the Approval Certificate was issued or renewed ;
 - (e) the type of aeronautical information service in respect of which the Approval Certificate was issued ;
 - (f) the date on which the Approval Certificate was suspended, if applicable ;
- and
- (g) the date on which the Approval Certificate expires.

14.4.15.10. The particulars referred to in 14.4.15.9 shall be recorded in the register within seven days from the date on which the Approval Certificate is issued by the Authority.

14.4.15.11. The register shall be kept in a safe place at the office of the Director General of the Authority.

14.4.15.12. A copy of the register shall be furnished by the Authority on payment of the appropriate fee as prescribed from time to time.

14.4.16. The Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of an Aeronautical Information Service Approval Certificate as a substitute Aeronautical Information Services Provider to provide an aeronautical information service in respect of an Approval Certificate which has been suspended by the Authority under this Part, for the duration of such suspension.

Substitution
of
Aeronautical
Information
Services
Provider.

14.4.17. The service provider shall ensure that at all aerodromes, an AIS unit is to make available to pilots the aeronautical information required for a flight. Information shall be presented in such a manner to facilitate self-briefing in order to save pilot's/ crew's time. In considering the above, factors to be considered are to include :

Pre-Flight
and Post-
Flight
Information.

- (a) the physical layout of the briefing room ;
- (b) the format of the Pre-flight Information Bulletin (PIB) ;
- (c) an adequate wall display ;
- (d) easy access to basic information.

(e) requirements stated in Nig.CARs Part 8 Section 6 and AIS manual of standards.

Electronic
Terrain and
Obstacle
Data (E-
TOD).

14.4.18. The Authority shall ensure that sets of electronic terrain and obstacle data used in combination with aeronautical data, as appropriate, shall satisfy user requirements necessary to support the air navigation applications is as contained in AIS Manual of standards.

14.5. AERONAUTICAL CHARTS

General.

14.5.1.1. Applicability

This section of the regulation is applicable to the provision of Aeronautical Charts.

Definitions.

14.5.2.1. The definitions are as contained in these Regulations.

Provision of
Aeronautical
Charts.

14.5.3.1. No person shall provide Aeronautical Charts in Nigeria except under the Approval of the Authority. IS 14.5.3.1.

14.5.3.2. The Aeronautical Charts Provider shall ensure that all Aeronautical charts, updates and entries used in Nigeria are approved by the Authority.

Eligibility of
Aeronautical
Chart
Provider.

14.5.4.1. An applicant is eligible to become an aeronautical charts provider if the applicant is able to comply with the requirements of this Regulation.

14.5.4.2. An application for the issuance of an Aeronautical Charts Provider Approval certificate or an amendment thereof shall be made in the manner prescribed by the Authority and shall include :

- (a) a copy of the applicant's Manual of Operations ; IS 14.5.4.2 ;
- (b) a written statement setting out the aeronautical charts that the applicant proposes to provide ;
- (c) enough information to identify, for each aeronautical chart the type and the location from which it is proposed to be provided ;
- (d) a written statement describing the arrangements the applicant has made to comply with the requirements of this Regulation ;
- (e) the appropriate fee prescribed by the Authority.

14.5.4.3. In the case of renewal of an Approval Certificate, the holder of an Approval Certificate shall ensure that the process for renewal is commenced at least 30 days prior to the expiration of the Approval Certificate.

14.5.4.4. The Personnel requirements and the responsibilities of personnel shall be as provided in IS 14.5.4.4.

14.5.4.5. Training and checking of staff shall be in the manner that staff engaged in Aeronautical Charts activities are adequately trained in accordance with IS 14.5.4.5.

14.5.5. The Approval Certificate holder shall establish, implement, maintain, and adhere to a quality system that is appropriate to the size, nature, and complexity of all activities authorized to be conducted under the approval certificate.

Quality
System.

(2) The quality system shall be documented in the service providers' Manual of Operations.

(3) The results of this system and related audits and corrective actions shall be made available to the Authority.

(4) If the holder of an Aeronautical Charts Provider Approval certificate makes any change in the quality system referred to in this section, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, the holder shall notify the Authority.

(5) A safety assessment shall be undertaken for any safety related change in (4) for assessment; the applicant shall include information on the procedure for monitoring the quality of all Aeronautical data and aeronautical charts.

14.5.6. The Applicant for the grant of Aeronautical Charts approval certificate shall establish a contingency plan providing for the safe, orderly and continuous flow of information in the event of disruption and/or interruption.

Contingency
plan.

(1) An Aeronautical Charts Provider shall develop and maintain Contingency Plans for implementation in the event of disruption, or potential disruption, of Aeronautical Charts and related supporting services for which it is responsible. The disruption may be caused intentionally (sabotage) or unintentionally (equipment failure).

(2) In developing such contingency plans, the Aeronautical Charts Provider shall work closely with the Aeronautical Charts authorities responsible for the provision of services in adjacent or contiguous airspaces and other airspace users concerned.

(3) The plan shall include :

(a) the actions to be taken by the members of the provider's personnel responsible for providing the service ;

(b) possible alternative arrangements for providing the service ;

(c) the arrangements for resuming normal operations for the service ; and

(d) these plans shall be submitted as part of the Manual of Operations.

14.5.7. The applicant shall provide a plan that details what measures, both physical and procedural; they have in place the protection of their facilities and services. This should include a security assessment of the facilities used by the applicant.

Security
Programme.

B 1002

Issuance of
Aeronautical
Charts .
Provider
Approval
Certificate.

14.5.8.1. The Authority shall issue an Aeronautical Charts Provider an Approval Certificate to produce Aeronautical Charts, upon compliance with the requirements prescribed in these Regulations.

14.5.8.2. The Approval Certificate shall authorise the provision of :

- (a) a single Aeronautical Chart from a single Aeronautical Chart Unit ; or
- (b) a combination of Aeronautical Charts by means of a network of approved Aeronautical Charts Providers.

14.5.8.3. An Approval Certificate issued under this Part shall include the following information :

- (a) the provider's name and address of its principal place of business ;
- (b) a list of the Aeronautical Charts covered by the provider's Approval Certificate ; and
- (c) for each Aeronautical Charts the location from which the service will be provided ;

Scope and
Variation of
Approval
Certificates.

14.5.9.1. The holder of an Approval Certificate shall be entitled to provide any service or combination of services listed in its manual of operations ;

14.5.9.2. An application for variation of approval certificate shall be made to the Authority and shall contain a copy of the proposed variation ;

14.5.9.3. The variation, if approved by the Authority, shall take effect from the date proposed by the applicant ;

14.5.9.4. Where no date is proposed by the applicant, the effective date of the variation shall be the date the approval certificate is conveyed by the Authority.

Period of
Validity of
Approval
Certificate.

14.5.10.1. An Approval Certificate shall be valid for a period determined by the Authority, which period shall not exceed five years from the date of issuance or renewal thereof.

14.5.10.2. The Approval Certificate shall remain in force until it is expired, suspended, or cancelled by the Authority.

14.5.10.3. The holder of an Approval Certificate which expires shall forthwith surrender the Approval Certificate to the Authority ;

14.5.10.4. The holder of an Approval Certificate, which is suspended, shall forthwith produce the Approval certificate to the Authority for appropriate endorsement.

14.5.10.5. The holder of an Approval Certificate , which is cancelled, shall within 30 days from the date on which the Approval is cancelled, surrender such Approval Certificate to the Authority.

Transferability of
Approval
Certificate.

14.5.11.1. Subject to the provisions of this Regulation, an Approval Certificate shall not be transferable.

14.5.11.2. A change in ownership of the holder of an Approval Certificate shall be deemed to be a change of significance that shall be notified to the Authority.

14.5.12.1. An Aeronautical Charts Provider issued an Approval Certificate under these Regulations shall :

Responsibilities of an Aeronautical Charts Provider.

(a) be responsible for the provision of Aeronautical Charts to ensure that the information necessary for the safety, regularity and efficiency of air navigation is available in the form suitable for the operational requirements of :

(i) flight operations personnel including flight crew and the personnel responsible for the provision of pre-flight information ; and

(ii) its associated Air Traffic Service Unit ;

(b) collect, collate, edit and disseminate aeronautical charts information concerning the entire territory of Nigeria ;

(c) take all reasonable steps to ensure that the information it provides and the aeronautical charts made available are adequate, accurate and that they are maintained up to date by an adequate revision service ;

(d) for any chart or single sheet of chart series entirely contained within the territory of Nigeria, the Approval Certificate holder shall produce the chart or sheet itself.

14.5.12.2. The Aeronautical Chart Provider shall :

(a) provide the services listed in its Manual of Operations,

(b) hold at least one complete and current copy of its Manual of Operations at each aeronautical Chart unit specified in its Manual of Operations ;

(c) Comply with the provisions of the Aeronautical Charts Manual of Standards ;

(d) comply with all procedures detailed in its Manual of Operations ;

(e) make each applicable part of the Manual of Operations available to the personnel who require those parts to carry out their duties ;

(f) continue to comply with the appropriate requirements prescribed in this Regulation ;

(g) keep the records of all regular internal inspections for a period of five years from the date of each inspection ;

(h) replace or upgrade any obsolete installation ;

(i) keep the Authority informed of its plans for the development and modernisation of its facilities.

(j) ensure that the Data and the corresponding Metadata of any aeronautical data to be used for chart production be forwarded to the Authority for assessment.

14.5.13. The holder of an Aeronautical Charts Provider Approval Certificate shall display the Approval Certificate in a prominent place, generally accessible to

Display of Approval.

the public at such holder's principal place of business and, if a copy of the original Approval Certificate is displayed, it shall produce the original to the Authority's officials, if so requested.

**Safety Audit
and
Inspections.**

14.5.14.1. An Applicant for the issuance of an Aeronautical Charts Provider Approval Certificate shall permit an Aeronautical Charts Inspector to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations.

14.5.14.2. The holder of an aeronautical Charts Approval Certificate shall permit an aeronautical Charts Inspector to carry out such safety inspections and audits as may be necessary to determine compliance with the appropriate requirements of these Regulations.

**Application
of Human
Factor
Principles.**

14.5.15. The holder of approval certificate shall demonstrate that human factors principles are considered when assessing the appropriateness of equipment, systems, software, facilities, procedures, jobs, environments, training, staffing, and personnel management to produce safe, comfortable, and effective human performance.

**Facilities,
Equipment,
and
Maintenance.**

14.5.16. An Aeronautical Charts Provider shall provide Facilities, Equipment and Maintenance facilities in conformity with the provisions of International Standard Organization (ISO 9000) and as detailed in IS 14.5.16.

**Search and
Rescue
Responsibilities
and Co-
ordination.**

14.5.17. The Aeronautical Charts Provider shall provide all necessary charts that could be used by the agencies responsible for conducting SAR operations or activities.

**Local
Procedures.**

14.5.18. The Aeronautical Charts Provider shall develop local operating procedures for the collection and dissemination of relevant data.

**Co-
ordination.**

14.5.19.1. The Aeronautical Chart provider shall establish systems and procedures to ensure, where applicable, co-ordination with the agencies and other services listed below :

- (1) Air Traffic Control
- (2) The Aeronautical Meteorological Service Provider ;
- (3) The Nigerian Military ;
- (4) Aircraft Operators ;
- (5) Search and Rescue unit ;
- (6) Surveyor-General of the Federation
- (7) Aerodrome AIS Unit : and
- (8) Other Government Agencies.

14.5.19.2. The applicant shall provide systems and procedures to facilitate communications between the units having an operational requirement to communicate with each other.

14.5.20.1. An Aeronautical Charts Provider shall establish procedures to collect and collate the information required for the activities listed in his Manual of Operations.

Collection of Information.

14.5.20.2. The procedures shall ensure that :

(a) Applicable information is obtained from organisations that provide services in support of the Nigerian air navigation system ;

(b) Arrangements for the timely provision of information are made with the information originators prescribed in regulation 14.5.20.1.

14.5.20.3. Information received from the information originators prescribed in paragraph 14.5.20.2(a) is certified as accurate by a person identified by the originator to be responsible for the accuracy of that information.

14.5.21. An Aeronautical Charts Inspector may recommend suspension, for a period not exceeding 30 days, of an Aeronautical Charts Provider Approval Certificate issued under this Part, if :

Notice of Recommendation for suspension of Approval Certificate.

(a) after a safety inspection and audit carried out in terms of this Regulation, it is evident that the holder of the Approval Certificate does not comply with the requirements prescribed in this Part, and such a holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the Aeronautical Charts Inspector to do so ; or

(b) the Aeronautical Charts Inspector is prevented by the holder of the Approval Certificate from carrying out a safety inspection and audit in accordance with these Regulations.

14.5.22.1. The Authority may, arising from the recommendation of an Aeronautical Charts Inspector, by written notice given to an Aeronautical Charts Provider, suspend, cancel or vary the Aeronautical Charts Provider Approval Certificate if there are reasonable grounds for believing that the certificate holder :

Suspension, Cancellation, or Variation of an Aeronautical Charts Provider Approval Certificate by the Authority.

(a) has breached a condition of the certificate ; or

(b) has contravened a provision of this Part ; or

(c) does not meet, or continue to meet, a requirement of this Part for getting or holding the certificate ; or

(d) has otherwise been guilty of conduct that renders the Aeronautical Charts provider's continued holding of the certificate likely to have an adverse effect on the safety of Air Navigation.

14.5.22.2. Before suspending, cancelling or varying an Aeronautical Charts Provider Approval Certificate, the Authority shall :

(a) give written notice to the certificate holder of the facts or circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the certificate ; and

(b) invite the certificate holder to show cause in writing, within 30 days after the date of the notice, why the certificate should not be suspended, cancelled or varied ; and

(c) take into account any written representations made, within the time allowed under paragraph (b) above, by or on behalf of the Aeronautical Charts Provider explaining why the approval certificate should not be cancelled.

Right of
Appeal of
Holder of
Approval
Certificate.

14.5.23.1. The holder of an Approval Certificate who feels aggrieved by the suspension of the Approval Certificate may appeal against such suspension to the Authority, within 30 days after such holder becomes aware of such suspension.

14.5.23.2. An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be set aside.

14.5.23.3. The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the Aeronautical Charts Inspector concerned and shall furnish proof of such submission for the information of the Authority.

14.5.23.4. The Aeronautical Charts Inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in 14.5.23.3, deliver to the Authority his or her written reply.

14.5.23.5. The Authority may :

(a) adjudicate the appeal on the basis of the documents submitted ; or

(b) order the appellant and the Aeronautical Charts Inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the Authority, to give evidence.

14.5.23.6. The Authority may confirm, vary or set aside the suspension referred to in regulation 14.5.22.

14.5.23.7. The Authority shall cancel an Approval Certificate :

(a) if it confirms the suspension in line with this regulation ; or

(b) if an Approval Certificate is suspended in line with regulation 14.5.22 and the holder thereof does not appeal against such suspension.

Maintenance
of
Aeronautical
Charts
Providers'
Register.

14.5.24.1. The Authority shall maintain a register of all Aeronautical Charts Provider Approval Certificate issued under this Part.

14.5.24.2. The register shall contain the following particulars :

(a) the full name of the holder of the Approval Certificate ;

(b) the business address of the holder of the Approval Certificate ;

(c) the postal address of the holder of the Approval Certificate ;

(d) the date on which the Approval Certificate was issued or renewed ;

(e) the type of aeronautical Charts in respect of which the Approval Certificate was issued ;

(f) the date on which the Approval Certificate was suspended, if applicable ;
and

(g) the date on which the Approval Certificate expires.

14.5.24.3. The particulars referred to in 14.5.24.2 shall be recorded in the register within seven days from the date on which the Approval Certificate is issued by the Authority.

14.5.24.4. The register shall be kept in a safe place at the office of the Director-General of the Authority.

14.5.24.5. A copy of the register shall be furnished by the Authority on payment of the appropriate fee.

14.5.25. The Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of an Aeronautical Charts Provider Approval Certificate as a substitute Aeronautical Charts Provider to provide Aeronautical Charts in respect of an Approval Certificate which has been suspended by the Authority under this Part, for the duration of such suspension.

Substitution
of another
Aeronautical
Charts
Provider.

14.5.26.1. The Approval Certificate holder shall ensure that charts are produced to meet the operational requirements for charts IS 14.5.26.1.

Operational
Requirements
and General
Specifications.

14.5.26.2. Charts produced by Nigeria shall be made available to other ICAO contracting States on request or reciprocal basis.

14.5.26.3. The Aeronautical Charts Provider shall collaborate with the office of Surveyor-General of the Federation and, or other agencies approved by office of Surveyor-General for base maps and other data that may be used for the production of aeronautical charts for civil aviation.

14.5.26.4. The units of measurement to be used for charts production shall conform to the standards specified in Part 1 Section 9 of these Regulations.

14.5.26.5. The general specifications and other requirements for all aeronautical charts produced shall be in compliance with IS14.5.26.5 and the provisions of the Aeronautical Charts Manual of Standards (MOS) and other relevant documents prescribed by the Authority.

14.6. AERONAUTICAL METEOROLOGICAL SERVICES

14.6.1.1. Applicability

General.

This Section of the Regulation is applicable to the provision of aeronautical meteorological services.

14.6.1.2. The definitions are as contained in these Regulations.

Definitions.

14.6.2.1.—(1) The Authority shall approve a Meteorological Service Provider to provide the following services in support of aviation :

Approval of
Aeronautical
Meteorological
Service
Providers
(AMSP).

(a) Make routine meteorological observations at fixed intervals ;

(b) Make special weather observations whenever specified changes occur in respect of surface wind, visibility, runway visual range, present weather, cloud and/or air temperature ;

(c) Prepare and/or obtain forecasts and other relevant information for Aerodromes, Flight Information Regions, routes and flights with which it is concerned ;

(d) Provide briefing, consultation and flight documentation to flight crew members and/or other flight operations personnel ;

(e) Maintain a continuous survey of meteorological conditions over the Aerodromes, Flight Information Regions, routes and flights with which it is designated to prepare forecasts ;

(f) Perform weather watch and monitoring, including the ability to detect and forecast hazards relevant to the aviation community, in accordance with IS 14.6.2.1(f) ;

(g) Derive forecast and warning products to the standards required by the user community ;

(h) Maintain a record of aeronautical climatological information in the form of aerodrome climatological tables and aerodrome climatological summaries required for the planning of flight operations, investigation or operational analysis for supply, on request, to aeronautical users ;

(i) Exchange meteorological information with other meteorological offices ;

(j) Tailor meteorological products and services to aviation operations, in accordance with local aviation procedures and regulatory requirements ;

(k) Supply information received concerning the accidental release of radioactive materials into the atmosphere within its area of responsibility to the ATS providers, AIS Provider and meteorological watch offices for dissemination ;

(l) Issue SIGMET information phenomena which may affect the safety of aircraft operations, and the development of those phenomena in time and space within its area of responsibility to the ATS providers, AIS Provider and other meteorological watch offices for dissemination in accordance with the template shown in appendix 6 and template shown in Table A6-1 of AeroMet Manual of Standards ;

(m) Issue SIGMET messages concerning volcanic ash cloud and tropical cyclones which shall be based on advisory information provided by Volcanic Ash Advisory Centers and Tropical Cyclone Advisory Centers, respectively, designated by regional air navigation agreement ;

(n) Implement policies on the requirements for and operational use of meteorological information on wind sensors as detailed in the IS 14.6.2.1(n).

(2) The conditions, rules, requirements, procedures or standards of the approval shall be as prescribed in these Regulations.

(3) The approval shall be made in writing and shall be published in the AIP, AIP SUP, NOTAM and AIRAC as appropriate.

14.6.2.2. An approved Aeronautical Meteorological Services Provider shall maintain close co-ordination between the Meteorological Watch Office and the associated Area Control Center/Flight Information Center to ensure that meteorological information for SIGMET and others are consistent and in compliance with IS14.6.2.2 ;

Co-ordination between Aeronautical Meteorological Watch Office and Associated Area Control Center.

14.6.2.3. An approved Aeronautical Meteorological Services Provider shall ensure the protection of its facilities and services by providing a security plan detailing the measures, both physical and procedural.

Protection of Aeronautical Meteorological Equipment.

14.6.3.1. No meteorological information service shall be provided at aerodromes or portion of airspace in Nigeria, except under the conditions approved by the Authority.

Requirement for Approval as an Aeronautical Meteorological Services Provider.

14.6.4.1. A service provider Issued with an approval certificate under this regulation shall be responsible for :

Provision of Aeronautical Meteorological Service.

(a) The provision of aeronautical meteorological services to ensure that the meteorological information and data necessary for the safe, regular and efficient operation of air navigation are accurate, timely and coded correctly, in line with international standards; in the form suitable for the operational requirements of :

(i) flight operations personnel including flight crews and other personnel responsible for the provision of pre-flight briefing ; and

(ii) providers of air traffic services, search and rescue unit, airport management.

(b) Establishment and implementation of a properly organized quality management system in accordance with IS14.6.4.1 (b).

(c) Keeping all copies of documentation supplied for flight operations, either as printed copies or in electronic files for a period of at least 90 days from the date of issue to make them available on request for inquiries or investigation.

(d) Provision of adequate telecommunication and broadcast facilities to permit exchange of meteorological information with other users.

14.6.5.1. The holder of an Aeronautical Meteorological Services Provider Approval Certificate shall :

(a) provide the services listed in its Manual of Operations, in accordance with the requirements of this part and the information outlined in IS 14.6.5.1(a)

(b) The service providers Manual of Operations shall take into cognizance the requirements ; including the following information :

(i) policy and procedures for determining the capacity of the aeronautical meteorological services to be provided, the number of personnel required and their responsibilities to ensure the provision of adequate services ;

(ii) training and checking of staff and how that information is tracked ;

(iii) quality assurance ;

(iv) safety management system ;

(v) contingency plans developed for part or total system failure for which the organisation provides a service ;

(vi) security plan ;

(vii) facilities and equipment and how those facilities are maintained ;

(viii) fault and defect reporting ;

(ix) maintenance of documents and records ;

(x) procedures for reporting of facilities and equipment inadequacies to the Authority ;

(xi) procedures for regular safety reviews of its operations and systems by its appropriately designated personnel ; and

(xii) any other information requested by the Authority.

(c) hold at least one complete and current copy of its Manual of Operations at each aeronautical meteorological service unit specified in its Manual of Operations ;

(d) comply with all procedures detailed in its Manual of Operations ;

(e) comply with the Manual of Standards issued by the Authority for the provision of Aeronautical Meteorological Services ;

(f) make each applicable part of the Manual of Operations available to the personnel who require those parts to carry out their duties ;

(g) continue to comply with the appropriate requirements prescribed in these Regulations ;

14.6.5.2.—(1) The Aeronautical Meteorological Services Provider may deviate from the standards if an emergency, or other circumstances, arises that makes the deviation necessary in the interest of safety.

(2) The provider shall report, the deviation to the Authority immediately, stating how long the deviation is expected to last.

14.6.6.1. RECORDS AND EQUIPMENT OF AMSP

Responsi-
bilities of
holder of
AMSP
Approval
Certificate.

The holder of an Aeronautical Meteorological Services Provider Approval Certificate shall continue to comply with the appropriate requirements of this part and the procedures as follows :

- (a) keep the records of all regular internal inspections for a period of five years from the date of each inspection ;
- (b) replace or upgrade any obsolete installation ;
- (c) provide and implement appropriate equipment calibration and maintenance programme in accordance with manufacturers' recommendations ;
- (d) keep the Authority informed of its plans for the development and modernization of its facilities to ensure compliance with WMO guide on instruments and methods of observation and ICAO standard practices ;
- (e) ensure the provisions at aerodromes with runways intended for Cat II and Cat III instrument approach and landing operations, integrated automatic systems for measuring, assessing, acquisition, processing, dissemination and display in real time of the meteorological parameters affecting landing and take-off operations ;

14.6.6.2. PERSONNEL REQUIREMENTS

An Aeronautical Meteorological Services Provider shall have, at all times, suitably qualified and trained personnel in sufficient number to enable it provide, in accordance with the standards set out in the Regulations and as prescribed in IS 14.6.6.2, the aeronautical meteorological service covered by its approval certificate.

14.6.6.3. QUALIFICATION AND TRAINING OF PERSONNEL OF AN AMSP

An Aeronautical Meteorological Services Provider approval certificate holder shall ensure standards are applied to the qualifications, education and training of all aeronautical meteorological personnel as outlined in IS 14.6.6.3 ;

14.6.6.4. An Aeronautical Meteorological Services Provider approval certificate holder shall ensure appropriate collaboration with the ATS provider and aircraft operating on international air routes for the reporting of routine aircraft observations during en-route and climb-out phases of the flight; and special and other non-routine aircraft observations during any phase of the flight as prescribed in IS 14.6.6.4.

Collaboration
between
Aeronautical
Meteorological
Service
Provider and
Agency
providing
Air Traffic
Services.

Display of
Aeronautical
Meteorological
Services
Provider
Approval
Certificate.

14.6.7.1. The holder of an Aeronautical Meteorological Services Provider approval certificate shall display the approval certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval certificate is displayed, it shall produce the original to the Authority's officials, if so requested.

Safety Audit
and
Inspections.

14.6.8.1. An applicant for the issuance of an Aeronautical Meteorological Services Provider approval certificate shall permit an Aeronautical Meteorological Services Inspector to carry out such safety audit and inspection as may be necessary to verify the validity of any application made in accordance with these Regulations.

14.6.8.2. The holder of an Aeronautical Meteorological Services Provider approval certificate shall permit an Aeronautical Meteorology Services Inspector to carry out such safety audit and inspection as may be necessary to determine compliance with the appropriate requirements prescribed in this Part and for post-implementation monitoring to verify that the defined level of safety continues to be met.

14.6.8.3. The safety audit and inspection shall cover meteorological equipment/facilities at aerodromes, meteorological observation at aerodromes, meteorological forecasting, and dissemination of meteorological information.

14.6.8.4. SAFETY MANAGEMENT SYSTEM

(1) An Aeronautical Meteorological Services Provider shall ensure that they meet safety requirements to help manage safety by :

(i) The implementation of safety requirements and other safety-related conditions identified in the Aeronautical Meteorological Safety Management System including any of the Authority's Advisory Circular on safety or relevant declarations of conformity or suitability for use of constituents of technical systems ;

(ii) Ensuring appropriate contingency procedures and equipment are in place, kept up to date and regularly tested ;

(iii) Carrying out risk assessment and mitigation procedures for the introduction of new operational systems and related software changes ;

(iv) Carrying out health and safety assessments for personnel ;

(v) Ensuring that the latest available meteorological data is available and used ;

(vi) Using equipment and instrumentation as prescribed by the manufacturer and maintaining it according to the recommended maintenance schedule ;

(vii) Ensuring safety and incident reports are prepared, reviewed and actioned as necessary ;

14.6.8.5. CONTINGENCY PLAN

(1) The Aeronautical Meteorological Services provider shall develop and maintain Contingency Plans for implementation in the event of disruption, or potential disruption, of aeronautical meteorological services. The disruption may be caused intentionally (sabotage) or unintentionally (equipment failure or industrial action).

(2) The plan shall include :

(i) the actions to be taken by the members of the provider's personnel responsible for providing the service ; and

(ii) possible alternative arrangements for providing the service ; and

(iii) the arrangements for resuming normal operations for the service.

(3) These plans shall be submitted as part of the Manual of Operation.

14.6.8.6. FACILITIES, EQUIPMENT, MAINTENANCE AND CALIBRATION

(1) No installation of Aeronautical Meteorological equipment/facility shall be carried-out at any aerodrome in Nigeria without the approval of the Authority.

(2) The Aeronautical Meteorological Services Provider shall, at all times, make available for the use by its personnel, the equipment and facilities necessary for providing aeronautical meteorological service covered by its approval.

(3) The Aeronautical Meteorological Services Provider shall include in their Operations Manual a list of facilities from which Aeronautical Meteorological service will be provided.

(4) The equipment shall meet the requirements for measuring and detecting the meteorological elements specified in this Regulation.

(5) All persons involved in maintenance shall be fully conversant with the manual of standards, and manufacturers equipment maintenance manual.

(6) The Aeronautical Meteorological Services Provider shall ensure that equipment are calibrated to required operational standards. Calibration shall be carried out at defined intervals of time and the results recorded and filed.

(7) The Aeronautical Meteorological Services Provider shall ensure that necessary procedures are put in place for carrying out factory acceptance and site acceptance tests for newly procured equipment.

(8) All equipment used in the provision of Aeronautical Meteorology services shall perform and be maintained in accordance with the Manual of Standards.

14.6.8.7. MINIMUM AERONAUTICAL METEOROLOGICAL SERVICES FACILITIES

(1) The Aeronautical Meteorological Services Provider shall, for each location for which a service is provided, make available, the facilities and equipment from the list below. The status and state of calibration of the equipment shall be provided :

- (i) Wall clocks displaying UTC and local time ;
- (ii) Wind speed and direction display ;
- (iii) Temperature and dew point measuring equipment ;
- (iv) Barometer ;
- (v) Visibility targets ;
- (vi) Back-up power ;
- (vii) Telecommunication equipment capable of transmitting/receiving meteorological information to/from other agencies ;
- (viii) Office furniture.

14.6.8.8. FAULT AND DEFECT REPORTING

(1) The Aeronautical Meteorological Services Provider shall maintain a system for tracking and rectifying faults within the Aeronautical Meteorological service system.

(2) Procedures for the reporting and the resolution of faults and defects shall be documented in the Manual of Operations.

14.6.8.9. MAINTENANCE OF DOCUMENTS AND RECORDS

(1) The Aeronautical Meteorological Services Provider shall make available the following operational documentation at locations of an Aeronautical Meteorological services office :

- (i) manual of operations ;
- (ii) directives and instructions file ;
- (iii) occurrence log books ;
- (iv) equipment/facility status log books ;
- (v) equipment manuals ;
- (vi) technical standards and practices ; and
- (vii) MOS, all applicable ICAO and WMO documents.

(2) The Aeronautical Meteorological Services Provider shall ensure that :

- (i) the documentation is reviewed and authorised by appropriate personnel before issue ;
- (ii) current issues of relevant documentation are available to personnel ;
- (iii) obsolete documentation is removed from all points of issue or use ;
- (iv) changes to documentation are reviewed and approved by appropriate personnel ; and
- (v) the current version of each document can be identified to preclude the use of obsolete editions.

(3) The Aeronautical Meteorological Services Provider shall demonstrate that there is a system in place to record and retain operational data in accordance with Manual of Standards.

(4) Records shall be maintained on the following :

- (i) personnel files including supervisory reports ;
- (ii) training files ;
- (iii) leave records ; and
- (iv) duty roster.

14.6.8.10. SEARCH AND RESCUE RESPONSIBILITIES AND CO-ORDINATION

(1) The Aeronautical Meteorological Services Provider shall provide such assistance as requested from the agency responsible for conducting SAR activities.

(2) The Aeronautical Meteorological Services Provider shall develop local operating procedures for the collection and dissemination of relevant data.

14.6.8.11. EXTERNAL DATA SOURCES

(1) The Aeronautical Meteorological Services Provider shall consider the availability and reliability of external data sources required to provide Aeronautical Meteorological Services. The Aeronautical Meteorological Services Provider shall include the provider of the data source, the means of receipt, display and integrity of the following information :

- (i) Meteorological information ;
- (ii) Meteorological warning service ; and
- (iii) Voice co-ordination with ATS providers.

14.6.8.12. APPLICATION OF HUMAN FACTOR PRINCIPLES

(1) The Aeronautical Meteorological Services Provider shall demonstrate that human factor principles are considered when assessing the appropriateness of equipment, systems, software, facilities, procedures, jobs, environments, training, staffing, and personnel management to produce safe, comfortable, and effective human performance.

(2) The design of integrated automated systems shall observe human factor principles and include back-up procedures.

14.6.9.1. An applicant is eligible to become an Aeronautical Meteorological Services Provider if the applicant is able to :

- (a) Comply with the requirement of these Regulations ;
- (b) Provide sufficient information that will enable the Authority to assess the suitability of the applicant ;
- (c) Demonstrate the capacity to implement the provisions of the Authority's Aeronautical Meteorological Manual of Standards.

Application
for
Approval,
Amendment
or Renewal.

14.6.9.2. An application for the issuance of an Aeronautical Meteorological Services Provider Approval certificate or an amendment thereof shall be made in the manner prescribed by the Authority and shall include :

- (a) a copy of the applicant's Manual of Operations ;
- (b) a written statement setting out aeronautical meteorological services that the applicant proposes to provide ;
- (c) enough information to identify, for each aeronautical meteorological service the type and the location from which the service is proposed to be provided ;
- (d) a written statement setting out the hours during which each aeronautical meteorological service is proposed to be available ;
- (e) a written statement describing the arrangements the applicant has made to comply with the requirements of these Regulations ;
- (f) the appropriate fee prescribed by the Authority.

14.6.9.3. The applicant's manual of operations shall be approved by the Authority.

14.6.9.4. In the case of approval certificate renewal, the holder of an approval certificate shall ensure that the process for renewal is commenced at least 60 days prior to the date on which such approval expires.

14.6.9.5. If an Aeronautical Meteorological Services Provider's approval certificate is subject to conditions, the provider shall comply with the conditions so specified.

Issuance of
Aeronautical
Meteorological
Services
Provider
Approval
Certificate.

14.6.10.1. The Authority shall issue an Aeronautical Meteorological Services Provider an approval certificate to provide aeronautical meteorological services, if the applicant complies with the requirements prescribed in these Regulations.

14.6.10.2. The Authority shall issue the approval certificate in the appropriate form.

14.6.10.3. The approval certificate shall authorise the provision of :

- (a) a single aeronautical meteorological service by means of a single aeronautical meteorological service unit ; or
- (b) a combination of aeronautical meteorological services by means of a network of approved aeronautical meteorological service providers.

14.6.10.4. An approval certificate issued under this Part shall include the following information.

- (a) the provider's name and address of its principal place of business ;
- (b) a list of the aeronautical meteorological services covered by the provider's approval certificate ; and
- (c) for each aeronautical meteorological service the location from which the service will be provided.

14.6.11.1. The holder of an approval certificate shall be entitled to provide any service or combination of services listed in its manual of operation.

Scope and
Variation of
AMSP
Approval
Certificate.

14.6.11.2 If an Aeronautical Meteorological Services Provider wants to vary its approval certificate, it shall apply to the Authority under this Regulation for that purpose :

(a) the application shall contain, or have with it, a copy of the proposed variation ;

(b) if the Authority approves the variation, the variation shall take effect from the day proposed by the applicant ;

(c) where no date is proposed by the applicant, the effective date of the variation shall be the date the approval notice is given to the provider.

14.6.12.1. An Approval certificate shall be valid for a period determined by the Authority, which period shall not exceed five years from the date of issuance or renewal thereof.

Period of
Validity of
AMSP
Approval
Certificate.

14.6.12.2. The Approval certificate shall remain in force until it is expired, suspended, or cancelled by the Authority.

14.6.12.3. The holder of an approval certificate which expires, shall forthwith surrender the approval certificate to the Authority.

14.6.12.4. The holder of an approval certificate, which is suspended, shall forthwith produce the approval certificate to the Authority for appropriate endorsement.

14.6.12.5. The holder of an approval certificate, which is cancelled, shall, within 30 days from the date on which the approval certificate is cancelled, surrender such approval certificate to the Authority.

14.6.13.1. Subject to the provisions of these Regulations, an approval certificate shall not be transferable.

Transferability of
AMSP
Approval
Certificate.

14.6.13.2. A change in ownership of the holder of an approval certificate shall be deemed to be a change of significance that shall be notified to the Authority.

14.6.14.1. An Aeronautical Meteorological Services Inspector may recommend suspension, for a period not exceeding 30 days, of an aeronautical meteorological service provider approval certificate issued under this Part, if :

Notice of
Recommendation for
Suspension
of AMSP
Approval
Certificate.

(a) after a safety inspection and audit carried out in terms of these Regulations, it is evident that the holder of the approval certificate does not comply with the requirements prescribed in this Part, and such a holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the aeronautical meteorological service inspector to do so ; or

(b) the Aeronautical Meteorological Services Inspector is prevented by the holder of the approval certificate from carrying out a safety inspection and audit in accordance with these Regulations ;

Suspension,
Cancellation
or Variation
of an
Aeronautical
Meteorological
Services
Provider
Approval
Certificate
by the
Authority.

14.6.15.1. The Authority may, arising from the recommendation of an Aeronautical Meteorological Service Inspector, by written notice given to an aeronautical meteorological service provider, suspend, cancel or vary the Aeronautical Meteorological Services Provider approval certificate if there are reasonable grounds for believing that the approval certificate holder :

- (a) has breached a condition of the Approval certificate ; or
- (b) has contravened a provision of this Part ; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting or holding the approval certificate ; or
- (d) has otherwise been guilty of conduct that renders the Aeronautical Meteorological Services Provider's continued holding of the approval certificate likely to have an adverse effect on the safety of air navigation.

14.6.15.2. Before suspending, cancelling or varying an Aeronautical Meteorological Services Provider approval certificate, the Authority :

(a) shall give written notice to the Approval certificate holder of the facts or circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the approval certificate ; and

(b) shall invite the Approval certificate holder to show cause in writing, within 30 days after the date of the notice, why the approval certificate should not be suspended, cancelled or varied ; and

(c) shall take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the Aeronautical Meteorological Services Provider explaining why the Approval certificate should not be cancelled.

Right of
Appeal of
holder of
AMSP
Approval
Certificate.

14.6.16.1. The holder of an Approval certificate who feels aggrieved by the suspension of the Approval certificate may appeal against such suspension to the Authority, within 30 days after such holder becomes aware of such suspension.

14.6.16.2. An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be set aside.

14.6.16.3. The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the Aeronautical Meteorological Service Inspector concerned and shall furnish proof of such submission for the information of the Authority.

14.6.16.4. The Aeronautical Meteorological Service Inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in paragraph (3), deliver to the Authority his or her written reply.

14.6.16.5. The Authority may :

- (a) adjudicate the appeal on the basis of the documents submitted ; or

(b) order the appellant and the Aeronautical Meteorological Service Inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the Authority, to give evidence.

14.6.16.6. The Authority may confirm, vary or set aside the suspension referred to in subsection 14.6.15 of these Regulations.

14.6.16.7. The Authority shall cancel the Approval certificate concerned :

- (a) if it confirms the suspension in line with this regulation ;
- (b) if an Approval certificate is suspended in line with section 14.6.15 of these Regulations and the holder thereof does not appeal against such suspension as required by section 14.6.16 above.

14.6.17.1. The Authority shall maintain a register of all Aeronautical Meteorological Services Provider Approval certificates issued under this Part.

Register of
AMSP
Approval
Certificates.

14.6.17.2. The register shall contain the following particulars :

- (a) the full name of the holder of the Approval certificate ;
- (b) the business address of the holder of the Approval certificate ;
- (c) the postal address of the holder of the Approval certificate ;
- (d) the date on which the Approval certificate was issued or renewed ;
- (e) the type of Aeronautical Meteorological Services in respect of which the Approval certificate was issued ;
- (f) the date on which the Approval certificate was suspended, if applicable ;
- and
- (g) the date on which the Approval certificate expires.

14.6.17.3. The particulars referred to in sub-section (2) shall be recorded in the register within seven days from the date on which the approval certificate is issued by the Authority.

14.6.17.4. The register shall be kept in a safe place at the office of the Director-General of the Authority.

14.6.17.5. A copy of the register shall be furnished by the Authority, on payment of the appropriate fee as prescribed, to any person who requests the copy.

14.6.18.1. The Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of an Aeronautical Meteorological Services Approval certificate as a substitute aeronautical meteorological service provider to provide an aeronautical meteorological service in respect of an approval certificate which has been suspended by the Authority under this Part, for the duration of such suspension.

Substitution
of
Aeronautical
Meteorological
Services
Provider.

Approval of
Outside
Source
(Contract)
for
Aeronautical
Meteorological
Service
Provider.

14.6.19.1. Aeronautical Meteorological Services Provider may contract a function to an Outside Source provided:

(a) The Aeronautical Meteorological Services Provider makes available to the Authority, the following information :

(i) The function(s) to be contracted to the outside source ;

(ii) The Agreement between the Aeronautical Meteorological Services Provider and contractor detailing how the contractor shall carry out the function in accordance with the Aeronautical Meteorological Service Provider Manual of Operation ;

(iii) The cost recovery method ; and

(iv) The organisational chart, nominal roll and qualifications of personnel of the firm (contractor) ;

(b) The Authority approves the outside source to perform the function(s).

14.6.19.2. The Aeronautical Meteorological Services Provider shall verify, by test and/or inspection and maintain records that the function(s) has been performed satisfactorily by the contractor.

14.6.19.3. The Aeronautical Meteorological Services Provider shall take the responsibility for the function(s) performed by the contractor.

14.6.19.4. The Authority shall be informed 60days before the termination of such agreement.

14.7. AERONAUTICAL TELECOMMUNICATIONS SERVICES (AERONAUTICAL TELECOMMUNICATIONS)

14.7.0. GENERAL

Applicability.

14.7.0.1. This section of the Regulation is applicable to the provision of aeronautical telecommunication services.

Definitions.

14.7.0.2. The definitions are as contained in these Regulations.

Requirements
for Approval
of
Aeronautical
Telecommuni-
cations
Services.

14.7.1.1. No person or organisation shall provide an Aeronautical Telecommunications Services or operate an aeronautical facility except under the authority of, and in accordance with the provisions of, an Approval granted by the Authority.

14.7.1.2. The Provision of 14.7.1 does not apply if a person or organization operates an aeronautical facility on an aeronautical radio frequency and—

(a) the aeronautical facility :

(i) is a radio communication transmitter that does not support an air traffic services ; or

(ii) is a radio navigation aid that does not support IFR flight or an air traffic services ;

(b) the aeronautical facility is operated in accordance with :

(i) the applicable system characteristics prescribed in the Aeronautical Telecommunications Manual of Standards ; and

(ii) the applicable communication procedures prescribed in the Aeronautical Telecommunications Manual of Standards ;

(c) the aeronautical facility does not interfere with any other Aeronautical Telecommunications Services or aeronautical facility ;

(d) an Approval Certificate has been granted by the appropriate organisation for the aeronautical facility ; and

(e) an identification code or a call sign has been assigned to the aeronautical facility under section 14.7.10.2 (h) ;

14.7.1.3. The provision of 14.7.1 does not apply if a person or organisation operates a ground mobile radio on an aeronautical radio frequency and :

(a) the radio is not used to support air traffic services ;

(b) the radio is operated in accordance with the applicable communication procedures prescribed in these Regulations ; and

(c) the radio transmission does not interfere with any other Aeronautical Telecommunications Services or aeronautical facility.

14.7.2.1. No Aeronautical Telecommunications services shall be provided at aerodromes or portion of airspace in Nigeria, except under the conditions approved by the Authority.

Requirement for Approval Certificate as an Aeronautical Telecommunications Services Provider.

14.7.3.1. The Aeronautical Telecommunications Services Provider issued an Approval Certificate under this regulation shall be responsible for the provision of Aeronautical Telecommunications Services to ensure that the telecommunications information and data necessary for the safe, regular and efficient operation of air navigation is available in the form suitable for the operational requirements of :

Provision of Aeronautical Telecommunications Services.

(a) Flight operations personnel including flight crews and other personnel responsible for the provision of pre-flight briefing ; and

(b) Providers of Air Traffic Services ;

14.7.4.1.—(a) The holder of an Aeronautical Telecommunications Services Provider Approval Certificate shall provide the services listed in its Manual of Operations, in accordance with the procedures as prescribed in these Regulations ;

Responsibilities of Holder of Aeronautical Telecommunications Approval Certificate.

(b) The Manual of Operations shall include the following information :

(i) personnel requirements and the responsibilities of personnel as contained in IS 14.7.4 .1 (b) (i) ;

(ii) training and checking of staff and how that information is tracked as contained in IS 14.7.4 .1(b) (ii) ;

(iii) quality Assurance/Safety Management System as contained in IS 14.7.4 .1 (b) (iii) ;

(iv) contingency plans developed for part or total system failure for which the organisation provides the services as contained in IS 14.7.4 .1 (b)(iv) ;

(v) security plan as contained in IS 14.7.4 .1(b) (v) ;

(vi). Minimum air navigation facility equipment list (MAN FEL) applicable to class of Aerodrome; IS.14.7.4.1(b)(vi) ;

(vii) Facilities and equipment and how those facilities are maintained ;

(viii) fault and defect reporting ;

(ix) maintenance of documents and records ; and

(x) any other information requested by the Authority.

(c) hold at least one complete and current copy of its Manual of Operations at each Aeronautical Telecommunications Services unit specified in its Manual of Operations ;

(d) comply with all procedures detailed in its Manual of Operations ;

(e) Comply with the Manual of Standards, prescribed by the Authority, in the provision of Aeronautical Telecommunications Services ;

(f) make each applicable part of the Manual of Operations available to the personnel who require those parts to carry out their duties ;

(g) continue to comply with the appropriate requirements prescribed in these Regulations ;

(h) keep the records of all regular internal inspections for a period of five years from the date of each inspection ;

(i) furnish the Authority with the en-route, terminal and aerodrome facility statistics, status, and performance index ;

(j) replace or upgrade any degraded facility ;

(k) keep the Authority informed of its plans for the development and modernisation of its facilities.

(l) develop Standard Operating Procedure (SOP) Manual for each facility in the Approval as contained in IS 14.7.4.1 (i).

Privileges of
an
Aeronautical
Telecommu-
nications
Approval
Certificate
Holder.

14.7.5.1. An Approval Certificate specifies the Aeronautical Telecommunications Services and aeronautical facility types that the Approval Certificate holder is authorised to operate in support of air navigation services.

14.7.5.2 The holder of an Approval Certificate may operate any of the aeronautical facility types specified on the holder's Approval Certificate provided:

(a) each aeronautical facility operated is listed in the Approval Certificate holder's Manual of Operations ; or

(b) the aeronautical facility is not listed in the Manual of Operations, its operation is for site test purposes controlled by the procedures required under these Regulations.

14.7.6.1. The holder of an Aeronautical Telecommunications Services Provider Approval shall display the Approval Certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original Approval Certificate is displayed, it shall produce the original to the Authority's officials, if so requested.

Display of
Aeronautical
Telecommu-
nications
Services
Provider
Approval.

14.7.7.1. The holder of an Aeronautical Telecommunications Services Provider Approval Certificate shall permit an Aeronautical Telecommunications Services Inspector to carry out site validation inspection prior to installation of any Aeronautical Telecommunications facility, safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations.

Site
validation
inspection,
Safety
Inspections
and Audits.

14.7.7.2. The holder of an Aeronautical Telecommunications Services Approval Certificate shall permit an Aeronautical Telecommunications Services Inspector to carry out such site validation inspection prior to installation of any Aeronautical Telecommunications facility, safety inspections and audits as may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

14.7.8.1. No person, other than ATSEP personnel licensed by the Authority shall perform equipment/facility inspections prior to, or after commissioning, maintenance, preventive maintenance, and upgrade.

Persons
Authorised
to perform
Equipment/
Facility
Inspections.

14.7.8.2. An ATSEP licensed personnel shall conduct the required inspections of aeronautical Telecommunications facility for which such personnel is rated and current.

14.7.9.1. An applicant is eligible to become an Aeronautical Telecommunications Services Provider if the applicant is able to comply with the requirements of these Regulations.

Application
for
Aeronautical
Telecommu-
nications
Approval,
Certificate
Amendment
or Renewal.

14.7.9.2. An application for the issuance of an Aeronautical Telecommunications Services Provider Approval certificate or an amendment thereof shall be made in the manner prescribed by the Authority and shall include :

(a) a copy of the applicant's Manual of Operations ;

(b) a written statement setting out Aeronautical Telecommunications Services that the applicant proposes to provide ;

(c) enough information to identify, for each Aeronautical Telecommunications Service, the type and the location from which the services is proposed to be provided ;

(d) a written statement setting out the hours during which each aeronautical telecommunications service is proposed to be available ;

(e) a written statement describing the arrangements the applicant has made to comply with the requirements of these Regulations ;

(f) the appropriate fee prescribed by the Authority ;

(h) a written statement requesting for aeronautical frequency assignment for the facility to be provided.

14.7.9.3. In the case of Approval renewal, the holder of an Approval shall ensure that the process for renewal is commenced at least 60 days prior to the date on which such Approval expires ;

14.7.9.4. If an Aeronautical Telecommunications Services Provider's Approval is subject to conditions, the provider shall comply with the conditions so specified.

Issuance of
Aeronautical
Telecommu-
nications
Services
Provider
Approval
Certificate.

14.7.10.1. The Authority shall issue an Aeronautical Telecommunications Services provider an Approval certificate to provide aeronautical Telecommunications services, if the applicant complies with the requirements prescribed in these Regulations.

14.7.10.2. The Authority shall issue the Approval in the appropriate form.

14.7.10.3. The Approval shall authorise the provision of :

(a) a single Aeronautical Telecommunications Services by means of a single Aeronautical Telecommunications Services unit ; or

(b) a combination of Aeronautical Telecommunications Services by means of a network of approved Aeronautical Telecommunications Services Providers.

14.7.10.4 A certificate issued under this Part shall include the following information :

(a) the provider's name and address of its principal place of business ;

(b) a list of the Aeronautical Telecommunications Services covered by the provider's Approval ; and

(c) for each Aeronautical Telecommunications Services the location from which the services will be provided.

Scope and
Variation of
Aeronautical
Telecommu-
nications
Approval.

14.7.11.1. The holder of an Approval shall be entitled to provide any services or combination of services listed in its Manual of Operations ;

14.7.11.2. If an Aeronautical Telecommunications Services provider wants to vary its Approval, it shall apply to the Authority under this Regulation for that purpose :

(a) the application shall contain, or have with it, a copy of the proposed variation ;

(b) if the Authority approves the variation, the variation shall take effect from the day proposed by the applicant ;

(c) where no date is proposed by the applicant, the effective date of the variation shall be the date the Approval notice is given to the provider.

14.7.12.1. An Approval Certificate shall be valid for a period determined by the Authority, which period shall not exceed five years, from the date of issuance or renewal thereof.

14.7.12.2. The Approval Certificate shall remain in force until it is expired, suspended, or cancelled by the Authority.

14.7.12.3. The holder of an Approval Certificate which expires shall forthwith surrender the Approval Certificate to the Authority.

14.7.12.4. The holder of an Approval Certificate, which is suspended, shall forthwith produce the Approval Certificate to the Authority for appropriate endorsement.

14.7.12.5. The holder of an Approval Certificate, which is cancelled, shall, within 30 days from the date on which the Approval Certificate is cancelled, surrender such Approval Certificate to the Authority.

14.7.13.1. Subject to the provisions of this Regulation, an Approval Certificate shall not be transferable.

14.7.13.2. A change in ownership of the holder of an Approval Certificate shall be deemed to be a change of significance that shall be notified to the Authority.

14.7.14.1. An Aeronautical Telecommunications Services Inspector may recommend suspension, for a period not exceeding 30 days, of an Aeronautical Telecommunications Services provider Approval issued under this Part, if :

(a) after a safety inspection and audit carried out in terms of this Regulation, it is evident that the holder of the Approval Certificate does not comply with the requirements prescribed in this Part, and such a holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the Aeronautical Telecommunications Services Inspector to do so ; or

(b) the Aeronautical Telecommunications Services Inspector is prevented by the holder of the Approval Certificate from carrying out a safety inspection and audit in accordance with these Regulations.

Period of
Validity of
Aeronautical
Telecommu-
nications
Approval
Certificate.

Transfera-
bility of
Aeronautical
Telecommu-
nications
Approval
Certificate.

Notice of
Recommen-
dation for
Suspension
of
Aeronautical
Telecommu-
nications
Approval
Certificate.

Suspension,
Cancellation
or Variation
of an
Aeronautical
Telecommu-
nications
Services
Provider
Approval
Certificate
by the
Authority.

14.7.15.1. The Authority may, arising from the recommendation of an Aeronautical Telecommunications Services Inspector, by written notice given to an Aeronautical Telecommunications Services Provider, suspend, cancel or vary the Aeronautical Telecommunications Services Provider Approval Certificate if there are reasonable grounds for believing that the certificate holder :

- (a) has breached a condition of the Approval Certificate ; or
- (b) has contravened a provision of this Part ; or
- (c) does not meet, or continue to meet, a requirement of this Part for getting or holding the Approval Certificate ; or
- (d) has otherwise been guilty of conduct that renders the Aeronautical Telecommunication Services Provider's continued holding of the Approval Certificate likely to have an adverse effect on the safety of air navigation.

14.7.15.2. Before suspending, cancelling or varying an Aeronautical Telecommunications Services Provider Approval Certificate, the Authority :

- (a) shall give written notice to the certificate holder of the facts or circumstances that, in the opinion of the Authority, amount to grounds for the suspension, cancellation or variation of the Approval Certificate ; and
- (b) shall invite the Approval Certificate holder to show cause in writing, within 30 days after the date of the notice, why the certificate should not be suspended, cancelled or varied ; and
- (c) shall take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the Aeronautical Telecommunications Services Provider explaining why the Approval Certificate should not be cancelled.

Right of
Appeal of
Holder of
Aeronautical
Telecommu-
nications
Approval
Certificate.

14.7.16.1. The holder of an Approval Certificate who feels aggrieved by the suspension of the Approval Certificate may appeal against such suspension to the Authority, within 30 days after such holder becomes aware of such suspension.

14.7.16.2. An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be set aside.

14.7.16.3. The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the Aeronautical Telecommunications Services Inspector concerned and shall furnish proof of such submission for the information of the Authority.

14.7.16.4. The Aeronautical Telecommunications Services Inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in subsection (1), deliver to the Authority his or her written reply.

14.7.16.5. The Authority may order the appellant and the Aeronautical Telecommunications Services Inspector concerned to appear before it, either in person or through a representative, at a time and place determined by the Authority, to give evidence.

14.7.16.6. The Authority may confirm, vary or set aside the suspension referred to in Section 14.7.16 of these Regulations.

14.7.16.7. The Authority shall :

- (a) if it confirms the suspension in line with this regulation ; or
- (b) if an Approval Certificate is suspended in line with Section 14.7.16.1 of these Regulations and the holder thereof does not appeal against such suspension as required by Regulation 14.7.17.4, cancel the Approval Certificate concerned.

14.7.17.1. The Authority shall maintain a register of all Aeronautical Telecommunications Services Provider Approval Certificate as issued under this Part.

Register of
Aeronautical
Telecommu-
nications
Approvals
Certificate.

14.7.17.2. The register shall contain the following particulars :

- (a) the full name of the holder of the Approval Certificate ;
- (b) the business address of the holder of the Approval Certificate ;
- (c) the postal address of the holder of the Approval Certificate ;
- (d) the date on which the Approval Certificate was issued or renewed ;
- (e) the type of Aeronautical Telecommunications Services in respect of which the Approval Certificate was issued ;
- (f) the date on which the Approval Certificate was suspended, if applicable ; and
- (g) the date on which the Approval Certificate expires.

14.7.17.3. The particulars referred to in section 14.7.17.2 shall be recorded in the register within seven days from the date on which the Approval Certificate is issued by the Authority.

14.7.17.4. The register shall be kept in a safe place at the office of the Director- General of the Authority.

14.7.17.5. A copy of the register shall be furnished by the Authority, on payment of the appropriate fee as prescribed, to any person who requests the copy.

14.7.18.1. The Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of an Aeronautical Telecommunications Services unit Approval Certificate as a substitute Aeronautical Telecommunications Services Provider to provide an Aeronautical Telecommunications Services in respect of an Approval Certificate which has been suspended by the Authority under this Part, for the duration of such suspension.

Substitution
of
Aeronautical
Telecommu-
nications
Services
Provider.

Certification of Aeronautical Telecommunications equipment, facility and procedures.

Provision for GNSS procedure.

Continued Serviceability, Availability and Maintainability of Aeronautical Telecommunications Facility and Components.

Faults and Defects Reporting.

Persons Authorized to Perform Maintenance, Preventive Maintenance and Alterations.

14.7.19.1. The Authority shall certify all the Air Navigation Services Communications, Navigation, Surveillance, Landing aids, products, facilities and procedures before their deployment in the Nigerian airspace and aerodromes.

14.7.20.1. The holder of an Approval Certificate shall be required to provide navigation information specifications to permit the use of GNSS procedures.

14.7.21.1. The Approved Aeronautical Telecommunications Services Provider shall be responsible for maintaining the Aeronautical Telecommunications facility by ensuring that—

(a) All maintenance, overhaul, alterations and repairs which may affect or alter continued serviceability are carried out as contained in the equipment maintenance manual ;

(b) Maintenance personnel make appropriate entries in the logbook certifying the serviceability of the equipment ;

(c) The approval for return to services is completed to the effect that the maintenance carried out has satisfactorily been completed in accordance with the equipment maintenance manual ;

14.7.22.1. The Aeronautical Telecommunications Services Provider shall maintain system for tracking and rectifying faults within the Aeronautical Telecommunications Services system.

14.7.22.2. Procedure for reporting and the resolutions of faults and defects shall be documented in the manual of operations. This includes procedures for ensuring that the operational Status of Communications, Navigation and Surveillance facilities are provided to the Air Traffic Services Provider.

14.7.22.3. The Aeronautical Telecommunications Services Provider shall forward daily; weekly and monthly defect reports to the Authority.

14.7.22.4. The Aeronautical Telecommunications Services Provider shall report power system failures to the Authority as they occur.

14.7.23.1.— (a) No person shall perform maintenance on an Aeronautical Telecommunications facility, equipment part or component except such a person is :

(1) an Air Traffic Safety Electronic Personnel licensed by the Authority ;

(2) Working under supervision of an ATSEP license holder ;

(3) a licensed ATSEP maintenance personnel performing or supervising the maintenance of an aeronautical Telecommunications facility for which the personnel is rated.

(b) An aeronautical Telecommunications facility manufacturer or its representative may :

(i) replace, upgrade, or alter any Aeronautical Telecommunications facility part manufactured by that manufacturer ;

(ii) Perform any inspection as prescribed in the Authority's Manual of Standards (MOS) and the Air Navigation Services Provider's Manual of Operations (MOO).

14.7.24.1. The Aeronautical Telecommunications Services Provider, shall carry out flight Calibration of navigation and landing aids and surveillance systems in accordance with the provision of Aeronautical Telecommunications Manual of Standards.

Flight
Inspection
and
Calibration.

14.7.25. Radio Navigation Aids of the types covered by these Regulations and available for use by aircraft engaged in air navigation shall be subject to ground check and flight calibration as indicated below :

Maximum
Periodicity
of Ground
Check and
Flight
Calibration.

(i) Non-directional Beacon and distance measuring equipment shall be ground checked once in 6 months and flight calibrated once in 12 months.

(ii) Conventional Very High Frequency Omni-directional Radio range shall be ground checked and flight-calibrated once in 12 months.

(iii) Doppler Very High Frequency Omni-directional Radio range shall be ground checked once in 12 months and be flight calibrated once in 3 years.

(iv) Instrument Landing System-Localizer and Glide slope shall be ground checked once in 3 months and flight calibrated once in 6 months.

(v) Radar shall be calibrated once in 3 years or after a major break down or modification.

14.7.26.1. No person shall approve for return to services any Aeronautical Telecommunications facility that has undergone maintenance, preventive maintenance, or alteration/ or upgrading unless—

Approval
for return of
Equipment/
Facility to
services.

(a) The appropriate entry has been made in the maintenance logbook ;

(b) The facility is tested, ground checked and flight checked.

14.7.26.2. No person shall describe in any required state in a maintenance logbook of an Aeronautical Telecommunications facility as having been altered/ upgraded unless it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits.

14.7.26.3. No person shall approve the return to service of equipment/ facility after a major alteration or equipment part replacement unless such person has tested the equipment to determine satisfactory performance in accordance with the current manufacturer's recommendations.

14.7.27.1. No person, other than the Chief Executive Officer of an Aeronautical Telecommunications Services Provider shall authorise the return to service, of an Aeronautical Telecommunications equipment/ facility especially

Authority to
Return
Equipment
to Service.

after a major component of the equipment/facility has been replaced or undergone maintenance or alteration.

Maintenance
of
Documents
and Entries.

14.7.28.1. Each person who maintains, performs preventive maintenance, or alters/upgrades Aeronautical Telecommunications facility shall, when the work is performed satisfactorily, make an entry in the maintenance logbook of that equipment as follows :

(a) A description (or reference to data acceptable to the Authority) of work performed, including—

(i) Appropriate details of alterations and repairs ;

(ii) The current status of the aeronautical Telecommunications facility on return to services.

(b) Completion date of the work performed ;

(c) Name, signature, and type of license held if any by the person making such records and person approving the work.

14.7.28.2.—(1) The holder of an Aeronautical Telecommunications Services Provider Approval Certificate shall provide the following operational documentation at locations at an Aeronautical Telecommunications Services unit :

(a) procedures manual ;

(b) Aeronautical Telecommunications Manual of Standards ;

(c) Aeronautical Telecommunications SOP Manual ;

(d) AIP and AIP Supplements ;

(e) AIC's and NOTAM ;

(f) Civil Aviation Regulations, 2006 ;

(g) Search and Rescue Manual, issued by the Authority ;

(h) airport emergency plan, where applicable ;

(i) directives and instructions file ;

(j) occurrence log books ;

(k) equipment/facility status log books ;

(l) Circulars and bulletins file ;

(m) equipment manuals ;

(n) technical standards and practices, and

(o) all applicable ICAO documents.

(2) The Aeronautical Telecommunications Services Provider shall ensure that :

(a) the documentation is reviewed and authorised by appropriate personnel before issue ;

(b) current issues of relevant documentation are available to personnel ;

- (c) obsolete documentation is removed from all points of issue or use ;
- (d) changes to documentation are reviewed and approved by appropriate personnel ; and
- (e) the current version of each document can be identified to preclude the use of obsolete editions.

(3) The Aeronautical Telecommunications Services provider shall demonstrate that there is a system in place to record and retain operational data.

- (4) Records shall be maintained on the following :
- (a) regular reports and returns to the Authority ;
 - (b) local incidents with remedial actions ;
 - (c) personnel files including supervisory reports ;
 - (d) training files ;
 - (e) licence and medical validity details ;
 - (f) minutes of facility maintenance meetings ;
 - (g) rosters and roster keys ; and (h) leave records.

14.7.29.1. The Aeronautical Telecommunications Services Provider shall provide such assistance as requested from the agency responsible for conducting SAR activities.

Search and
Rescue
Responsibilities
and Co-
ordination.

14.7.30.1. No person may operate an Aeronautical Telecommunications facility unless the facility and its components are maintained in accordance with equipment certification procedures and the facility is inspected in accordance with the Authority's certification programme.

General
Requirement
for
Maintenance
and
Inspection.

14.7.30.2. The facility maintenance procedure in the Aeronautical Telecommunications Services Provider's Manual of Operation shall include a description of the equipment and components and recommended methods for the accomplishment of maintenance tasks. Such information shall include guidance on fault diagnosis.

14.7.30.3. The Aeronautical Telecommunications Services Provider's Manual of Operation shall include the maintenance tasks and the recommended intervals at which these tasks are to be performed.

14.7.30.4. Maintenance tasks and frequencies that have been specified as mandatory by the manufacturer of the equipment shall be identified in the Manual of Operations which includes basic details of the maintenance carried out.

Performance
Rules
Maintenance,
Preventive
Maintenance
or
Alterations/
Upgrade.

14.7.31.1. Each person performing maintenance, preventive maintenance, or alteration/upgrade on an Aeronautical Telecommunications facility shall use:

(a) the methods, techniques, and practices prescribed in the Manual of Standards.

(b) the current manufacturer's maintenance manual or Manual of Operations for Continued Serviceability prepared by the Services Provider and approved by the Authority.

14.7.31.2. Each person shall use the tools, equipment, and test apparatus necessary to ensure completion of the work in accordance with accepted industry practices. If the equipment manufacturer involved recommends special equipment or test apparatus, the person performing maintenance shall use that equipment or apparatus or its equivalent acceptable to the Authority.

14.7.31.3. Each person performing maintenance, preventive maintenance, or alteration on an aeronautical facility shall do that work in such a manner, and use materials of such a quality, that the condition of the Aeronautical Telecommunications facility worked on will be at least equal to its original or properly altered condition with regards to acceptable standards by the Authority.

14.7.31.4. The methods, techniques, and practices contained in a Manual of Operations and equipment certification maintenance procedure, as approved by the Authority, will constitute an acceptable means of compliance with the requirements of this subsection.

IMPLEMENTING STANDARDS (IS)

AIR TRAFFIC SERVICES

IS14.1. Implementing Standards: Air Traffic Services

Application
for approval
as an Air
Traffic
Service
Provider.

IS14.1.15.2. On application for and renewal to operate as an ATS provider, the applicant shall provide sufficient information to the Nigerian Civil Aviation Authority so that the Authority can assess and determine that the information required is included in the applicant's Manual of Operations.

(2) To assist applicants the following is a guideline to ensure that applicants include the information required.

(3) An applicant for an approval shall provide the Authority with a Manual of Operations containing:

(a) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that:

(i) the Manual of Operations defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation;

(ii) the Manual of Operations and Manual of Standards and appropriate operational documentation, shall be complied with by the organisation's personnel at all times ;

(b) the titles and names of the senior person or persons ;

(c) the duties and responsibilities of the senior person or persons in (b) including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation ;

(d) an organisation chart showing lines of responsibility of the senior persons in (b) and covering each location listed under (f) ;

(e) a summary of the organisation's staffing structure at each location listed under (f) ;

(f) a list of each type of air traffic service and the duration of that service to be operated under the authority of the air traffic service provider approval ;

(g) the airspace in which each service will be provided ;

(h) the aerodrome for which the service will be provided ;

(i) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a service ;

(j) the detailed procedures required regarding internal quality assurance and safety management system ;

(k) a contingency plan for implementation in the event of a disruption to services provided ;

(l) a security programme that details protection for facilities, services and personnel ;

(m) a summary of the operational details of each aeronautical facility associated with each location listed under (f) and (g) ;

(n) procedures to control, amend, and distribute documentation and retain records ;

(o) a Search and Rescue Manual.

(4) The Authority may not grant an approval unless the Authority is satisfied that the applicant's Manual of Operation complies with this Part.

IS14.1.33.2.—(1) A person may carry out an air traffic control function in Nigeria if, at the time the person carries out the function :

(a) he or she holds an ATC licence with a rating for the function and an endorsement for the place where, or the airspace in relation to which, he or she carries it out ; and

(b) the licence, rating and endorsement are in force ;

(c) he or she :

(i) satisfies the recency and currency requirements in relation to the endorsement ; and

The
Authority to
carry out Air
Traffic
Control
Function.

(ii) satisfies the currency requirement in relation to the rating.

(2) A person may carry out an air traffic control function in Nigeria under the supervision of a person who meets the requirements above.

(3) A person who may carry out an air traffic control function in Nigeria under supervision is a person who the Authority has authorised in writing to carry out the relevant function and is ;

(a) a person who :

(i) holds an ATC licence with a rating for the function and an endorsement for the place where, or the airspace in relation to which, he or she carries it out ; but at the relevant time, in relation to the rating or endorsement, does not satisfy the recency or currency requirement ;

(b) a person who :

(i) holds an ATC licence ; and

(ii) carries out the function in the course of training for a rating or endorsement (whether or not the person holds a rating or endorsement at the time);

(c) a person (other than a person who held an ATC licence that has been cancelled) who :

(i) has completed an approved course of training in the theory of air traffic control ; and

(ii) carries out the function in the course of undergoing practical training for an ATC licence.

Contingency
Plan.

IS 14.1.47.3. The Contingency plan shall include :

The actions to be taken by the members of the ATS provider's personnel responsible for providing the service, including the notification of suspected communicable diseases, or other public health risk, on board an aircraft are as follows :

(1) The flight crew of an aircraft shall, upon identifying a suspected case(s) of communicable disease, or public health risk, on board the aircraft, promptly notify the ATS unit with which the pilot is communicating, the information listed below :

(i) aircraft identification ;

(ii) departure aerodrome ;

(iii) destination aerodrome ;

(iv) estimated time of arrival ;

(iv) number of persons on board ;

(v) number of suspected case(s) on board ; and

(vi) nature of the public health risk, if known.

(2) The ATS unit, upon receipt of information from a pilot regarding suspected case(s) of communicable disease, or public health risk, on board the aircraft, shall forward a message as soon as possible to the ATS unit serving the destination/departure, unless procedures exist to notify the appropriate authority designated by the State and the aircraft operator or its designated representative.

(3) When a report of a suspected case(s) of communicable disease, or other public health risk, on board an aircraft is received by an ATS unit serving the destination/departure, from another ATS unit or from an aircraft or an aircraft operator, the unit concerned shall forward a message as soon as possible to the public health authority (PHA) or the appropriate authority designated by the State

IS14.1.49.2.—(1) The ATS provider shall, for each location for which a service is provided, supply and indicate from the list below a list of facilities and equipment. An indication shall be provided on the quality of the facilities and equipment.

Facilities.

(2) All equipment used in the provision of Air Traffic Services, including navigation and approach services shall perform and be maintained in accordance with the standards and practices as contained in these regulations.

(3) *General Item*

The means to monitor the domestic frequency 121.7 MHz independent of mains and standby radio equipment

Emergency lighting

Notice boards

Head sets

Lockers and a safe

Emergency exits

Lightening protection

Fire alarm

A briefing room

Equipment repair space

Technical equipment storage

Restrooms

Running water

Entry control

Any other items

(4) *Control Tower Item*

Headsets

Microphones

Transceivers

Speakers

Radio selector panel
Telephone selector panel/handsets
Intercom
Auto-switch headset/speaker
Recorder (radio and telephone) where applicable
Power
Back-up power
Signal lamp
Device for alerting RFFS in the event of aerodrome emergency
Rapid communications with RFFS
Wind speed and direction display
Barometric altimeter
Altimeter setting indicator
Clock
Aerodrome lighting panel
Navaid(s) monitor panel
Lighting, including emergency lights
Daylight radar/display consoles, as appropriate
Flight data panel, flight progress strip card holders and flight progress strip cards
Clipboards/displays (NOTAM, etc.)
Automatic terminal information system recorder where applicable
Fire alarm and extinguishers
Desks/consoles/shelves
Chairs
Shades
Air Conditioning, heating/cooling
Binoculars
Sound-absorbing coverings (floor/wall)
Any other items

(5) Aerodrome/Approach Combined Item

Headsets
Microphones
Transceivers
Speakers
Radio selector panel
Telephone selector panel /headsets

Intercom

Auto-switch headset/speaker

Voice recorder (radio and telephone)

Power

Back-up power

Device for alerting RFFS in the event of aerodrome emergency

Rapid communications with RFFS

Wind speed and direction display

Altimeter setting indicator

Clock

Navaid (s) monitor panel

Lighting, including emergency lights

Radar displays, controls, consoles, as appropriate

Secondary radar controls, as appropriate

Radar simulator, as appropriate

Flight data panel, flight progress strip card holders and flight progress strip cards

Automation equipment, if required

Clipboards/display (NOTAM etc)

Automatic terminal information system recorder

Fire alarm and extinguishers

Desks/consoles/shelves

Chairs

Air conditioning, heating/cooling

Sound-absorbing coverings (floor/wall)

Plotting and writing area

Navigation plotting equipment

Aeronautical fixed telecommunication network

Any other items

(6) Area Control Centre/Flight Information Centre Item

Area Control Centre/ Flight Information Centre

Writing area/counter space

Plotting table

Navigation plotting equipment

Large-scale area map

Headsets

Microphones
 Speakers
 Radio communications selector panels
 Telephones and selector panels
 Aeronautical fixed telecommunications network
 Access to direction - finding equipment
 Flight progress console and equipment
 Clocks
 Lighting including emergency lighting
 Chairs
 Storage for reference documents
 Lavatory
 Running water
 Fire alarm and extinguisher
 Air conditioning heating/cooling
 Power
 Back-up power
 Any other items

Control
 Tower.

IS14.1.50.1. The tower shall permit the controller to survey those portions of the aerodrome and its vicinity over which control is exercised.

(2) The tower shall be equipped so as to permit the controller rapid and reliable communications with aircraft with which he or she is concerned.

(3) The controller shall be able to discriminate between aircraft and vehicles while they are on the same or different runways/taxiways.

Maintenance
 of
 Documents
 and Records
 (Operational
 Documents).

IS 14.1.52.1.—(a) procedures manual ;
 (b) air traffic control instructions manual ;
 (c) local air traffic control instructions manual ;
 (d) AIP and AIP Supplements ;
 (e) AIC's and NOTAM ;
 (f) Civil Aviation Regulations, 2006 ;
 (g) Search and Rescue Manual, approved by the Authority ;
 (h) airport emergency plan ;
 (i) directives and instructions file ;
 (j) occurrence log ;
 (k) unserviceability log ;
 (l) circulars and bulletins file ;
 (m) equipment manuals ;
 (n) technical standards and practices ; and
 (o) all applicable ICAO documents

IS14.1.56.1.—(1) A Local Air Traffic Control Instructions shall contain the following :

- (a) Detailed unit operational procedures and requirements ;
 - (b) Detailed unit administrative requirements, including the responsibilities of each operating position ;
 - (c) Amplification and/or explanation of provisions of the national requirements, where necessary ;
 - (d) Procedures for the control of movement of persons and vehicles on the manoeuvring area; where required ;
 - (e) Co-ordination procedures between internal and external agencies (and when this is to occur—(change in status of facilities, navigation aids, MET observation) ;
 - (f) Procedures for the provision of services to aircraft in an emergency :
 - (i) within the vicinity of the airport—Aerodrome emergencies of Air Traffic Services ; and
 - (ii) outside the vicinity of the airport—Aeronautical Search and Rescue procedures ;
 - (g) Contingency arrangements in the event of a communications, navaid, facility failure (including runway/taxiway closure) ;
 - (h) Procedures to provide assistance to strayed or unidentified aircraft ;
 - (i) Procedures for pilots in the event of an air-ground radio communications failure.
- (Note : These procedures shall be included in the AIP).
- (j) Letters of Agreement with other agencies adjacent to the unit for the transfer of responsibility of control.

Instrument Procedures Designer and Publisher (PANS-OPS)—14.2.2.1

IS 14.2.2.1.—(1) An Instrument Procedures Designer and Publisher designing a terminal instrument flight procedure under the Instrument Procedures Designer and Publisher's approval shall ensure that the procedure is designed in accordance with :

Standards
for Design
of Terminal
Instrument
Flight
Procedures.

- (a) any applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS) ; and
 - (b) any applicable standards set out in the Manual of Standards.
- (2) If a Instrument Procedures Designer and Publisher would be required to ensure that a terminal instrument flight procedure is designed in accordance with a standard set out or referred to in the ICAO Doc. 8168 (PANS-OPS) and a standard set out in the Manual of Standards, and it is not possible to comply with both standards, the designer is only required to ensure that the procedure is designed in accordance with the Manual of Standards.

Application
for approval
as a PANS-
OPS
Provider.

IS14.2.3.2. On application for and renewal to operate as a PANS-OPS provider, the applicant shall provide sufficient information to the Nigerian Civil Aviation Authority so that the Authority can assess the suitability of the applicant.

(1) The NCAA has determined that the information required should be included in the applicant's Manual of Operations.

(2) To assist applicants the following is a guideline to ensure that applicants include the information required.

(3) An applicant for an approval shall provide the Authority with a Manual of Operations containing:

(a) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that :

(i) the Manual of Operations defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation ;

(ii) the Manual of Operations and Manual of Standards and appropriate operational documentation, shall be complied with by the organisation's personnel at all times ;

(b) the titles and names of the senior person or persons ;

(c) the duties and responsibilities of the senior person or persons in (b) including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation ;

(d) an organisation chart showing lines of responsibility of the senior persons in (b) and covering each location listed under (f) ;

(e) a summary of the organisation's staffing structure at each location listed under (f) ;

(f) a list of each type of air traffic service and the duration of that service to be operated under the authority of the air traffic service provider approval ;

(g) the airspace in which each service will be provided ;

(h) the aerodrome for which the service will be provided ;

(i) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a service ;

(j) the detailed procedures required regarding internal quality assurance and safety management system ;

(k) a contingency plan for implementation in the event of a disruption to services provided ;

(l) a security programme that details protection for facilities, services and personnel ;

(m) a summary of the operational details of each aeronautical facility associated with each location listed under (f) and (g) ;

(n) procedures to control, amend, and distribute documentation and retain records ;

(o) a Search and Rescue Manual.

(4) The Authority may not grant an approval unless the Authority is satisfied that the applicant's Manual of Operation complies with this Part.

IS14.2.8.1.—(1) On application for and renewal to operate as an Instrument Procedures Designer and Publisher provider, the applicant shall provide sufficient information to the Nigerian Civil Aviation Authority so that the Authority can assess the suitability of the applicant.

(2) The Authority has determined that the information required should be included in the applicant's Manual of Operations.

(3) To assist applicants the following is a guideline to ensure that applicants include the information required.

(4) An applicant for an approval shall provide the Authority with a Manual of Operations containing :

(a) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that :

(i) the Manual of Operation defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation ; and

(ii) the Manual of Operation and Manual of Standards and appropriate operational documentation, shall be complied with by the organisation's personnel at all times ; and

(b) the titles and names of the senior person or persons ; and

(c) the duties and responsibilities of the senior person or persons in 4(a)(i) and (b) including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation ; and

(d) an organisation chart showing lines of responsibility of the senior persons in 4(a)(i) and (b) and covering each location listed under 4(a)(i) and (f) ; and

(e) a summary of the organisation's staffing structure at each location listed under 4(a)(i) and (f) ; and

(f) a list of each type of Instrument Procedures Design service and the duration of that service to be operated under the authority of the Instrument Procedures Designer and Publisher provider approval ;

(g) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a service ;

(h) the detailed procedures required regarding internal quality assurance and safety management system ;

(i) a contingency plan for implementation in the event of a disruption to services provided ;

(j) a summary of the facilities that will be used in association with the provision of Instrument Procedures Design and Publishing and

Requirement
for
Approval as
a Procedure
Designer for
Air
Navigation
Services.

(k) procedures to control, amend, and distribute documentation and retain records.

(5) The Authority may not grant an approval unless the Authority is satisfied that the applicant's Manual of Operation complies with this Part.

IS 14.2.5.1.—(1) An applicant for the provision of Instrument Procedures Designer and Publisher shall provide in its Manual of Operations :

(a) current unit organisational chart and written delegated responsibilities and position descriptions ;

(b) staffing-levels for operational positions ;

(c) designated instructors and ratings and proficiency assessment officers ;

(d) staffing numbers and qualifications at unit level.

(2) An Instrument Procedures Designer and Publisher provider shall, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it provide, in accordance with the standards set out in the Regulations, the air traffic services covered by its approval.

(3) An Instrument Procedures Designer and Publisher provider shall have, at all times, enough suitably qualified and trained personnel to enable it provide, in accordance with the standards set out in the Regulations, the air traffic services covered by its approval.

(4) The Instrument Procedures Designer and Publisher provider shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities.

(5) An Instrument Procedures Designer and Publisher shall not carry on design work on a terminal instrument flight procedure under the designer's approval unless :

(a) the Instrument Procedures Designer and Publisher has appointed a person to be the chief designer for the designer's organisation ; and

(b) the appointment is approved by Authority and is in force ; and

(c) the functions of the head designer are being carried out by the person or, if the head designer is temporarily absent from duty, another person :

(i) who is appointed by the Instrument Procedures Designer and Publisher to act as head designer ; and

(ii) whose appointment is approved by the Authority and is in force.

(6) The minimum qualifications for a Qualified Designer, in relation to a terminal instrument flight procedure, means an individual who:

(a) is the holder, or an employee of the holder, of a procedure design certificate that authorises the holder to design terminal instrument flight procedures of the same type as the terminal instrument flight procedure concerned ; and

Responsibility
of Holder of
Approval
Certificate
of a
Procedure
Design.

(b) has successfully completed :

(i) an approved course of training in the methods and practices contained in ICAO Doc. 8168 (PANS-OPS) ; and

(ii) any training for persons carrying on design work on terminal instrument flight procedures that is specified in the Operations Manual under which the qualified designer performs the designer's duties; and

(iii) meets the experience requirements for performing the functions of a qualified designer set out in the Manual of Standards.

(c) enough licensed personnel to plan, provide and supervise the services listed in its approval as a service provider, in a safe and efficient manner.

AERONAUTICAL INFORMATION SERVICES

IS 14.4.3.—(1) On application for, and renewal to operate as an Aeronautical Information Services Provider, the applicant shall provide sufficient information to the Authority in order to assess the suitability of the applicant.

Provision of
Aeronautical
Information
Services
(AIS).

(2) The Authority shall determine the information required to be included in the applicant's Manual of Operations.

(3) To assist applicants the following is a guideline to ensure that applicants include the information required.

(4) The Aeronautical Information Services provider shall provide Aeronautical Information Services in accordance with the Manual of Standards, approved, authorised, published, and amended by the Authority.

(5) An Aeronautical Information Services provider shall ensure that any aeronautical information service that it provides is provided in accordance with its Manual of Operations.

IS 14.4.7.1.—(a) An applicant for an approval shall provide the Authority with a Manual of Operation containing :

Responsibility
of Holder of
an AIS
Approval
Certificate.

(1) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that :

(i) the Manual of Operation defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation ; and

(ii) the Manual of Operation and Manual of Standards and appropriate operational documentation, shall be complied with by the organisation's personnel at all times ; and

(2) the titles and names of the senior person or persons ; and

(3) the duties and responsibilities of the senior person or persons in paragraph including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation ; and

(4) an organisation chart showing lines of responsibility of the senior persons in paragraph 1(14.4.7.1 (a)), 1(14.4.7.1 (a)) (2) and covering each location listed under paragraph 1(14.4.7.1 (a)), 1(14.4.7.1 (a)) (6) ; and

(5) a summary of the organisation's staffing structure at each location listed under paragraph 1(14.4.7.1 (a)), 1(14.4.7.1 (a)) (6) ; and

(6) a list of each type of aeronautical information service to be operated under the authority of the aeronautical information service provider approval ; and

(7) a summary of the scope of activities at each location where the organisation's personnel are based for the purpose of providing or maintaining the types of services listed under paragraph 1(14.4.7.1 (a)), 1(14.4.7.1 (a))(6) ; and

(8) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a service ;

(9) the detailed procedures required regarding internal quality assurance and safety management system ;

(10) a contingency plan for implementation in the event of a disruption to services provided ; and

(11) a security programme that details protection for facilities and services ; and

(12) a summary of the operational details of each facility associated with each location listed under paragraph 1(14.4.7.1 (a))(7) ; and

(13) procedures to control, amend, and distribute documentation and retain records.

The Authority may not grant an approval unless the Authority is satisfied that the applicant's Manual of Operation complies with this Requirement.

IS 14.4.7.1(b)(i) ; Personnel Requirements.

(1) An applicant for the provision of Aeronautical Information Services shall provide in its Operations Manual ;

(a) current unit organisational chart and written delegated responsibilities and position descriptions ;

(b) staffing-levels for operational positions ;

(c) designated supervisor and their qualifications ;

(d) staffing numbers and qualifications at unit level.

(2) An Aeronautical Information Service provider shall, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it provide, in accordance with the standards set out in the Regulations, the aeronautical information services covered by its approval.

(3) An Aeronautical Information Service provider shall have, at all times, enough suitably qualified and trained personnel to enable it provide, in accordance with the standards set out in the Regulations, the aeronautical information services covered by its approval.

(4) The Aeronautical Information Service provider shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to discharge their allocated responsibilities.

(5) The Aeronautical Information Service provider will advise the minimum qualifications required for aeronautical information services personnel operating positions.

(6) An Aeronautical Information Service provider shall arrange the work flow schedule of aeronautical information service officers to provide duty rest periods. A copy of the Aeronautical Information Service providers fatigue management procedure is to be included in the Manual of Operations.

(7) An aeronautical information service officer shall not perform his duties if he knows or suspects that he is suffering from or having regards to the circumstances of the period of duty to be undertaken is likely to suffer from such fatigue.

(8) A person shall not perform the duties of an aeronautical information service officer when under the influence of alcohol or drugs.

(9) At the unit level the Aeronautical Information Service provider shall engage, employ, or contract :

(a) a senior person to whom authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this section, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements.

(i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service within the unit ;

(ii) full rights of consultation with any such person(s) in respect of such compliance by him or her ;

(iii) a duty to establish liaison mechanisms with the Authority with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Authority, and to facilitate liaison between the Authority and the unit concerned ; and

(iv) powers to report directly to the management of the his or her organisation, on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in sub-paragraph (iv) ;

(b) a person who is responsible for quality control, and who shall have direct access to the person referred to in paragraph (a) on matters affecting aviation safety ; and

(c) enough personnel to plan, provide and supervise the services listed in its approval as a service provider, in a safe and efficient manner.

IS 14.4.7.1.—(b)(ii) Training and Checking of Staff.

(1) The Aeronautical Information Service provider shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel required to operate and maintain the unit concerned.

(2) The AIS service provider shall :

(a) regularly review the competence, experience, qualifications, capabilities and abilities of its staff to ensure that any skills and qualifications needed by the AIS are available for the tasks to be completed.

(b) provide training when deficiencies are noted, or when new employees start work.

(3) Required basic training shall be provided at NCAA recognized training institutes and may be carried out in stages.

(4) The service provider shall include details of the program, including necessary training and tests of competency, in its operations manual and shall establish procedures acceptable to the Authority in addition to the ICAO AIS personnel Training Manual DOC-7192 Part E-3 *and* follow the approved training programs for aeronautical information services officers as follows :

(a) Basic introduction

(b) Initial Aeronautical Information Service Training.

(c) Air traffic Assistant training.

(d) On-job-training

(e) Recurrent training

(f) Remedial training.

(g) Human factor initial and recurrent.

(h) QMS training

(i) Any other course/s as changes in the system may warrant.

Ancillary Qualifications

(5) An aeronautical information service officer may also provide an ancillary function.

(6) These functions include the following :

(a) classroom instructor ; or

(b) on-the-job instructor.

(7) An aeronautical information service officer should have a minimum of five years on the job experience. Where possible, the officer should have experience in instructional techniques.

Conduct of on-the-job training

(8) An aeronautical information service officer should continue on-the-job training until he or she demonstrates competency in accordance with the Standards set out in the Manual of Standards.

IS 14.4.7.1(b)(iii) ; Contingency Plan.

(1) An Aeronautical Information Service provider shall develop and maintain Contingency Plans for implementation in the event of disruption, or potential disruption, of aeronautical information services and related supporting services for which it is responsible. The disruption may be caused intentionally (sabotage) or unintentionally (equipment failure).

(2) In developing such contingency plans, the Aeronautical Information Service provider shall liaise closely with the Aeronautical Information Services authorities responsible for the provision of services in adjacent or contiguous airspace and other airspace users concerned.

(3) The plan shall include :

(a) the actions to be taken by the members of the provider's personnel responsible for providing the service ; and

(b) Possible alternative arrangements for providing the service ; and

(c) the arrangements for resuming normal operations for the service.

(4) These plans shall be submitted as part of the Manual of Operation.

IS 14.4.7.1(b)(v) Facilities, Equipment and Maintenance.

(1) In addition to adequate numbers of suitably experienced and competent personnel, AIS also requires appropriate accommodation and adequate facilities to get the work done and so provide quality services.

(2) To ensure conformity with this part of the ISO Standards, AIS service provider should determine, provide and maintain the facilities it needs to achieve product conformity, including :

(a) Workspace ;

(b) Equipment, hardware and software ; and

(c) Supporting services.

(3) At the most basic level, the service providers should ensure that the following are provided at all aerodrome unit AIS offices :

(a) Suitable furniture for staff to work comfortably, efficiently and ergonomically ;

- (b) Sufficient space between work-stations to avoid disruption to other staff ;
- (c) Noisy equipment isolated away from staff or sound-proofed ;
- (d) Adequate overhead or specialist lighting to be able to easily read source document ;
- (e) A quiet area for proof-reading ; and
- (f) Suitable computing equipment for word-processing and data capture.

Wall Display

(4) Wall displays at the AIS briefing office should consist of the following taking cognizance of the extent of coverage zone availability of suitable chart and size of available wall.

(5) The following should be provided for wall displays :

(a) 2 sets of charts of the coverage zone as small scale (1:1,000,000) showing

(b) air traffic service system, aerodrome/heliports and radio aids to navigation.

(c) areas over which the flight of aircraft is dangerous, restricted or prohibited.

(d) a 1:500,000 chart of the country in which the aerodrome/heliport is located. (e) an outline chart of the coverage zone at small scale to the area or route breakdown used in disseminating briefing material and showing FIR.

(f) A large scale chart of the aerodrome traffic area showing controlled area approach aids and holdings, approach and departure procedures.

(g) An aerodrome obstacle chart ;

(h) Aerodrome movement chart (1:3,000) ;

(i) Diagram of the terminal area showing location of various offices and facilities of interest to visiting aircrews.

(6) An Aeronautical Information Service provider shall, at all times, make available for the use by its personnel, the equipment and facilities necessary for providing aeronautical information services covered by its approval.

(7) The Aeronautical Information Service provider shall include in their Operations Manual a list of facilities from which Aeronautical Information Service will be provided.

(8) The equipment shall meet with the requirements specified in ICAO Annex 10 and the Regulations.

(9) All persons involved with the provision of service shall be fully conversant with current ICAO standards and recommended practices, instructions, directives and relevant information.

Existing Facilities

(10) The Aeronautical Information Service provider shall, for each location for which a service is provided, indication from the list below a list of facilities and equipment. This should also include an indication of the quality of the equipment.

Aeronautical Information Equipment and Facilities

Item

Writing area/counter space
 Access to Maps and Charts
 Computer workstations with Internet access
 Display boards
 Telephones
 Aeronautical fixed telecommunications network
 Clocks
 Lighting including emergency lighting
 Chairs
 Storage for reference documents
 Photocopier
 Power
 Back-up power
 Fire alarm and extinguisher
 Air conditioning heating/cooling
 Restrooms
 Running water.
 Consumables (paper, printer cartridges, etc.) Any other items
 Standard briefing room close to the apron

IS 14.4.7.1. (b)(vi) Fault and Defect Reporting.

(1) The applicant shall maintain system for tracking and rectifying faults within the Aeronautical Information Service system.

(2) Procedures for the reporting and the resolution of faults and defects shall be documented in the Manual of Operations.

(3) The Aeronautical Information Service provider shall maintain a record of the number of reported equipment faults on a month by month basis.

IS 14.4.7.1. (b)(vii) Maintenance of Documents and Records.

The applicant for service provider approval shall provide the following operational documentation at locations at an aeronautical information service unit :

(a) Manual of Standards ;

(b) Logbook to record occurrences and events ; (including unserviceability of equipment) ;

- (c) AIPs and AIP Supplements ;
 - (d) AICs and NOTAM ;
 - (e) Current Civil Aviation Regulations and other relevant documents,
 - (f) Circulars and bulletins file ;
 - (g) Equipment manuals ;
 - (h) Technical standards and practices, and
 - (i) All applicable ICAO documents.
- (2) The Aeronautical Information Service provider shall ensure that :
- (a) the documentation is reviewed and authorised by appropriate personnel before issue ;
 - (b) current issues of relevant documentation are available to personnel ;
 - (c) obsolete documentation is removed from all points of issue or use ;
 - (d) changes to documentation are reviewed and approved by appropriate personnel ; and
 - (e) the current version of each document can be identified to preclude the use of obsolete editions.
- (3) The Aeronautical Information Service provider shall demonstrate that there is a system in place to record and retain operational data in accordance with ICAO *Annex 15*.
- (4) Records shall be maintained on the following :
 - (a) regular reports and returns to the Authority ;
 - (b) local incidents with remedial actions ;
 - (c) personnel files including supervisory reports ;
 - (d) training files ;
 - (e) rosters ; and
 - (f) leave records.

AIS Basic Reference Materials

(5) The following basic reference materials should be kept at both ^{NOF} and AIS aerodrome/heliport units :

- (a) Annexes 1-18 ;
- (b) Doc 8400 - ICAO Abbreviation and Codes (PANS-ABC) ;
- (c) Doc 4444 - Rules of the Air and Air Traffic Services (PANS-RAC) ;
- (d) Doc 8168 - Aircraft Operations (PANS -OPS) ;
- (e) Doc 7030 - Regional supplementary Procedures (Supps) ;
- (f) Doc 7910 - Location Indicators ;

- (g) Doc 8585 - Designators for Aircraft operation ;
- (h) Doc 8643 - Aircraft type designators ;
- (i) Doc 8126 - AIS manual;
- (j) Doc 8697 - Aeronautical charts manual;
- (k) Doc 8896 - Manual of Aeronautical Met practice I ;
- (l) Doc 7383 - Aeronautical Information services provided by States ;
- (m) Doc 7101- Aeronautical chart catalogue;
- (n) Doc 7100 - Manual of Airport and Air Navigation facility tariffs ;
- (o) Doc 7474 - African-Indian Ocean region ;
- (p) Doc 8733 - Caribbean and South American regions ;
- (q) Doc 7754 - European Union ;
- (r) Doc 8700 - Middle East and Asia Regions ;
- (s) Doc 8755 - North Atlantic, North American and Pacific Regions.

IS14.4.7.6.—(1) The Aeronautical Information Service provider shall develop local operating procedures for the collection and dissemination of relevant data.

Local
Operating
Procedures.

External Data Sources

(2) An Aeronautical Information Service provider shall consider the availability and reliability of external data sources required to provide an Aeronautical Information Service. The Aeronautical Information Service provider shall include the provider, the data source and means of receipt, display and integrity of the following information :

- (a) WGS-84 survey coordinates ;
- (b) Aeronautical Meteorology information ;
- (c) Information on aerodrome conditions and the operational status of facilities and navigation aids;
- (d) Aerodrome works and administration ;

Output Data

(3) The Aeronautical Information Service provider should include procedures to ensure that it can, and will continue to be able to provide reliable information in relation to its Aeronautical Information Services to other organisations whose functions reasonably require that information (c.g. ATS units and centres).

(4) Data recipients may include :

- (a) ATS providers ;
- (b) Briefing offices ;
- (c) Airline offices ;
- (d) Pilots ;
- (e) Other AIS providers ;

- (f) Military ;
- (g) The Aeronautical Telecommunications provider ; and
- (h) Other Government agencies.

Aeronautical Charts

Provision of
Aeronautical
Charts.

IS14.5.3.1.—(i) The Aeronautical Charts Provider shall provide Aeronautical Charts in accordance with these Regulations and ANS Manual of Standards, approved, authorised, published, and amended by the Authority.

(ii) An Aeronautical Charts Provider shall ensure that any aeronautical Charts that it provides is provided in accordance with its Manual of Operations.

(iii) On application for, and renewal to operate as an Aeronautical Charts Provider, the applicant shall provide sufficient information to the Nigerian Civil Aviation Authority so that the Authority can assess the suitability of the applicant.

Application _
for an
Aeronautical
Charts
Provider
Approval
Certificate.

IS14.5.4.2. The NCAA has determined that the information required should be included in the applicant's Manual of Operations.

(i) To assist applicants the following is a guideline to ensure that applicants include the information required.

(ii) an applicant for an approval shall provide the Authority with a Manual of Operation containing :

(a) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that :

(b) the Manual of Operation defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation; and Manual of Standards, Manual of Operations and appropriate operational documentation, shall be complied with by the organisation's personnel at all times; and

(c) the titles and names of the senior person or persons ; and

(d) the duties and responsibilities of the senior person or persons in paragraph including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation; and

(e) an organisation chart showing lines of responsibility of the senior persons in paragraph (ii)(b) and covering each location listed under paragraph (ii)(f) ; and

(f) a summary of the organisation's staffing structure at each location listed under paragraph (ii)(g) ; and

(g) a list of each type of aeronautical Charts to be produced under the authority of the aeronautical Charts Provider approval ; and

(g) a summary of the scope of activities at each location where the organisation's personnel are based for the purpose of providing or maintaining the types of services listed under paragraph (ii)(f); and

(h) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a service ;

(i) the detailed procedures required regarding internal quality assurance and safety management system ;

(j) a contingency plan for implementation in the event of a disruption to services provided ; and

(k) a security programme that details protection for facilities and services ; and

(l) a summary of the operational details of each facility associated with each location listed under paragraph (g) ; and

(m) procedures to control, amend, and distribute documentation and retain records, the service providers Manual of Operations shall include the following information :

(1) personnel requirements and the responsibilities of personnel ;

(2) training and checking of staff and how that information is tracked ;

(3) quality assurance/safety management system ;

(4) contingency plans developed for part or total system failure for which the organisation provides a service ;

(5) security plan ;

(6) facilities and equipment and how those facilities are maintained ;

(7) fault and defect reporting ;

(8) maintenance of documents and records ; and

(9) any other information requested by the Authority.

(10) The Nigerian Civil Aviation Authority may not grant an approval unless the Authority is satisfied that the applicant's Manual of Operation complies with this implementing standards IS14.5.3.6 (a) and IS14.5.4.1(e) above.

IS 14.5.4.4.—(i) The approval holder shall ensure that there are sufficient personnel to collect, collate, check, coordinate, edit, draw/draft and amend an aeronautical charts design and production for the flight operations ;

(ii) Provide those authorized personnel with written evidence of the scope of their authorization and as well establish a procedure to maintain the competence of those authorized personnel ;

(iii) The approval holder shall establish a procedure to initially assess the competence of those personnel authorized by the applicant to check, edit, and amend aeronautical charts for the flight operations procedures listed in their Manual of Operation ;

(iv) current unit organisational chart and written delegated responsibilities and position descriptions ;

Personnel
requirement
and
Responsibility
of an
Aeronautical
Charts
Provider.

(v) staffing-levels for operational positions ;

(vi) designated supervisor and their qualifications;

(vii) staffing numbers and qualifications at unit level.

(viii) An Aeronautical Charts Provider shall, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it provide, in accordance with the standards set out in the Regulations, the aeronautical Charts covered by its approval.

(ix) An Aeronautical Charts Provider shall have, at all times, enough suitably qualified and trained personnel to enable it provide, in accordance with the standards set out in the Regulations, the aeronautical Charts covered by its approval.

(x) The Aeronautical Charts Provider shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to discharge their allocated responsibilities.

(xi) The Aeronautical Charts Provider will advise the minimum qualifications required for aeronautical Charts personnel operating positions.

(xii) An Aeronautical Charts Provider shall arrange the work flow schedule of aeronautical Charts officers to provide duty rest periods. A copy of the Aeronautical Charts Provider's fatigue management procedure is to be included in the Manual of Operations.

(xiii) An aeronautical Charts officer shall not perform his duties if he knows or suspects that he is suffering from or having regards to the circumstances of the period of duty to be undertaken is likely to suffer from such fatigue.

(xiv) A person shall not perform the duties of an aeronautical Charts officer when under the influence of alcohol or drugs.

(xv) At the unit level the Aeronautical Charts Provider shall engage, employ or contract :

(a) a senior person to whom authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this section, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements :

(1) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service within the unit ;

(2) full rights of consultation with any such person(s) in respect of such compliance by him or her ;

(3) a duty to establish Aeronautical Charts on mechanisms with the Authority with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Authority, and to facilitate Aeronautical Chartson between the Authority and the unit concerned ; and

(4) powers to report directly to the management of the his or her organisation, on his or her investigations and consultations generally, and in cases contemplated in subparagraph (3), and with regard to the results of the Aeronautical Charts on contemplated in sub-paragraph (4) ;

(b) a person who is responsible for quality control, and who shall have direct access to the person referred to in paragraph (a) on matters affecting aviation safety ; and

(c) enough personnel to plan, provide and supervise the services listed in its approval as a service provider, in a safe and efficient manner.

IS 14.5.4.5.—Training and checking of staff and how that information is tracked in addition to the 14.4.7.1(b)(ii) the personnel involved in the charts production shall undergo the following courses :

Training and checking of staff of an Aeronautical Charts Provider.

(1) Conventional Aeronautical cartography.

(2) Digital Aeronautical cartography.

(3) Geographic Information System (GIS)

(4) Procedure design.

(5) Refreshers course

IS 14.5.5. The Approval holder shall establish, implement, maintain, and adhere to a safety and quality assurance management system that is appropriate to the size, nature, and complexity of all activities authorized

Quality System for an Aeronautical Charts Provider.

(2) The quality system shall be documented in the service providers' Manual of Operations.

(3) The results of this system and related audits and corrective actions shall be made available to the Authority.

(4) If the holder of an Aeronautical Charts Provider Approval certificate makes any change in the quality system referred to in this section, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, the holder shall notify the Authority.

(5) A safety assessment shall be undertaken for any safety related change in (4) for assessment ; the applicant shall include information on the procedure for monitoring the quality of all Aeronautical data and aeronautical charts.

IS 14.5.16.—(a) Workspace ;

(b) Equipment, hardware and software ; and

(c) Supporting services.

Facilities, Equipment and Maintenance.

(2) At the most basic level, the service providers should ensure that the following are provided at all aerodrome unit Aeronautical Charts offices :

(a) Suitable furniture for staff to work comfortably, efficiently and ergonomically ;

- (b) Sufficient space between work-stations to avoid disruption to other staff ;
- (c) Noisy equipment isolated away from staff or sound-proofed ;
- (d) Adequate overhead or specialist lighting to be able to easily read source document ;
- (e) A quiet area for proof-reading ; and
- (f) Suitable computing equipment for word-processing and data capture.

Wall Display

(3) Wall displays at the Aeronautical Charts briefing office should consist of the following taking cognizance of the extent of coverage zone availability of suitable chart and size of available wall.

(4) The following should be provided for wall displays :

- (a) 2 sets of charts of the coverage zone as small scale (1:1,000,000) showing—
- (b) air traffic service system, aerodrome/s and radio aids to navigation.
- (c) areas over which the flight of aircraft is dangerous, restricted or prohibited.
- (d) a 1:500,000 chart of the country in which the aerodrome/ is located.
- (e) an outline chart of the coverage zone at small scale to the area or route breakdown used in disseminating briefing material and showing FIR.
- (f) A large scale chart of the aerodrome traffic area showing controlled area approach aids and holdings, approach and departure procedures.
- (g) An aerodrome obstacle chart ;
- (h) Aerodrome movement chart (1:3,000)
- (i) Diagram of the terminal area showing location of various offices and facilities of interest to visiting aircrews.

(5) An Aeronautical Charts Provider shall, at all times, make available for the use by its personnel, the equipment and facilities necessary for providing aeronautical Charts covered by its approval.

(6) The Aeronautical Charts Provider shall include in their Operations Manual a list of facilities from which Aeronautical Charts will be provided.

(7) All persons involved with the provision of service shall be fully conversant with current ICAO standards and recommended practices, instructions, directives and relevant information from the Authority.

Existing Facilities

The Aeronautical Information Service provider shall, for each location for which a service is provided, indication from the list below a list of facilities and equipment. This should also include an indication of the quality of the equipment.

IS 14.5.26.1.—(a) The total phase of flight can be sequenced into the following phases :

(1) Phase 1—Taxi from aircraft stand to take-off point
 (2) Phase 2—Take-off and Note—The total flight is divided into the following phases: Climb to en-route ATS route structure

(3) Phase 3—En route ATS route structure

(4) Phase 4—Descent to approach

(5) Phase 5—Approach to land and missed approach

(6) Phase 6—Landing and taxi to aircraft stand.

(b) Each type of chart shall provide information relevant to the function of the chart and its design shall observe Human Factors principles, which facilitate its optimum use.

(c) Each type of chart shall provide information appropriate to the phase of flight, to ensure the safe and expeditious operation of the aircraft.

(d) The presentation of information shall be accurate, free from distortion and clutter, unambiguous, and be readable under all normal operating conditions.

(e) Colors or tints and type size used shall be such that the chart can be easily read and interpreted by the pilot in varying conditions of natural and artificial light.

(f) The information shall be in a form, which enables the pilot to acquire it in a reasonable time consistent with workload and operating conditions.

(g) The presentation of information provided on each type of chart shall permit smooth transition from chart to chart as appropriate to the phase of flight.

(h) Each applicant for the grant of an aeronautical charts design and production certificate should make the charts to be True North orientated.

(i) The basic sheet size of the charts should be 210 x 297 mm (A4).

IS14.5.26.5.—(i) Titles

The title of a chart or chart series prepared in accordance with the requirements of this Part and intended to satisfy the function of the chart, shall be that of the relevant chapter heading as modified by application of any Standard contained therein, except that such title shall not include "ICAO" unless the chart conforms with all the requirements specified in this Part.

(ii) Miscellaneous information

Each applicant for the grant of an aeronautical charts design and production certificate shall :

Operational requirements and general specifications for charts.

General Specifications and other Requirements.

(a) Make the marginal note layout in accordance with Appendix 1 of chart MOS.

(b) Show the following information on the face of each chart unless otherwise stated in the specification of the chart concerned :

(1) Designation or title of the chart series ;

(2) Name and reference of the sheet ;

(3) On each margin an indication of the adjoining sheet.

(c) Provide a legend to the symbols and abbreviations used. The legend shall be on the face or reverse of each chart except that, where it is impracticable for reasons of space, a legend may be published separately.

(d) Show the name and adequate address of the producing agency in the margin of the chart.

(iii) *Symbols*

Each applicant for the grant of an aeronautical charts design and production certificate shall conform with the symbols used to those shown in Appendix 2.1-2.6 of Aeronautical charts MOS, except that where it is desired to show on an aeronautical chart special features or items of importance to civil aviation for which no ICAO symbol is at present provided, any appropriate symbol may be chosen for this purpose, provided that it does not cause confusion with any existing ICAO chart symbol or impair the legibility of the chart.

(iv) *Units of measurement*

Each applicant for the grant of an aeronautical charts design and production certificate shall :

(a) Derive distances as geodesic distances.

(b) Express the distances in nautical miles.

(c) Express altitudes, elevations and heights in feet.

(d) Express linear dimensions on aerodromes and short distances in meters.

(e) Specify the order of resolution of distances, dimensions, elevations and heights for a particular chart.

(f) State the units of measurement used to express distances, altitudes, elevations and heights on the face of each chart.

(g) Provide the conversion scales (kilometers/nautical miles, meters/feet) on each chart on which distances, elevations or altitudes are shown, The conversion scales shall be placed on the face of each chart.

(v) *Scale and projection*

Each applicant for the grant of an aeronautical charts design and production certificate shall indicate :

(a) The name and basic parameters and scale of the projection for charts of large areas.

(b) A linear scale only for charts of small areas.

(vi) *Date of validity of aeronautical information*

Each applicant for the grant of an aeronautical charts design and production certificate shall indicate clearly the date of validity of aeronautical information on the face of each chart.

(vii) *Spelling of geographical names*

Each applicant for the grant of an aeronautical charts design and production certificate shall :

(a) Use the symbols of the Roman alphabet for all writing.

(b) Accept the names of places and of geographical features in countries which officially use varieties of the Roman alphabet in their official spelling, including the accents and diacritical marks used in the respective alphabets.

(c) Spell where a geographical term such as "cape", "point", "gulf", "river", is abbreviated on any particular chart, that word out in full in the language used by the publishing agency, in respect of the most important example of each type. Punctuation marks shall not be used in abbreviations within the body of a chart.

(viii) *Abbreviations*

Each applicant for the grant of an aeronautical charts design and production certificate :

(a) Shall use abbreviations on aeronautical charts whenever they are appropriate.

(b) Where applicable, should select abbreviations from the Procedures for Air Navigation Services — ICAO Abbreviations and Codes (Doc 8400).

(ix) *Political boundaries*

Each applicant for the grant of an aeronautical charts design and production certificate shall :

(a) Show International boundaries but may be interrupted if data more important to the use of the chart would be obscured.

(b) Where the territory of more than one State appears on a chart, shall indicate the names identifying the countries.

(x) *Relief*

(a) Relief, where shown, each applicant for the grant of an aeronautical charts design and production certificate shall portray in a manner that will satisfy the chart users' need for :

- (1) Orientation and identification ;
- (2) Safe terrain clearance ;
- (3) Clarity of aeronautical information when shown ;
- (4) Planning.

(a) Each applicant for the grant of an aeronautical charts design and production certificate shall show the spot elevations for selected critical points.

(b) Each applicant for the grant of an aeronautical charts design and production certificate shall follow the value of spot elevations of doubtful accuracy by the sign \pm .

(xi) Prohibited, restricted and danger areas

When prohibited, restricted or danger areas are shown, each applicant for the grant of an aeronautical charts design and production certificate shall include the reference or other identification except that the nationality letters may be omitted.

(xii) Air traffic services airspaces

When ATS airspace is shown on a chart, each applicant for the grant of an aeronautical charts design and production certificate shall indicate the class of airspace, the type, name or call sign, the vertical limits and the radio frequency(ies) to be used and the horizontal limits depicted in accordance with Appendix 2 of this Part.

(xiii) Magnetic variation

Each applicant for the grant of an aeronautical charts design and production certificate shall indicate :

- (1) True North and magnetic variation shall be indicated.
- (2) The order of resolution of magnetic variation of magnetic variation as specified for particular chart.

When magnetic variation is shown on a chart, the values shown should be those for the year nearest to the date of publication that is divisible by 5. (2005, 2010 etc) In exceptional cases where the current value would be more than one degree different, after applying the calculation for annual change, an interim date and value should be quoted.

(xiv) Aeronautical data

Each applicant for the grant of an aeronautical charts design and production certificate shall :

- (a) Take all necessary measures to introduce a properly organized quality system containing procedures, processes, and resources necessary to implement quality management at each function stage as outlined in Aeronautical Information Service MOS (Chapter 2.2) and Charts MOS Appendix 6. The

execution of such quality management shall be made demonstrable for each function stage, when required. In addition ;

(b) ensure that established procedures exist in order that aeronautical data at any moment is traceable to its origin so to allow any data anomalies or errors, detected during the production/ maintenance phases or in the operational use, to be corrected.

(c) Ensure that the order of chart resolution of aeronautical data to be that as specified for a particular chart, and as presented in a tabular form in Appendix 6 of this Part.

(d) Ensure that integrity of aeronautical data is maintained throughout the data process

(e) from Survey, receiving to the next intended user. Aeronautical data integrity requirements shall be based upon the potential risk resulting from the corruption of data and upon the use to which the data item is put. Consequently, the following classification and data integrity level shall apply :

(1) Critical data, integrity level 1×10^{-8} : there is a high probability when using corrupted critical data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe ;

(2) Essential data, integrity level 1×10^{-5} : there is a low probability when using corrupted essential data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe ; and

(3) Routine data, integrity level 1×10^{-3} : there is a very low probability when using corrupted routine data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe.

(f) Aeronautical data quality requirements related to the integrity and data classification shall be as provided in Tables 1 to 5 in Appendix 6 of ANS MOS part C. Protection of electronic aeronautical data while stored or in transit shall be totally monitored by the Cyclic Redundancy Check (CRC).

(g) To achieve protection of the integrity level of critical and essential aeronautical data, a 32 - or 24-bit CRC algorithm shall apply respectively.

(h) To achieve protection of the integrity level of routine aeronautical data, a 16-bit CRC algorithm or a WX system software or any equivalent system.

(xv) *World Geodetic System—1984 (WGS-84)*

The Aeronautical Charts Approval holder certificate shall make use of the following :

(a) Horizontal reference system. World Geodetic System - 1984 (WGS-84) shall be used as the horizontal (geodetic) reference system. Published aeronautical geographical coordinates (indicating latitude and longitude) shall be expressed in terms of the WGS- 84 geodetic reference datum.

(b) Geographical coordinates which have been transformed into WGS-84 coordinates but whose accuracy of original field work does not meet the requirements in Charts MOS 2.18.1.2 shall be identified by an asterisk.

(c) The order of chart resolution of geographical coordinates shall be that specified for a particular chart series and in accordance with Charts MOS Appendix 6, Table 1

(d) Vertical reference system shall be Mean sea level (MSL) datum, which gives the relationship of gravity-related height (elevation) to a surface known as the geoid, shall be used as the vertical reference system.

(e) In addition to the elevation (referenced to mean sea level) for the specific surveyed ground positions, publish geoids undulation (referenced to the WGS-84 ellipsoid) for those positions as specified for a particular chart.

(f) Where the vertical reference system is ellipsoidal the geoidal undulation shall be determined or calculated based on EGM96 or better whichever model should be stated as necessary

(g) The order of chart resolution of elevation and geoid undulation shall be that specified for a particular chart series and in accordance with Appendix 6, Table 2 of Charts MOS

(h) Temporal reference system. The Gregorian calendar and Coordinated Universal Time (UTC) shall be used as the temporal reference system.

(i) When a different temporal reference system is used for charting, this shall be indicated in GEN 2.1.2 of the Aeronautical Information Publication (AIP).

(xvi) Obstacle Restriction and Removal

Aeronautical charts Approval Holder shall determine the Obstacle limitation surfaces in accordance with requirement contained in Aerodrome Standard Manual chapter 8 (8.2.2)

(xvii) Establishing Instrument Approach Procedures

The aeronautical Charts Approval holder shall establish an appropriate Instrument Approach procedures approved by the Authority (according to the acceptable level of safety and safety objectives applicable to the provision of establishing an Instrument approach procedures to ensure that safety is maintained in the provision of ATS within its airspace and at its aerodrome.

(xviii) Establishing VOR and NDB Routes

Each Aeronautical Charts Approval Holder shall establish an appropriate VOR and NDB route approved by the Authority (according to the acceptable level of safety and safety objectives applicable to the provision of establishing a VOR and NDB is to ensure that safety is maintained in the provision of ATS within its airspace and at its aerodrome

AEROMET

IS 14.6.2.1. (f)— (i) Issue SIGMET information phenomena which may affect the safety of aircraft operations, and of the development of those phenomena in time and space within its area of responsibility to the ATS providers, AIS Unit and other meteorological watch offices for dissemination in accordance with the template shown in ICAO Annex 3.

Hazardous
weather.

(ii) *SIGMET messages concerning volcanic ash cloud and tropical cyclones shall be based on advisory information provided by Volcanic Ash Advisory Centers and Tropical Cyclone Advisory Centers designated by regional air navigation agreement respectively.*

(iii) Issue of wind shear warnings for aerodromes ;

(iv) Issue of aerodrome warnings and any other hazardous weather events on meteorological conditions which could adversely affect aircraft on the ground, including parked aircraft, and the aerodrome facilities and services ;

IS 14.6.2.1.(n)—(v) ensuring that wind sensors for local meteorological reports are appropriately sited to give the best practicable indication of conditions along the runway/touchdown zone ;

Meteorological
information
on wind.

(vi) the provision in air traffic services units of wind displays related to the same integrated automatic systems as that of the aeronautical meteorological service provider ;

(vii) the calibration and maintenance of these wind displays/instruments ;

(viii) the use to be made of these wind displays/instruments by air traffic services personnel ;

(ix) the provision of supplementary visual observations for meteorological phenomena of operational significance in the climb-out and approach areas made by air traffic services personnel to update or supplement the information supplied by the meteorological observer ;

(x) action to be taken in respect of meteorological information obtained from aircraft taking off or landing ;

(xi) implementation of the required criteria/procedures regarding meteorological information/data for the establishment of aerodrome operating minima.

IS14.6.2.2.—(1) SIGMET information shall be issued by a meteorological watch office and shall give a concise description in abbreviated plain language concerning the occurrence and/or expected occurrence of specified en-route weather phenomena, which may affect the safety of aircraft operations, and of the development of those phenomena in time and space.

SIGMET
and other
Information.

(2) SIGMET messages shall be disseminated to other meteorological watch offices, WAFCs and to other meteorological offices in accordance with regional air navigation agreement. SIGMET messages for volcanic ash shall also be disseminated to VAACs.

(3) SIGMET messages shall be disseminated to international OPMET databanks and the centres designated by regional air navigation agreement for the operation of aeronautical fixed service satellite distribution systems, in accordance with regional air navigation agreement.

(4) SIGMET information shall be cancelled when the phenomena are no longer occurring or are no longer expected to occur in the area.

(5) The following standards shall be complied with in accordance with the Authority's Aeronautical Meteorological Manual of Standards.

(i) Period of validity of a SIGMET message ;

(ii) Period of validity of special case of SIGMET messages for volcanic ash cloud and tropical cyclones ;

(iii) Period within which SIGMET messages shall be issued before the commencement of the period of validity and period of up-dating SIGMET messages.

Quality
Management
System.

IS14.6.4.1.(b)—(1) An aeronautical meteorological service provider shall implement a Quality Management System (QMS in line with ISO 9001) standards) which is aim to provide the user with assurance that the meteorological information supplied complies with the stated requirements in terms of the geographical and spatial coverage, format and content, time and frequency of issuance and period of validity, as well as the accuracy of measurement, observation and forecasts.

(2) The QMS documentation requirements shall include :

(a) documented statements of policy and objectives ;

(b) relevant procedures, processes and resources necessary to provide for the quality management of the meteorological information to be supplied to users ;

(c) verification and validation procedures and resources for monitoring adherence to standards ;

(d) document and records as needed to ensure effective planning, operation and control of processes.

(3) An aeronautical meteorological service provider shall determine, collect and analyse appropriate data to demonstrate the suitability and effectiveness of the QMS.

(4) An aeronautical meteorological service provider shall keep under review its QMS and take such corrective action as it is necessary to ensure continue improvement in the effectiveness of the QMS.

AMSP
Manual of
Operations.

IS14.6.5.1. (a) On application for or renewal to operate as an Aeronautical Meteorological service provider, the applicant shall provide sufficient information to the Nigerian Civil Aviation Authority so that the Authority can assess the suitability of the applicant.

(1) The NCAA has determined that the information required should be included in the applicant's Manual of Operations.

(2) To assist applicants the following is a guideline to ensure that applicants include information required.

(3) An applicant for an approval shall provide the Authority with a Manual of Operation containing :

(a) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that :

(i) the Manual of Operation defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation ; and

(ii) the Manual of Operation and appropriate operational documentation, shall be complied with by the organisation's personnel at all times ; and

(b) the titles and names of the senior person or persons ; and

(c) the duties and responsibilities of the senior person or persons in paragraph (3)(b) including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation ; and

(d) an organisation chart showing lines of responsibility of the senior persons in paragraph (3)(b) and covering each location listed under paragraph 1(4)(f) ; and

(e) a summary of the organisation's staffing structure at each location listed under paragraph (3)(f) ; and

(f) a list of the type of Aeronautical Meteorological Service to be provided under the authority of the Aeronautical Meteorological Service provider approval ; and

(g) a summary of the scope of activities at each location where the organisation's personnel are based for the purpose of providing or maintaining the types of services listed under paragraph (3)(f) ; and

(h) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a service.

(i) the detailed procedures required regarding internal quality assurance and safety management system ;

(j) a contingency plan for implementation in the event of a disruption to services provided ; and

(k) a security programme that details protection for facilities and services ; and

(l) a summary of the communication capability of each facility associated with each location listed under paragraph (3)(g) ; and

(m) procedures to control, amend, and distribute documentation and retain records.

(4) The Authority may not grant an approval unless the Authority is satisfied the applicant's Manual of Operation complies with this Part.

**Personnel
Requirements.**

IS14.6.6.2.—(1) An applicant for the provision of Aeronautical Meteorological Service shall provide in its Operations Manual ;

(a) current unit organisational chart and written delegated responsibilities and position descriptions ;

(b) staffing-levels for operational positions ; and

(c) staffing numbers and qualifications of personnel at each office or station.

(2) An Aeronautical Meteorological Service provider shall, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it provide, in accordance with the standards set out in the Regulations, the aviation meteorological services covered by its approval.

(3) An Aeronautical Meteorological Service provider shall have, at all times, sufficient suitably qualified and trained personnel to enable it provide, in accordance with the standards set out in the Regulations, the aviation meteorological services covered by its approval.

(4) The Aeronautical Meteorological Service provider shall ensure that its personnel are in sufficient numbers and experience and have been given the appropriate authority to be able to discharge their allocated responsibilities.

(5) The Aeronautical Meteorological Service provider shall ensure that the qualifications of personnel providing aviation meteorological services are in accordance with World Meteorological Organisation requirements.

(6) An Aeronautical Meteorological Service provider shall arrange the work flow schedule of aviation meteorological personnel to provide sufficient rest time. A sample of the Aviation Meteorological service providers roster is to be included in the Manual of Operations.

(7) The Aeronautical Meteorological Service provider shall engage, employ or contract :

(a) At each meteorological office a senior person, to whom authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this section, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements :

(i) unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service within the unit ;

(ii) full rights of consultation with any such person(s) in respect of such compliance by him or her ;

(iii) powers to order cessation of any activity where such compliance is not effected ;

(iv) a duty to establish liaison mechanisms with the Authority with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Authority, and to facilitate liaison between the Authority and the unit concerned ;

(v) powers to report directly to the management of his or her organisation, on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in sub-paragraph (iv) ; and

(vi) Upon receipt of proficiency reports received from synoptic and forecast units, the responsible officer at the headquarters of the service provider shall undertake thorough evaluation with a view to correcting any deficiency revealed by the assessment report.

(b) At each meteorological office and station a person who is responsible for :

(i) quality control, and who shall have direct access to the person referred to in paragraph (7) a on matters affecting Aeronautical Meteorology ; and

(ii) preparation of proficiency reports on personnel within the stations for onward transmission to the management of the aviation meteorological service provider ;

(c) enough personnel to plan, provide and supervise the services listed in its approval as a service provider, in a safe and efficient manner.

IS14.6.6.3.—(1) It is the responsibility of the meteorological service provider to establish and maintain proficiency standards in service provision.

Qualification
and Training
of personnel
of an AMSP.

(2) The Aeronautical Meteorological Service provider shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel required to operate and maintain the unit concerned. This shall include copies of the relevant assessment forms.

(3) The training of aeronautical meteorological forecasters and observers shall be in compliance with the details set out in the Guidelines for the Education and Training of Personnel in Meteorology and Hydrology; Supplement No1-WMO-No. 258 (Training and Qualification Requirements for Aeronautical Meteorological Personnel).

(4) The Aeronautical Meteorological Service provider shall establish a training program for its technical staff and maintain proper accounts of the training undertaken for each staff member.

(5) An Aeronautical Meteorological Service provider shall ensure that practical training carried out by him or her or on his or her behalf complies with :

(a) the standards and requirements set out in the Manual of Standards ; and

(b) the provider's operations manual.

Collaboration
between
Aeronautical
Meteorological
Service
Provider and
Agency
providing Air
Traffic
Services.

IS14.6.6.4.—(1) An application for the provision of Aeronautical Meteorology services shall include the agreement between the applicant and an Air Traffic Services provider for the provision of Meteorological services. This shall include :

- (a) the provision in air traffic services units of displays related to integrated automatic systems ;
- (b) the calibration and maintenance of these displays/instruments ;
- (c) the use to be made of these displays/instruments by air traffic services personnel ;
- (d) as and where necessary, supplementary visual observations (for example, of meteorological phenomena of operational significance in the climb-out and approach areas) if and when made by air traffic services personnel to update or supplement the information supplied by the meteorological station ;
- (e) meteorological information obtained from aircraft taking off or landing (for example, on wind shear) ; and
- (f) if available, meteorological information obtained from ground weather radar.

Safety Audit
and
Inspection.

IS14.6.8.—IS14.6.8 (a) Meteorological observation and forecasting. The following aspects shall be examined :

- (1) Compliance with the Authority's Aeronautical Meteorological Services Manual of Standards to ensure that standard practices are maintained, that instruments and all their indicators are functioning correctly, and to check whether the exposure of the instruments has changed significantly ;
- (2) Quality of information regarding the accuracy, integrity, completeness, timeliness and reliability of the information disseminated ;
- (3) Training and competence checking ;
- (4) Quality assurance regarding the necessary systems and processes put in place to support all aspects of meteorological services provision ;
- (5) Contingency arrangements ; other causes may include civil unrests, industrial disputes, natural disasters, public health emergencies, military conflicts, or acts of unlawful interference with civil aviation ;
- (6) Safety assessment of any safety-related change to the system being operated by the aeronautical meteorological services provider ;
- (7) The dissemination of meteorological information between meteorological watch offices, aerodrome meteorological offices, air traffic services and other users of aeronautical meteorological services.

AERONAUTICAL TELECOMMUNICATIONS SERVICES

IS 14.7.4.1. (b) (i)—(1) An applicant for the provision of Aeronautical Telecommunications Services shall provide in its Manual of Operations :

Personnel
Requirements
and
Responsibilities
of Aerotel
Service
Provider.

(a) current unit organizational chart and written delegated responsibilities and position descriptions ;

(b) staffing-levels for operational positions ;

(c) designated instructors and ratings and proficiency assessment officers ;

(d) staffing numbers and qualifications at unit level.

(2) An Aeronautical Telecommunications Services provider shall, at all times, maintain an appropriate organisation with a sound and effective management structure to enable it provide, in accordance with the standards set out in the Regulations, the Aeronautical Telecommunication Services covered by its Approval.

(3) An Aeronautical Telecommunications Services provider shall have, at all times, enough suitably qualified and trained personnel to enable it provide, in accordance with the standards set out in the Regulations, the aeronautical telecommunications services covered by its Approval.

(4) The Aeronautical Telecommunications Services provider shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities.

(5) An Aeronautical Telecommunications Services provider shall arrange the work flow schedule of Aeronautical Telecommunications Services officers to provide duty rest periods. A copy of the Aeronautical Telecommunications Services providers fatigue management procedure is to be included in the Manual of Operations.

(6) An Aeronautical Telecommunications Services officer shall not exercise the privileges of his licence if he knows or suspects that he is suffering from or having regards to the circumstances of the period of duty to be undertaken is likely to suffer from such fatigue as may endanger the safety of any aircraft to which an aeronautical telecommunications control services is provided.

(7) A person shall not when exercising the privileges of an ATSEP licence be under the influence of alcohol or a drug to the extent as to impair his capacity to exercise such privileges.

(8) At the unit level the Aeronautical Telecommunications Services provider shall engage, employ or contract :

(a) a senior person to whom authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this section, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements.

(i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering services within the unit ;

(ii) full rights of consultation with any such person(s) in respect of such compliance by him or her ;

(iii) powers to order cessation of any activity where such compliance is not effected.

(iv) a duty to establish liaison mechanisms with the Authority with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Authority, and to facilitate liaison between the Authority and the unit concerned ; and

(v) powers to report directly to the management of his or her organisation, on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in sub-paragraph (iv) ;

(b) a person who is responsible for quality control, and who shall have direct access to the person referred to in paragraph (a) on matters affecting aviation safety ; and

(c) enough licensed personnel to plan, provide and supervise the services listed in its Approval as a services provider, in a safe and efficient manner.

Training and
Checking of
Aeronautical
Telecommu-
nications
Personnel.

IS 14.7.4 .1. (b) (ii)—(1) The Aeronautical Telecommunications Services provider shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel required to operate and maintain the equipment concerned.

Granting of Ratings and Endorsements

(2) An endorsement certifies that an ATSEP licence holder is competent to maintain a particular aeronautical telecommunications facility at a particular aerodrome, or in relation to particular airspace.

(3) The Authority may designate the Aeronautical Telecommunications Services provider authority to grant an endorsement to a person who :

(a) Is a senior technician within the Aeronautical Telecommunications Services organisation ;

(b) Has held a rating for five year for the position in which an endorsement is being sought ;

(c) Has been approved by the Authority to act in this capacity.

(4) A person approved by the Authority may grant an endorsement to a person who :

(a) is eligible to be granted an ATSEP licence with a rating ; and

(b) successfully completes the training required by the Manual of Standards for the grant of the endorsement.

(5) An Aeronautical Telecommunications Services provider shall set up and maintain a program to ensure that its employees who hold ATSEP licences maintain endorsements appropriate to their duties.

(6) That program shall be in accordance with any standards and requirements set out in the manual of standards for aeronautical telecommunications.

(7) The provider shall include details of the program, including necessary training and tests of competency, in its Manual of Operations.

Periods of Validity of Ratings and Endorsement

(8) Unless sooner cancelled, a rating on an ATSEP licence is valid for 36 months or until the licence is cancelled.

(9) Unless sooner cancelled, an endorsement on an ATSEP licence remains valid:

(a) for the period (no longer than 6 months) specified for an endorsement in the operations manual of the Aeronautical Telecommunications Services provider that granted it ; or

(b) if the licence is cancelled before that time ; or

(c) if the rating with which the endorsement is connected is cancelled before that time ; or

(d) until the licence holder ceases to be employed by that Aeronautical Telecommunications Services provider.

(10) For paragraph 3(9) (c), an endorsement is connected with a rating if the endorsement authorises the performance of the maintenance function of a facility for the holder of the rating.

(11) A rating or endorsement is not in force :

(a) during any period of suspension ; or

(b) during any period of suspension of the relevant licence.

Proficiency

(12) As part of the quality system, the holder of an Aeronautical Telecommunication Services provider Approval shall assess the Aeronautical Telecommunications Services personnel in his or her employment.

(13) A formal proficiency assessment shall be carried out before a validation certificate or a rating validation can be issued to assess whether the applicant has achieved the required level of competence.

(14) At each facility the Aeronautical Telecommunications Services provider is to nominate a person to establish and maintain unit proficiency standards ; specific senior officers are to be appointed and tasked by the person responsible for the services as proficiency assessment officers for each discipline; at units

where operational staff are multi-disciplined, the person responsible for the services shall appoint and task at least one proficiency assessment officer. Proficiency assessment officers may be appointed and tasked for each discipline although it is a multi-disciplined environment.

(15) At each major facility, the manager is to appoint and task an Aeronautical Telecommunications Services officer responsible for satellite units as the proficiency assessment officer.

(16) A person assessed as unsatisfactory may not be permitted to continue in the assessed discipline without supervision. If after a reasonable period a person is unable to pass the proficiency check, all details pertaining to the unsatisfactory assessment shall be assembled and sent to the Authority.

(17) Proficiency assessment officers shall prepare proficiency check rosters so that all operational staff are screened on a regular basis. Personnel shall be given advanced notice of a real time annual proficiency check so that adequate preparation, mentally and functionally, can be made.

(18) In addition, a formal assessment shall be carried out at least every 12 months to determine whether all operational personnel are maintaining the required level of competence in the positions for which a valid rating is held. Routine assessments should be conducted on an on-going basis during duty assignment.

(19) Personnel shall be assessed in key elements of the performance areas detailed on an assessment form.

(20) An assessment shall be made of both the quality of work and the level of knowledge of the elements assessed.

(21) The Manual of Operations shall also include the procedures for :

(a) Aeronautical Telecommunications Services personnel to undertake remedial training ; and

(b) updating Aeronautical Telecommunications Services personnel skills when introducing new equipment into services and updating communications,

(22) Proficiency and training records shall be maintained for all Aeronautical Telecommunications Services personnel.

Aeronautical Telecommunications Services provider's obligation to provide currency and recency training and assessment.

(23) An Aeronautical Telecommunications Services provider shall set up and maintain, in accordance with the Manual of Standards, programs for :

(a) continuing assessment of its employees' competency for the purposes of ensuring that they continue to satisfy the currency requirements in relation to ratings and endorsements ; and

(b) familiarisation, retraining and assessment of any of its employees who

at any time do not satisfy the currency or recency requirement in relation to an endorsement.

(24) The provider shall include details of the program, including necessary training and tests of competency, in its operations manual.

Ancillary Qualifications

(25) An ATSEP qualification certifies that the holder is competent to perform a particular ancillary function.

(26) The functions include the following :

(a) classroom instructor ;

(b) on-the-job instructor ;

(c) workplace assessor.

(27) Within the limits set out in the Manual of Standards, an Aeronautical Telecommunications Services provider may define, for the provider's organisation, the responsibilities of the holder of an ATSEP qualification mentioned in paragraph 3(26).

(28) Paragraph 3(26) does not prevent an Aeronautical Telecommunications Services provider defining an ancillary function for use within its own organisation.

(29) An Aeronautical Telecommunications Services provider shall set up and maintain a program to grant ATSEP qualifications to, and administer ATSEP qualifications held by, its employees.

(30) The provider shall include details of the program, including necessary training and tests of competency, in its operations manual.

(31) The program shall be in accordance with the standards and requirements set out in the Manual of Standards.

Conduct of Practical Training

(32) An Aeronautical Telecommunications Services provider shall ensure that practical training carried out by him or her or on his or her behalf, for the award of an ATSEP licence, rating, endorsement or ATSEP qualification, is carried out in accordance with :

(a) the standards and requirements set out in the Manual of Standards ; and

(b) the provider's Manual of Operations.

IS 14.7.4 .1. (b) (iii)—(1) An Aeronautical Telecommunications Services provider shall have, and put into effect, a safety management system that includes the policies, procedures, and practices necessary to provide the Aeronautical Telecommunication Services covered by its Approval safely.

Safety
Management
System.

(2) The provider shall keep under review its safety management system and take such corrective action as is necessary to ensure that it operates properly.

Safety reviews shall be conducted on a regular basis by qualified personnel.

(3) A safety assessment shall be undertaken for any safety related change.

(4) For assessment, the applicant shall include information on the procedures for the :

- (a) recording and investigation of incidents ;
- (b) recording and investigation of accidents ;
- (c) monitoring of equipment outages ;
- (d) assessment of elements critical to the services provision ; and
- (e) monitoring of Mean Time Between Failures (MTBF).

Contingency
Plan of
Aeronautical
Telecommu-
nications
Service
Provider.

IS 14.7.4.1. (b) (iv)—(1) An Aeronautical Telecommunications Services provider shall develop and maintain Contingency Plans for implementation in the event of disruption, or potential disruption, of Aeronautical Telecommunication Services and related supporting services for the facilities it maintains. The disruption may be caused intentionally (sabotage) or unintentionally (equipment failure).

(2) The plan shall include :

(a) the actions to be taken by the members of the provider's personnel responsible for providing the services ; and

(b) possible alternative arrangements for providing the services ; and

(c) the arrangements for resuming normal operations for the services.

(3) These plans shall be submitted as part of the Manual of Operations.

Security Plan
of
Aeronautical
Telecommu-
nications
Service
Provider.

IS 14.7.4.1. (b) (v) The applicant shall provide a plan that details what measures, both physical and procedural that they intend to protect facilities used for air navigation. This should include a security assessment of the facilities maintained by the applicant.

Standard
Operation
Procedure
Manual
(SOP)

IS 14.7.4.1. (i)—(1) The holder of an Aeronautical Telecommunication Services provider Approval shall provide each Aeronautical Telecommunication Services unit listed in its Manual of Operations, a local Aeronautical Telecommunications instructions manual which sets out the procedures for the operation of the Aeronautical Telecommunication Services unit concerned.

(2) The local Aeronautical Telecommunications Instructions Manual shall not be seen in isolation but rather as the document necessary to provide the interface between peculiarities of a particular unit and the various source documents, and does not relieve Aeronautical Telecommunication Services personnel from the responsibility of being familiar with and the application of procedures laid down in the following documents :

- (a) Aeronautical Information Publication, AIP supplements, AIC and NOTAM ;
- (b) Nigerian Aviation Act, 2006 ;
- (c) Civil Aviation Regulations, 2006 ;

(d) Manual of Standards approved, authorised, published and amended by the Authority ; and

(e) Relevant documents, manuals and annexes published by ICAO.

Contents of Standard Operation Procedure Manual

(3) Standard Operation Procedure Manual shall contain the following :

(a) detailed unit operational procedures and requirements ;

(b) detailed unit administrative requirements, including the responsibilities of each operating position ;

(c) amplification and/or explanation of provisions of the national requirements, where necessary ;

(d) coordination procedures between internal and external agencies (and when this is to occur-(change in status of facilities or navigation aids) ;

(e) contingency arrangements in the event of a communications, navigation aids, facility failure (including runway/taxiway closure) ;

(f) letters of Agreement with other agencies adjacent to the unit for the transfer of responsibility of control.

External Data Sources

(4) An Aeronautical Telecommunication Services provider shall consider the availability and reliability of external data sources required to provide an Aeronautical Telecommunication Services. The Aeronautical Telecommunication Services provider shall include the provider, the data source and means of receipt, display and integrity of the following information :

(a) AIS ;

(b) AFTN ;

(c) Flight testing ;

(d) Meteorological information ;

(e) Meteorological warnings ;

(f) Voice coordination with ATS providers ;

(g) Information on Aerodrome conditions and the operational status of facilities and navigation aids ; and

(h) Aerodrome works and administration coordination.

Output Data

(5) The Aeronautical Telecommunications Services provider should provide a description of the arrangements made or proposed to be made by the applicant to ensure that it can, and will continue to be able to provide the information in relation to its Aeronautical Telecommunications Services to other organisations whose functions reasonably require that information (e.g. ATS units and centres, Aerodrome Operators).

(6) Data recipients may include :

- (a) AIS ;
- (b) ATS providers ;
- (c) Aerodrome administration ;
- (d) ARFFS ;
- (e) Aeronautical Meteorology services provider ;
- (f) Military ; and
- (g) Other Government Agencies.

Amendments

(7) Amendments to the SOP should be recorded in the document itself and brought to the attention of all concerned.

(8) Aeronautical Telecommunications officers are required to indicate, in the appropriate manner, that an amendment has been noted.

(9) Any amendments by hand shall be accompanied by the authorised person's signature and date.

(10) Authorized person means any Aeronautical Telecommunications officer authorised by his or her manager to make the relevant amendment by hand. Notice of these amendments shall be transmitted to the head office responsible for the relevant services for ratification.

- (a) Military ;
- (b) The Aeronautical Telecommunications Provider ; and
- (c) Other Government Agencies.

IS 14.7.10.1. Application for Approval, Amendment or renewal as an Aeronautical Telecommunications Service Provider

(1) On application for, and renewal to operate as an Aeronautical Telecommunications Services provider, the applicant shall submit sufficient information to the Nigerian Civil Aviation Authority so that the Authority can assess the suitability of the applicant.

(2) The NCAA has determined that the information required should be included in the applicant's Manual of Operations.

(3) To assist applicants the following is a guideline to ensure that applicants include the information required.

(4) An applicant for an Approval shall provide the Authority with a Manual of Operations containing :

(a) a statement signed by the accountable officer, on behalf of the applicant's organisation confirming that :

(i) the Manual of Operations defines the organisation and demonstrates its means and methods for ensuring ongoing compliance with the Regulation ; and

(ii) the Manual of Operations and Manual of Standards and appropriate operational documentation, shall be complied with by the organization's personnel at all times ; and

(b) the titles and names of the senior person or persons ; and

(c) the duties and responsibilities of the senior person or persons in paragraph including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation ; and

(d) an organisation chart showing lines of responsibility of the senior persons in paragraph 1 (4), 1 (4) (b) and covering each location listed under paragraph 1(4),1(4) (f) ; and

(e) a summary of the organization's staffing structure at each location listed under paragraph 1(4), 1(4)(f) ; and

(f) a list of each Aeronautical Telecommunications facility and associated equipment to be operated under the authority of the Aeronautical Telecommunications Services provider Approval ; and

(g) a summary of the scope of activities at each location where the organisation's personnel are based for the purpose of providing or maintaining the types of facilities listed under paragraph 1(4), 1(4)(f) ; and

(h) procedures and a plan to undertake checking and training of staff in the positions for which they will provide a services.

(i) the detailed procedures required regarding internal quality assurance and safety management system ; and

(j) a contingency plan for implementation in the event of a disruption to services provided ;

(k) a security programme that details protection for facilities and services ; and

(l) procedures to control, amend and distribute documentation and retain records.

(5) The Authority may not grant an Approval unless the Authority is satisfied that the applicant's Manual of Operations complies with this Part.

(6) Where the Aeronautical Telecommunications services provider is proposing to use facilities owned by an aerodrome operator, such as on-aerodrome navigation aids or facilities in a control tower owned by an aerodrome then the services provider shall demonstrate that there is an agreement with the owner such as memorandum of understanding.

The Authority to carry out an aeronautical telecommunications services function.

(7) A person may carry out an Aeronautical Telecommunications Services function in Nigeria if, at the time the person carried out the function :

(a) the Personnel holds an Air Traffic Safety Electronics Personnel (ATSEP) licence with a rating for the function and an endorsement for the equipment where, or, he or she carries it out ; and

(b) the licence, rating and endorsement are in force ; and

(c) he or she :

(i) Satisfies the recency and currency requirements in relation to the endorsement ; and

(ii) satisfies the currency requirement in relation to the rating.

(8) A person may carry out an Aeronautical Telecommunications Services functions in Nigeria under the supervision of a person who meets the requirements of paragraph 1 (6).

(9) A person who may carry out an Aeronautical Telecommunications Services function in Nigeria under supervision is a person who the Authority has authorised in writing to carry out the relevant services function and is ;

(a) a person who ;

(i) who holds an ATSEP licence with a rating for the function and an endorsement for the maintenance of equipment he or she carries out ; but at the relevant time, in relation to the rating or endorsement, does not satisfy the recency or currency requirement ;

(b) a person who :

(i) holds an ATSEP licence ; and

(ii) carries out the function in the course of training for a rating or endorsement (whether or not the person holds a rating or endorsement at the time) ;

(c) a person (other than a person who held an ATSEP that has been cancelled) who :

(i) has completed an approved course of training in the theory of Aeronautical Telecommunication Services ; and

(ii) carries out the function in the course of undergoing practical training for an ATSEP licence.

Rules applicable when a person performs an Aeronautical Telecommunications Services function under supervision

(10) If a person defined in paragraph 1(6) 1(8) (the trainee) is carrying out an Aeronautical Telecommunications Services function under supervision of a person who meets the requirement of section 1(6) (the supervisor) ; the trainee shall comply with the supervisor's directions.

(11) Any failure by the supervisor to supervise the trainee adequately is an offence, and shall be taken into account in considering whether the supervisor's ATSEP licence should be suspended or cancelled.

Carrying out Aeronautical Telecommunications Services Function without the Authority

(12) A person who is not authorised to do so by section 1(6) of 1(8) shall not carry out an Aeronautical Telecommunications Services function in Nigeria.

(13) A person to whom subsection 1(8) applies shall not carry out an Aeronautical Telecommunications Services function in Nigeria if the person is not acting under the supervision of a person who meets the requirements of section 1(6).

(14) It is an offence to a charge of contravening section 1(11) or 1(12) that the relevant action was, in the circumstances, reasonable in the interests of the safety of air navigation.

Provision of Aeronautical Telecommunications Services

(15) The Aeronautical Telecommunications Services provider shall provide Aeronautical Telecommunications Services in accordance with the Manual of Standards, approved, authorised, published and amended by the Authority.

(16) The Aeronautical Telecommunications Services provider may deviate from the standards if an emergency, or other circumstances, arises that makes the deviation necessary in the interest of safety.

(17) As soon as practicable, the provider shall report, the deviation to the Authority, stating how the deviation is expected to last.

(18) An Aeronautical Telecommunications Services provider shall ensure that the Aeronautical Telecommunications Services it provides are provided in accordance with the radiotelephony procedures and the procedures for Aeronautical Telecommunications set out in these Regulations.

(19) An Aeronautical Telecommunications Services provider shall ensure that any Aeronautical Telecommunications Services that it provides is provided in accordance with its Manual of Operations.

Application of Human Factors Principles

(20) The applicant shall demonstrate that human factors principles are considered when assessing the appropriateness of equipment, systems, software, facilities, procedures, jobs, environments, training, staffing, and personnel management to produce safe, comfortable and effective human performance.

IS 14.7.30.1.—(1) An Aeronautical Telecommunications Services provider shall, at all times, make available for the use by its personnel, the repair and equipment testing materials necessary for providing Aeronautical Telecommunications Services covered by its Approval.

Facilities,
Equipment
and
Maintenance
Tools.

(2) The Aeronautical Telecommunications Services provider shall include in their Manual of Operations a list of facilities, and the repair and equipment testing materials required to maintain the equipment within tolerance levels, that will be maintained by the Aeronautical Telecommunications Services provider.

(3) The equipment shall meet with the requirements specified in ICAO Annex 10 and Nigerian CARs Part 14 section 7.

(4) All persons involved with the provision of maintenance shall be fully conversant with current ICAO standards and recommended practices, documents, instructions, directives and relevant information.

Authorized
Personnel to
Approve
Return to
Service.

IS. 14.7.26 .1.—(a) The management (Chief Executive Officer) of ANS provider shall approve the return to service of an Aeronautical Telecommunication facility.

(b) An ATSEP personnel licensed by the Authority may approve return to services, of an Aeronautical Telecommunications facility after performing maintenance as delegated by the Chief Executive Officer

Existing Facilities

(6) The Aeronautical Telecommunications Services provider shall, for each location for which a service is provided, indicate from the list below a list of facilities and equipment. An indication shall be provided on the quality of the facilities and equipment.

(7) All equipment used in the provision of Aeronautical Telecommunications Services, including navigation and approach services shall perform and be maintained in accordance with the standards and recommended practices as contained in ICAO Annex 10, Volumes I, II, III, IV and V, as well as ICAO Document 8071.

GENERAL

Item

The means to monitor the emergency frequency 121.5 MHz independent of mains and standby radio equipment emergency lighting

ILS

NDB

VOR

VDF

DVOR

DME

Locator Beacon

RADAR

Satellite Communications

VHF Communications

UHF Communications

HF Communications

Hotline

GSM

Hand held receivers

Ground based monitoring system

Lightening protection
 Fire alarm
 A briefing room.
 Equipment repair space
 Technical equipment storage
 Toilet facilities
 Running water
 Entry control
 Any other items

Procurement of Aeronautical Telecommunications and Radio Navigation Equipment/ General CNS Facilities

(8) Aeronautical Telecommunications Services providers shall :

- (a) ensure to avoid the proliferation of equipment and systems ;
 - (b) ease systems maintenance and spares sourcing ;
 - (c) conduct quality assessment of equipment and systems prior to purchase ;
- and
- (d) maintain uniform operational characteristics and standardization.

(9) The Aeronautical Telecommunications Services provider shall inform the NCAA by writing prior to the purchase of any Aeronautical Telecommunications facilities.

(10) The Authority's Inspector shall observe the installation and radiation tests of the facilities and commissioning tests before they are finally put into operation.

IS. 14.7.25.—(11) Flight tests are required to inspect signals in space as received at the aircraft after being influenced by external factors such as site conditions, ground conductivity, terrain irregularities, metallic structures, propagation effects, etc.

Flight
 Inspection
 and
 Calibration.

(12) The Aeronautical Telecommunications Services provider shall ensure that flight testing is used for :

- (a) site proving ;
- (b) commissioning ;
- (c) periodic inspections (these should occur at least once a year) ; and
- (d) special inspections, for example after an aircraft accident.

Facility Operation and Maintenance Plan

(13) The Aeronautical Telecommunications Services provider shall provide :

- (a) A description of the maintenance scheduling system ;
- (b) The interval between scheduled maintenance and/or routine performance inspections and the basis of the establishment of that time interval ;

(c) The operation and maintenance instructions for each facility ;

(d) Details of planned facility flight inspections. This shall include details of the standards and procedures to be used for flight inspections, the scheduled time between flight inspections, and the identity of the flight inspection organisation that will be contracted to carry out the flight inspections ;

If repair work is to be undertaken by a third party organisation, then the identity of the repair organisation should be included.

PART 15 - SAFE TRANSPORT OF DANGEROUS GOODS BY AIR

INTRODUCTION

Part 15 incorporates the principles, Standard and Recommended Practices (SARPs) governing the safe transport of dangerous goods by air as contained in Annex 18 to the Chicago Convention and ICAO Technical Instructions for Safe Transport of Dangerous Goods by Air (Doc. 9284).

The Part sets out the policies and procedures for the required level of safety for transportation of dangerous goods by air.

PART 15—CARRIAGE OF DANGEROUS GOODS BY AIR**CARRIAGE OF DANGEROUS GOODS BY AIR****ARRANGEMENT OF REGULATIONS**

- 15.1. Definitions.
- 15.2. General Provisions.
- 15.3. Conveyance of dangerous goods forbidden.
- 15.4. Exemption.
- 15.5. Classification, division and listing of dangerous goods.
- 15.6. Designated body or institution.
- 15.7. Designation of dangerous goods inspectors.
- 15.8. Powers of dangerous goods inspectors.
- 15.9. Training.
- 15.10. Validation of foreign certificates.
- 15.11. Packing and packaging.
- 15.12. Responsibility of shipper.
- 15.13. Labeling and marking.
- 15.14. Dangerous goods transport document.
- 15.15. Acceptance procedures.
- 15.16. Information to be provided.
- 15.17. Inspection for damage or leakage by operator.
- 15.18. Storage and loading.
- 15.19. Loading restrictions in cabin or on flight deck.
- 15.20. Separation and Segregation.
- 15.21. Securing of dangerous goods.
- 15.22. Loading in cargo aircraft.
- 15.23. Dangerous goods accident and incident reporting.
- 15.24. Dangerous goods accident and incident investigation.
- 15.25. Dangerous goods accident and incident information.
- 15.26. Notification of undeclared or misdeclared dangerous goods.
- 15.27. Retention of documents.
- 15.28. Dangerous goods carried by passengers or flight crew members.
- 15.29. Information to Passengers.

S. I. 45 of 2012

PART 15—CARRIAGE OF DANGEROUS GOODS BY AIR

This Part prescribes :

Applicability.

(i) the safe transport of dangerous goods for both domestic and international operations by airline operators ; and

(ii) rules for packaging, accepting, handling, storing, loading, processing of cargo, mail and baggage.

15.1. When the following terms are used in these Regulations, they have the following meanings :

Definitions.

"Consignment"— One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address ;

"Dangerous Goods"— Articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions ;

"Dangerous Goods Accident"—An occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property damage ;

"Dangerous Goods Incident"—An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants is also deemed to constitute a dangerous goods incident ;

"Dangerous Goods Security" means measures or precautions to be taken by operators, shippers and others involved in the transport of dangerous goods aboard aircraft to minimize theft or misuse of dangerous goods that may endanger persons or property ;

"Freight Forwarder"—A person or organisation who offers the service of arranging the transport of cargo by air ;

"Elevated Temperature Substance"—A substance which is transported or offered for transport :

(a) in the liquid state at a temperature of 100°C or above ;

(b) in the liquid state with a flashpoint above 60.5°C and which is intentionally heated to a temperature above its flashpoint or in a solid state and at a temperature of 240°C or above ;

"Solid Desensitized"—Explosives are explosive substances which are wetted with water or alcohols or are diluted with other substances to form a homogeneous solid mixture to suppress their explosive properties ;

"Underclared or Misdeclared Dangerous Goods"—Dangerous goods discovered in cargo which are not accompanied by a dangerous goods transport document ;

"Dangerous Goods Security Exception"—A provision in this Regulation which excludes a specific item of dangerous goods from the requirements normally applicable to that item ;

"Exemption"—An authorization issued by an appropriate national authority providing relief from the provisions of this Regulation ;

"Freight Forwarder Incompatible"—Describing dangerous goods which, if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance ;

"Overpack"—An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage ;

"Package"—The complete product of the packing operation consisting of the packaging and its contents prepared for transport ;

"Packaging"—Receptacles and any other components or materials necessary for the receptacle to perform its containment function ;

"Serious Injury"—An injury which is sustained by a person in an accident and which :

(a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received ; or

(b) results in a fracture of any bone (except simple fractures of fingers, toes or nose) ; or

(c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage ; or

(d) involves injury to any internal organ ; or

(e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface ; or

(f) involves verified exposure to infectious substances or injurious radiation.

"UN Number"—The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances ;

"Unit Load Device"—Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

15.2.1. The general provisions of these Regulations shall apply to—

(a) any aircraft used for the conveyance of dangerous goods ;

(b) any person who—

(i) offers dangerous goods for conveyance by air ;

(ii) conveys dangerous goods by air ; or

- (iii) accepts dangerous goods conveyed by air ; and
- (c) any passenger or flight crew member on board or to be taken on board an aircraft.
- (d) all international operations of civil aircraft

15.2.2. These Regulations shall not apply in respect of :

- (a) dangerous goods carried in an aircraft where such goods are intended.
 - (i) to provide medical aid to a patient during a flight ;
 - (ii) to provide veterinary aid or a humane killer for an animal during a flight ;
 - (iii) for spraying, dusting or dropping in connection with agricultural, horticultural, forestry or pollution control operations ; or
 - (iv) for purposes of game and livestock management during a flight ;
- (b) articles and substances which would otherwise constitute dangerous goods but which are required to be on board the aircraft in accordance with the appropriate airworthiness requirements and the provisions of the operations manual concerned provided the articles and substances intended as replacements for such articles and substances, shall be conveyed in accordance with the requirements and standards prescribed in ICAO Doc. 9284 —Dangerous Goods Manual.
- (c) articles and substances which would otherwise constitute dangerous goods but which are on board the aircraft for the specialised purposes as prescribed in ICAO Doc. 9284 ; and
- (d) articles and substances intended for the personal use of passengers and flight crew members to the extent as prescribed in ICAO Doc. 9284.

15.3. No person shall offer, convey or accept in an aircraft :

- (a) the dangerous goods specifically identified by name or by generic description in ICAO Doc. 9284 and these Regulations, as being forbidden for conveyance by air under any circumstances ;
- (b) the dangerous goods identified in ICAO Doc. 9284 and these Regulations as being forbidden for conveyance by air under normal circumstances ;
- (c) any other dangerous goods, unless in accordance with the provisions of the Civil Aviation Regulations and the requirements and standards prescribed in ICAO Doc. 9284 and these Regulations ; and
- (d) infected live animals.

Conveyance
of Dangerous
Goods
forbidden.

15.4.1. The Authority may, upon application in writing by any person referred to in Section (2) (1) (b) of these Regulations, exempt such person from the provisions of Section 3 of these Regulations, in the case of :

Exemption.

- (a) extreme urgency ;
- (b) other forms of conveyance being inappropriate ; or

(c) full compliance with the provisions of these Regulations being contrary to aviation safety.

15.4.2. The Authority may grant an exemption referred to in sub-section(1), under such conditions and for such period which the Authority may determine, but only after the applicant has made every effort to achieve the overall level of safety required by the Civil Aviation Act, these Regulations and ICAO Doc. 9284.

Classification,
Division and
listing of
Dangerous
Goods.

15.5. The classes, divisions and listing of dangerous goods shall be as prescribed in these Regulations and ICAO Doc. 9284.

Designated
Body of
Institution.

15.6. The Authority shall :

(a) promote the safe conveyance of dangerous goods by air ; and

(b) co-operate with the Accident Investigation Bureau (AIB) on any matter connected with the safe conveyance of dangerous goods by air.

Designation
of dangerous
Goods
Inspectors.

15.7.1. The Authority shall designate dangerous goods inspectors to exercise the powers referred to in Section 8.

15.7.2. The conditions and requirements for, and the rules, procedures and standards connected with designation referred to paragraph (1), shall be as prescribed in ICAO Doc. 9284 and these Regulations.

15.7.3. The Authority shall sign and issue to each designated dangerous goods inspector a document which shall state the full name of such inspector and contain a statement indicating that :

(a) such inspector has been designated in terms of paragraph (1) ; and

(b) such inspector is authorised to exercise the powers referred to in the Section 8.

15.8.1. A designated dangerous goods inspector may :

(a) enter and inspect any :

(i) aerodrome or hangar ;

(ii) premises where goods intended for conveyance by air are made, produced, manufactured, where goods or baggage intended for conveyance by air are packed, held or received or where goods or baggage are received after being conveyed by air ; and

(iii) aircraft, vehicle, freight container or unit load device used for the conveyance of dangerous goods, in order to ensure compliance with the provisions of the Civil Aviation Act and these Regulations ; and

(b) request any person to produce or furnish him or her with all documents and information relating to dangerous goods or baggage in so far as this may be necessary for the proper execution of his or her functions.

Powers of
Designated
Dangerous
Goods

15.8.2. A designated dangerous goods inspector who on reasonable grounds suspects that any baggage, consignment, freight container or unit load device contains goods which may not, in terms of the provisions of the Civil Aviation Act and these Regulations, be conveyed by air, or goods which constitute a danger or potential danger to persons, aircraft or any other property, may inspect such baggage, consignment, freight container or unit load device and, if he or she deems it necessary in the interest of aviation safety, order that such goods be detained and not be loaded in an aircraft.

15.8.3. A designated dangerous goods inspector may at any time :

(a) search :

(i) any baggage, consignment, freight container or unit load device presented or accepted for conveyance by air ;

(ii) any baggage, consignment, freight container or unit load device received after being conveyed by air ; and

(iii) any person who has disembarked from an aircraft or who intends to board an aircraft, or the baggage or personal possessions of such person, in order to ascertain whether dangerous goods have been or are to be conveyed by air, and a search referred to in sub-paragraph (i) shall be conducted with strict regard to decency and order and a person shall be searched only by a person of the same gender ;

(b) satisfy himself or herself that the mass, quantity or composition of any :

(i) goods or baggage offered or presented for conveyance in any consignment ;

(ii) passengers' baggage ;

(iii) freight container or unit load device ;

(iv) stores conveyed by the owner of an aircraft, or his or her agent ; and

(v) goods or baggage on board an aircraft, comply with the requirements and standards as prescribed in ICAO Doc. 9284 ;

(c) satisfy himself or herself that the requirements and standards as prescribed in ICAO Doc. 9284 are complied with regarding the separation of the classes of dangerous goods in storage areas, unit load devices, vehicles and aircraft ;

(d) require goods to be removed from an aircraft if the requirements and standards referred to in paragraphs (b) and (c) are not complied with ;

(e) request any person to produce or cause to be produced for inspection any document relating to a consignment intended for conveyance by air or which has been conveyed by air, or any other document specified in ICAO Doc. 9284 ;

(f) question any person handling dangerous goods in order to ascertain whether that person complies with the provisions of the Civil Aviation Act and these Regulations and the requirements and standards as prescribed in ICAO Doc. 9284 relating to the handling of such dangerous goods ; and

(g) disallow the transport by air of any dangerous goods which, in his or her opinion, are not in a good condition, or the storage or use of which he or she deems to be dangerous. No claim shall lie against such inspector or the Authority for any loss in connection with the disallowance of carriage.

Training.

15.9.1. Any person(s), aircraft operator, agency and organization involved in the transport of dangerous goods by air shall establish and update a training programme as provided for in the Technical Instructions.

The appropriate authority shall notify ICAO of any state variations (where applicable) for publication in the ICAO Technical Instructions.

Specify and designate to ICAO an appropriate authority responsible for compliance with ICAO Annex 18.

Classes and divisions no states.

(a) shipper of dangerous goods, including a packer and shipper's agent ;

(b) operator ; or

(c) person :

(i) who performs the act of accepting, handling, loading, unloading, transferring or other processing of cargo, on behalf of an operator ;

(ii) located at an aerodrome, who performs the act of processing passengers on behalf of an operator ;

(iii) not located at an aerodrome, who performs the act of checking in passengers on behalf of an operator ;

(iv) other than an operator, involved in processing cargo ; or

(v) engaged in the security screening of passengers and their baggage, shall ensure that the following categories of personnel in his or her employment, successfully complete initial dangerous goods training and refresher dangerous goods training :

(aa) Cargo personnel ;

(bb) personnel engaged in the ground handling, storage and loading of dangerous goods ;

(cc) passenger handling personnel ;

(dd) security personnel who deal with the screening of passengers and their baggage ;

(ee) flight crew members ;

(ff) packers ;

(gg) shippers ; and

(hh) shipper's agents.

15.9.2. Training as required by these Regulations shall only be provided by a dangerous goods training organisation approved by the Authority.

15.9.3. The subject matter of dangerous goods training and refresher programme shall be as prescribed in ICAO Doc. 9284.

15.9.4 Any person, employee or agency, referred to in paragraph (1) shall complete refresher dangerous goods training every 24 months, calculated from the date of the successful completion of the initial dangerous goods training or the preceding refresher dangerous goods training, as the case may be.

15.9.5 Upon the successful completion of the initial dangerous goods training or the refresher dangerous goods training referred to in paragraph (3), the dangerous goods training organisation concerned shall issue to the candidate a certificate in the handling of dangerous goods to be conveyed by air.

15.10.1. The Authority may validate any foreign certificate issued in the handling of dangerous goods to be conveyed by air, if the holder of the certificate—

Validation of
Foreign
Certificates.

(a) has obtained such certificate from an approved foreign training organisation ; and

(b) has successfully completed the refresher dangerous goods training referred to in section 9 (3).

15.10.2. The provisions of Section (9) (4) and (5) shall apply equally to the holder of a certificate referred to in paragraph (1).

15.11.1. A shipper shall ensure that all dangerous goods which the shipper prepares or offers for conveyance by air, are packed in accordance with the provisions of these Regulations and the requirements and standards as prescribed in ICAO Doc. 9284.

Packing and
Packaging.

15.11.2. A shipper shall ensure that any packaging used for the conveyance of dangerous goods by air shall :

(a) comply with the material and construction specifications of, and be tested initially in accordance with the requirements and standards as prescribed in ICAO Doc. 9284 ; and

(b) be of good quality and constructed and securely closed so as to prevent leakage caused by changes in temperature, humidity, pressure or vibration under normal conditions of conveyance by air.

15.11.3. A shipper shall ensure that inner packaging is packed, secured or cushioned to prevent its breakage or leakage and to control its movement within the outer packaging during normal conditions of conveyance by air.

15.11.4. A shipper shall ensure that packaging in direct contact with dangerous goods is resistant to any chemical or other action of such goods and cushioning, and that absorbent materials do not react dangerously with the contents of the receptacles.

15.11.5. A shipper shall ensure that packaging for which retention of a liquid is a basic function, is capable of withstanding, without leaking, the pressure as prescribed in ICAO Doc. 9284.

15.11.6. No receptacle used for the conveyance of dangerous goods by air shall be re-used by the shipper until such receptacle has been inspected by such shipper and found free from corrosion or other damage.

15.11.7. If a receptacle, used for the conveyance of dangerous goods by air, is re-used by the shipper, all necessary measures shall be taken by the shipper to prevent contamination of subsequent dangerous goods conveyed therein.

15.11.8. If, because of the nature of their former contents, uncleaned empty receptacles may present a hazard, the shipper shall ensure that such receptacles are tightly closed and treated according to the hazard that they constitute.

15.11.9. A shipper shall ensure that no harmful quantity of any dangerous substance adhere to the outside of a package.

Responsibility
of Shipper.

15.12.1. A shipper shall ensure that dangerous goods offered for conveyance by air, are not dangerous goods identified as prohibited from conveyance by air in line with Section 3 and are :

(a) identified, classified, packed, marked and labeled ; and

(b) accompanied by a properly executed dangerous goods transport document, in accordance with the provisions of these Regulations and the requirements and standards as prescribed in ICAO Doc. 9284.

15.12.2. A shipper shall ensure that any person employed by him or her or any person employed to act on his or her behalf, who is involved in the preparation of a consignment of dangerous goods to be conveyed by air, is trained in accordance with the provisions of Section 9.

Labeling and
Marking.

15.13.1. Any person who offers any package containing dangerous goods for conveyance by air, shall ensure that such package is labeled with the appropriate label or labels in accordance with the requirements and standards as prescribed in ICAO Doc. 9284.

15.13.2. Any person who offers any package containing dangerous goods for conveyance by air, shall ensure that such package is marked with the proper shipping name, UN shipping number, class of hazard, subsidiary risk, packing group, packing instruction and any authorisation reference of the contents of the package in accordance with the requirements and standards as prescribed in ICAO Doc. 9284.

15.13.3. (a) Any person who offers any package containing dangerous goods for conveyance by air, shall ensure that each packaging which is manufactured in accordance with a packaging specification as prescribed in ICAO Doc. 9284, is marked with the appropriate packaging specification marking as prescribed in ICAO Doc. 9284.

(b) No packaging shall be marked with a packaging specification marking unless such packaging complies with the appropriate packaging specification as prescribed in ICAO Doc. 9284.

Dangerous
Goods
Transport
Document.

15.14.1. Any person who offers dangerous goods for conveyance by air, shall, unless otherwise provided for in ICAO Doc. 9284, complete, sign, and provide the operator with a dangerous goods transport document and such other appropriate documents.

15.14.2. A dangerous goods transport document shall contain the information as prescribed in ICAO Doc. 9284 as well as a declaration, signed by the person referred to in paragraph (1), indicating that the dangerous goods offered for conveyance by air are :

- (a) fully and accurately described by their proper shipping names ;
- (b) identified, classified, packed, marked and labeled in accordance with the requirements and standards as prescribed in ICAO Doc. 9284 ;
- (c) in proper condition for conveyance by air in accordance with the requirements and standards as prescribed in ICAO Doc. 9284 ; and
- (d) not dangerous goods identified as prohibited from conveyance by air in line with Section 3.

15.15.1. The operator of an aircraft in which dangerous goods are to be conveyed, shall not accept such dangerous goods for conveyance by air :

Acceptance
Procedures.

(a) unless the dangerous goods are accompanied by a completed dangerous goods transport document, except where ICAO Doc. 9284 provides that such document is not required ; and

(b) until such operator has inspected the exterior of the package, overpack or freight container containing the dangerous goods in accordance with the acceptance procedures as prescribed in ICAO Doc. 9284.

15.15.2. The operator referred to in paragraph (1) shall develop and use an acceptance checklist to ensure that the provisions of paragraph (1) regarding the acceptance of dangerous goods for conveyance by air are complied with.

15.15.3. The acceptance checklist referred to in paragraph (2), shall comply with the requirements as prescribed in ICAO Doc. 9284.

15.16.1. The operator of an aircraft in which dangerous goods are to be conveyed shall provide the pilot-in-command, as soon as practicable before departure of the aircraft, with the written information as prescribed in ICAO Doc. 9284.

Information
to be
provided.

15.16.2. The operator of an aircraft shall provide information in its operations manual as will enable the flight crew to carry out its responsibilities with regards to dangerous goods transport and shall also provide instruction as to action to be taken in event of dangerous goods emergencies.

Operators, shippers or other organizations involved in the transport of dangerous goods by air shall provide information to their personnel as will enable them to carry out their responsibilities with regard to dangerous goods transport and shall also provide instruction as to action to be taken in event of dangerous goods emergencies.

In event of an in-flight emergency occurring, the pilot in Command shall, as soon as situation permits, inform the appropriate air traffic unit, for the information of aerodrome authorities, of any dangerous goods on board the aircrafts, as provided for in the Technical Instructions.

In the event of aircraft accident or serious incident where dangerous goods carried as cargo are involved, the aircraft operator carrying dangerous goods as cargo shall provide information, without delay, to emergency services responding to the accident or serious incident about the dangerous goods on board, as shown on the written information to the pilot in command. The aircraft operator shall, as soon as possible, also provide information to the appropriate authorities of the state of operator and the state in which the dangerous goods accident or serious incident occurred.

In the event of an aircraft incident, an aircraft operator carrying dangerous goods as cargo shall, if requested to do so, provide information without delay to emergency services responding to the incident and to the appropriate authority of the state in which the incident occurred, as shown on the written information to the Pilot in Command.

Nigeria through its appropriate authority would consider participating in cooperative efforts with other states concerning violations of dangerous goods regulations with the aim of eliminating such violations through coordination of investigations and enforcement actions, joint inspections and other liaisons, exchange of technical staff, and joint meetings and conferences.

Security measures for dangerous goods, such as applicable to shippers, operators and other individuals engaged in the transport of dangerous goods by air to be taken to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment shall be established and commensurate with provisions in the Technical Instructions.

15.17.1. The operator of an aircraft in which dangerous goods are to be conveyed, shall inspect the exterior of each package and overpack containing dangerous goods and each freight container or package containing radioactive materials to ensure that there is no damage to or leakage from such package, overpack and freight container, before loading such package, overpack and container in the aircraft or into a unit load device.

15.17.2. The operator referred to in paragraph (1) shall inspect a unit load device before loading such device in the aircraft to ensure that there is no damage to or leakage from any dangerous goods contained therein.

15.17.3. No damaged or leaking package, overpack, freight container or unit load device shall be loaded in an aircraft.

15.17.4. If any package, overpack or freight container containing dangerous goods appears to be damaged or leaking after loading such package, overpack or freight container in an aircraft, the operator shall remove or arrange for the removal of such package, overpack or freight container from the aircraft and shall ensure that the remainder of the consignment is in a proper condition for conveyance by air and that no other package, overpack or freight container has been contaminated.

15.17.5. Each package or overpack containing dangerous goods, or a freight container or package containing radioactive materials, shall be inspected by the operator

Inspection
for damage
or leakage by
operator.

for signs of damage or leakage upon unloading such package, overpack or freight container from the aircraft or unit load device, and if damage or leakage has occurred, the area where such package, overpack, freight container or unit load device were stowed in the aircraft, shall be inspected for damage or contamination.

15.17.6. If a package, overpack or freight container containing radioactive materials is found to be damaged or leaking, the operator shall :

(a) take all necessary precautions to restrict access to such package, overpack or freight container containing radio-active materials ; and

(b) designate a qualified person to assess the extent of the contamination and the radiation level.

15.17.7. If any hazardous contamination is found in an aircraft as a result of damage to or leakage from a package or overpack containing dangerous goods, the operator shall de-contaminate the aircraft immediately.

15.17.8. The operator referred to in paragraph (1) shall remove an aircraft from service immediately when such aircraft is contaminated by radioactive materials and shall not return such aircraft to service until the radiation level resulting from the fixed contamination at any accessible surface and the non-fixed contamination, is below the values as prescribed in ICAO Doc. 9284.

15.17.9. Any person responsible for the conveyance or opening of packages containing infectious substances who becomes aware of damage to or leakage from such packages, shall :

(a) avoid handling such infectious substances, where possible ;

(b) inspect adjacent packages for contamination ;

(c) inform the appropriate public health authority or veterinary authority of such damage or leakage ;

(d) provide the appropriate authority of the country of transit with information regarding any possible contamination ; and

(e) notify the shipper or the consignee accordingly.

15.18. The operator of an aircraft in which dangerous goods are to be conveyed shall comply with the storage and loading provisions of these Regulations and the requirements and standards as prescribed in ICAO Doc. 9284.

Storage and
Loading.

15.19. Unless otherwise provided for in ICAO Doc. 9284, dangerous goods shall not be stowed in an aircraft cabin occupied by passengers or on the flight deck of an aircraft.

Loading
restrictions
in Cabin or
on Flight
Deck.

15.20.1. The operator of an aircraft in which dangerous goods are to be conveyed and shall ensure that packages containing dangerous goods which might react dangerously when coming into contact with each other, are not stowed in an aircraft next to each other or in a position that would allow interaction between them in the event of leakage.

Separation
and
Segregation.

15.20.2. The operator referred to in paragraph (1) shall ensure that a package containing poison or an infectious substance is stowed in an aircraft in accordance with the requirements and standards as prescribed in ICAO Doc. 9284.

15.20.3. The operator referred to in paragraph (1) shall ensure that a package containing radioactive materials is stowed in an aircraft in a manner which separates the package from persons, live animals and undeveloped film, in accordance with the requirements and standards as prescribed in ICAO Doc. 9284.

Securing of
Dangerous
Goods.

15.21.1. The operator of an aircraft in which dangerous goods are to be conveyed, shall, when dangerous goods are loaded in the aircraft, protect such dangerous goods from being damaged, and shall secure such dangerous goods in the aircraft in a manner which will prevent any movement in flight that could change the orientation of the packages.

15.21.2. When securing packages containing radioactive materials, the operator shall ensure that the security is adequate in order that the requirements regarding the separation of radioactive materials referred to in Section 20(3) are complied with.

Loading in
Cargo
Aircraft.

15.22. Unless otherwise provided for in ICAO Doc. 9284, a package or overpack containing dangerous goods and bearing a "cargo aircraft only" label, shall be loaded in a manner that any flight crew member or other person authorised by the operator, can see, handle and, where size and weight permit, separate such package or overpack from other cargo in flight.

Dangerous
goods
accident and
incident
reporting.

15.23.1. The operator of an aircraft involved in a dangerous goods accident or Goods incident in Nigeria, shall immediately notify :

(a) in the case of an accident, any air traffic service unit or the nearest police station ; or

(b) in the case of an incident, any air traffic service unit, of such incident, and such air traffic service unit or police station, as the case may be, shall immediately on receipt of the notification, notify :

(i) the Authority ; and

(ii) where such accident or incident occurs at an aerodrome, the aerodrome manager.

15.23.2. The operator of a Nigerian aircraft involved in a dangerous goods accident or dangerous goods incident outside the Country, shall, as soon as practicable, notify :

(a) the appropriate authority in the State or territory where the accident or incident has occurred, directly or through any air traffic service unit ; and

(b) the Authority, of such accident or incident.

15.23.3. Any notification of a dangerous goods accident or dangerous goods incident referred to in paragraph (1) or (2) shall, in addition to the particulars of notification required under the Civil Aviation (Accident Investigation) Regulations contain the particulars as prescribed in ICAO Doc. 9284.

15.24. The Accident Investigation Bureau shall investigate dangerous goods accidents and incidents of which the Authority and/or the Accident Investigation Bureau is notified in line with Section 23(1), and the Civil Aviation (Accident Investigation) Regulations shall apply equally to such investigation.

Dangerous Goods accident and incident investigation.

15.25. In the case of a consignment for which a dangerous goods transport document is required under these Regulations, the operator shall ensure that the information as prescribed in ICAO Doc. 9284 is available at all times for use in an emergency response to dangerous goods accidents or incidents.

Dangerous Goods accident and incident information.

15.26. The operator of an aircraft in which dangerous goods are conveyed within or outside Nigeria shall within 48 hours after the discovery of :

Notification of undeclared or mis-declared dangerous goods.

(a) any undeclared or mis-declared dangerous goods ; or

(b) dangerous goods not permitted under Section 28 on board the aircraft or in the baggage of a passenger or flight crew member, notify the Authority or the appropriate thereof, as the case may be.

15.27. The operator of an aircraft in which dangerous goods are conveyed, shall ensure that at least one copy of all documents pertaining to a flight on which dangerous goods are conveyed, including the :

Retention of documents.

(a) dangerous goods transport document ;

(b) acceptance checklist, if completion of the checklist is required ; and

(c) written information provided to the pilot-in-command under Section 16 (1), are retained for a period of 90 days, calculated from the date of such flight.

15.28. No passenger or flight crew member shall carry dangerous goods as, or in, carry-on baggage or checked baggage, or on his or her person, except in accordance with the requirements and standards as prescribed in Doc. ICAO 9284.

Dangerous goods carried by passengers or Flight Crew members.

15.29. Any operator shall ensure that information regarding the types of goods that passengers are forbidden to carry on board an aircraft is available to such passengers and such information shall include :

Information to passenger.

(a) applicable information accompanying the passenger ticket ; and

(b) notices which are prominently displayed :

(i) at any location where tickets are issued and baggage checked ; and

(ii) in aircraft boarding areas and baggage claim areas.

PART 16—ENVIRONMENTAL PROTECTION REGULATIONS

INTRODUCTION

This Part provides for the regulation on the environmental factors affecting air function specifically aircraft noise certification.

These Regulations incorporate the ICAO Standard and Recommended Practices (SARPs) in Annex 16 to the Chicago Convention as well as best industry practices.

PART 16—ENVIRONMENTAL PROTECTION REGULATIONS

ARRANGEMENT OF REGULATIONS

NOISE CERTIFICATION

1. Applicability.
2. General.

S.I. 46 of 2012.

PART 16—ENVIRONMENTAL PROTECTION REGULATIONS**NOISE CERTIFICATION****16.1. This Part shall apply to :**

Applicability.

(a) subsonic jet aeroplanes, other than aeroplanes which require a runway length of 610m or less at maximum certificated mass for airworthiness.

(b) All propeller driven aeroplanes of over 9000kg maximum certificated mass.

16.2. The Authority shall grant or validate noise certificate to an aircraft on the basis of satisfactory evidence that the aircraft complies with the requirements as prescribed in ICAO Annex 16.

General.

16.2.2. Except in an emergency, or with the written permission of the Director General, no person may take off or land an aircraft, to which this Part applies, at a Nigerian Airport without a valid noise certificate.

16.2.3. The Authority shall not grant or validate a noise certification to an aircraft that does not comply with ICAO Annex 16 Chapter 3 or 4 requirements.

16.2.4. An aircraft to which this Part applies and which complies with chapter 2 standards but does not comply with chapter 3 standards may continue to engage in air navigation in Nigeria is :

(a) The aircraft is a foreign aircraft engaged in international air navigation or,

(b) The aircraft was on the register of Nigerian aircraft on 1 January 2001 or,

(c) The aircraft is lifted with an engine or engines with a by-pass ratio of 2 or more.

16.2.5. The Authority shall ensure the implementation of the concept of a "balanced approach to noise management".

PART 17—AVIATION SECURITY

INTRODUCTION

Part 17 deals with aviation security programmes, measures, processes, procedures and practices aimed at safeguarding civil aviation against acts of unlawful interference. In addition, Part 17 incorporates the Standard and Recommended Practices (SARPs) as contained in Annex 17 to the Chicago Convention.

Part 17 makes provision for designation of Appropriate Authority, National Civil Aviation Security Programmes, Aerodrome Security, Aircraft Operator Security, Cargo and Related Agent Security, Flight Catering Operator Security, Quality Control and Miscellaneous Matters.

PART 17—AVIATION SECURITY

ARRANGEMENT OF REGULATIONS

- 17.1. Applicability.
- 17.2. Definitions.
- 17.3. NATIONAL ORGANISATION
 - Appropriate Authority and National Civil Aviation Security Programme.
- 17.4. SECURITY PROGRAMMES
 - General Condition for Security Programme.
- 17.5. Additional Requirements for Applications.
- 17.6. Acceptance of Security Programmes.
- 17.7. Contents of an Aerodrome Operator Security Programme.
- 17.8. Development of Security Measures.
- 17.9. Approved Aerodrome Operator Security Programme.
- 17.10. Contents of an Airline Operator Security Programme.
- 17.11. Development of Security Measures.
- 17.12. Approval of Aircraft Operator Security Programme.
- 17.13. Contents of a Regulated Agent Security Programme.
- 17.14. Approval of Regulated Agent Security Programme.
- 17.15. Contents of a Flight Catering Operator Security Programme.
- 17.16. Approval of Flight Catering Operator Security Programme.
- 17.17. Contents of a Tenant Restricted Area Security Programme.
- 17.18. Approval of Tenant Restricted Area Security Programme.
- 17.19. Contents of an Aviation Service Provider Security Programme.
- 17.20. Approval of an Aviation Service Provider Security Programme.
- 17.21. Modifications to Operational Particulars Affecting Security.
- 17.22. Amendment of Approved Security Programme by Aerodrome Operator, Aircraft Operator, Regulated Agent, Flight Catering Operator, and Tenant Restricted Area Operator.
- 17.23. Amendment of Approved Security Programme by the Appropriate Authority.

AERODROME SECURITY

- 17.24. Aerodrome Operator Responsibilities.
- 17.25. Aerodrome Security Committee.
- 17.26. Aviation Security Officers and Aviation Security Screening Officers.
- 17.27. Employer Responsibility.
- 17.28. Support from Members of the Nigeria Police.
- 17.29. Requirement for Screening.
- 17.30. Refusal of Screening.
- 17.31. Unaccompanied Baggage.
- 17.32. Security Incidents.
- 17.33. Records.
- 17.34. Aerodrome Tenant and Tenant Restricted Area Operator Responsibility.
- 17.35. Confidential Security Information.
- 17.36. False Statements, Entries or Unauthorized Reproduction.
- 17.37. Access Control System.
- 17.38. Airport Restricted Area Permit System.
- 17.39. Evidence of Compliance.
- 17.40. Aerodrome Security Coordinator.
- 17.41. Measures in the event of Specific Threat at Aerodromes.
- 17.42. Notification of Threat.
- 17.43. Discovery of Weapons, Incendiary Devices or Explosives at Aerodromes.
- 17.44. Aerodrome Operator to keep Maps and Plans of Aerodrome.
- 17.45. Aerodrome Operator to Provide Information.

AIRCRAFT OPERATOR SECURITY

- 17.46. Aircraft Operator Security Programme.
- 17.47. Screening of Passengers and Property.
- 17.48. Prevention and Management of Hijackings and Sabotage Attempts.
- 17.49. Carriage of Weapons.
- 17.50. Use of Screening Equipment.
- 17.51. Security Threats and Procedures.
- 17.52. Reporting of Security Incidents.

- 17.53. Person Authorized to Conduct Screening Activities.
- 17.54. Security Information.
- 17.55. Provision of Information to the Appropriate Authority on the Security of Operations by Service Providers.
- 17.56. Provision of Information to the Appropriate Authority on the Security of Operations by Screening Personnel.
- 17.57. Use of Explosives Detection Systems.
- 17.58. Carriage of Passengers under Administrative or Judicial Control.
- 17.59. Training.
- 17.60. Standards for Security Oversight.

CARGO AND REGULATED AGENT SECURITY

- 17.61. Security Controls over Cargo.
- 17.62. Aviation Security Responsibilities of a Regulated Agent.
- 17.63. Responsibility of the Aircraft Operator Receiving Goods from a Regulated Agent.
- 17.64. Inspection of Goods Offered for Transport by Regulated Agent.
- 17.65. Screening of Cargo.

FLIGHT CATERING OPERATOR SECURITY

- 17.66. Aviation Security Responsibilities of a Flight Catering Operator.
- 17.67. Responsibility of the Aircraft Operator Receiving Catering Stores and Supplies from a Flight Catering Operator.
- 17.68. Inspection of Catering Supplies.

TENANT RESTRICTED AREA SECURITY

- 17.69. TRA Requirements.

QUALITY CONTROL

- 17.70. Objectives and Content of Quality Control Programme.
- 17.71. Compliance Monitoring.
- 17.72. Qualification Criteria for Auditors.
- 17.73. Power of Investigation.
- 17.74. Power to Suspend Security Programme.
- 17.75. General Power of Entry.
- 17.76. Notification of Audits.

- 17.77. Conduct of Inspections and Audits.
- 17.78. Failure to Comply with Inspection Request.
- 17.79. Obstruction of Authorized Persons.
- 17.80. Inspection and/or Audit Report.
- 17.81. Facility Operator or Service Provider Answer.

MISCELLANEOUS

- 17.82. Protection of Sensitive Security Information.
- 17.83. Issue of Security Directives.
- 17.84. Requirements of Security Directives.
- 17.85. Implementation of Security Directives.
- 17.86. Objection to Security Directives.
- 17.87. Search of Persons and Goods.
- 17.88. Passengers and Members of the Public.
- 17.89. Access to Aerodrome Restricted Areas.
- 17.90. Restriction on Entry into Enhanced Security Restricted Areas and
Sterile Area.
- 17.91. Submission to Screening.
- 17.92. Amendment of Regulations and Schedules.

S. I. 47 of 2012

17.1. APPLICABILITY

Applicability.

These Regulations shall apply to :

- (a) international airport operators ;
- (b) domestic airports operators and any other aerodrome operator certified by the Authority ;
- (c) national aircraft operators ;
- (d) foreign aircraft operators ;
- (e) aerodrome tenants and/or operators of Tenant Restricted Areas at International airports or Domestic airports ;
- (f) any person in or within the vicinity of an international airport or domestic airport, or any other aerodrome specified by the Authority ;
- (g) any person who offers goods for transport by air ;
- (h) any person who provides a service to an aircraft operator ;
- (i) any person on board an aircraft; and
- (j) any organization or agency who provides air traffic services.

17.2.—(1) For the purpose of this Part the following definitions shall apply : Definitions.

(1) "*Acts of unlawful interference*". These are acts or attempted acts such as to jeopardize the safety of civil aviation including but not limited to :

- (a) unlawful seizure of an aircraft ;
- (b) destruction of an aircraft in service ;
- (c) hostage-taking on board an aircraft or on aerodromes ;
- (d) forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility ;
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes ;
- (f) Use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment ; or
- (g) communication of false information such as to jeopardize the safety of aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility ;

(2) "*Aerial Work*" means an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying observation and patrol, search and rescue, aerial advertisement, etc.

(3) "*Aerodrome*" has the same meaning as that given in the Civil Aviation Act, 2006.

(4) "*International Airport*" means any aerodrome with scheduled international services offered by national and foreign aircraft operators ;

(5) "*Domestic Airport*" means any aerodrome other than (a), with scheduled and non-scheduled domestic services offered by national carriers and general aviation traffic, whereby, the Standards and Recommended Practices of Annex 17 to the Convention on Civil Aviation shall apply.

(6) "*Aerodrome Operator*" means the holder of an aerodrome license, issued under Part 12 of these Regulations ;

(7) "*Aerodrome or Airport Tenant*" means any enterprise that is resident at an aerodrome and offers services and products at that aerodrome ;

(8) "*Aircraft Operator*" means a national aircraft operator and a foreign aircraft operator ;

(9) "*Aircraft Security Check*" means an inspection of the interior of an aircraft to which passengers may have had access and an inspection of the hold for the purposes of discovering suspicious objects, weapons explosives or other dangerous devices ;

(10) "*Aircraft Security Search*" means a thorough inspection of the interior and exterior of the aircraft for the purpose of discovering suspicious objects, weapons, explosives or other dangerous devices, articles or substances ;

(11) "*Airside*" means the movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled ;

(12) "*Appropriate Authority*" or Authority means the Nigerian Civil Aviation Authority (NCAA), as specified to ICAO as the body responsible for the coordination of the development, implementation, and maintenance of the National Civil Aviation Security Programme ;

(13) "*Appropriate Airport Authority*" means the Federal Airports Authority of Nigeria (FAAN) or any other Organisation responsible for aviation security in Nigeria ;

(14) "*Audit*" shall mean any procedure or process used for compliance monitoring undertaken at national level. It covers security audits, inspections, surveys, tests and investigations ;

(15) "*Auditor*" shall mean any person conducting audits at national level ;

(16) "*Aviation Security Officer*" means :

(a) a person who is trained in accordance with the security training requirements of the appropriate approved Airport Security Programme and who has been appointed as an aviation security officer by an aerodrome operator, aircraft operator or aerodrome tenant ; and

(b) any member of the (Police and/or Military) when assigned aerodrome security duties ;

(17) "*Aviation Security Screening Officer*" means a person who by virtue of his training has been employed by the aerodrome operator, aircraft operator, or aerodrome tenant to carry out aviation security screening duties, and who has been certified as such by the Appropriate Authority ;

(18) "*Background Check*" means a check of a person's identity and previous experience, including where legally permissible, any criminal history, as part of the assessment of an individual's suitability to implement a security control and/or for unescorted access to a security restricted area ;

(19) "*Cargo*" means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage ;

(20) "*Carry-on Baggage*" means luggage and personal belongings to which a person will have access while on board an aircraft ;

(21) "*Catering Stores*" means all items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits ;

(22) "*Catering Supplies*" means food, beverages, other dry stores and associated equipment used on board an aircraft ;

(23) "*Checked Baggage*" means luggage and personal belongings accepted for transportation by an aircraft operator which is loaded into the hold of the aircraft, and to which a person will not have access while on board an aircraft ;

(24) "*Commercial Air Transport Operation*" means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

(25) "*Corporate Aviation*" means the non commercial operation or use of an aircraft by a company for the carriage of passengers and or goods as an aid to the conduct of company business, flown by a professional pilot employed to fly the aircraft.

(26) "*Dangerous Goods*" means articles or substances which are capable of posing classified according to the International Civil Aviation Organization Technical Instructions for the Safe Transport of Goods by Air ;

(27) "*Deficiency*" shall mean failure to comply with aviation security requirements ;

(28) "*Director-General*" means the Director General of the Nigerian Civil Aviation Authority (NCAA) ;

(29) "*Enhanced Security Restricted Area*" means those areas of the airside of an airport which are identified as priority risk areas where in addition to access control, the screening of persons and any items they may have in their possession are conducted ;

(30) "*Escort*" means to accompany or supervise an individual who does not have unescorted access to areas restricted for security purposes, as identified in the Airport or Aerodrome Operator Security Programme ;

(31) "*Firearm*" has the meaning given to it in appropriate Nigerian legislation ;

(32) "*Foreign Air Operator*" means an aircraft operator who conducts international air transport operations under the terms of an air operator certificate issued by a State other than Nigeria ;

(33) "*Flight Catering Operator*" means any enterprise that provides catering supplies for consumption on board an aircraft in flight engaged in the carriage of passengers ;

(34) "*General Aviation*" means an aircraft operation other than a commercial air transport operation or an aerial work operation ;

(35) "*Goods*" means personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area ;

(36) "*Heliport*" means an aerodrome or a defined area on a structure intended to used wholly or in part for the arrival, departure and surface movements of helicopters ;

(37) "*Hijacking*" has the meaning given to it under Civil Aviation Act 2006 ;

(38) "*Incendiary Device*" means an object, other than a match or pocket lighter, that is fabricated with combustible materials and when ignited may cause fire damage to property or inflict burn injuries on individuals ;

(39) "*In-flight Security Officer*" A person who is authorized by the Government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference. This excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards.

(40) "*Inspection*" shall mean an examination of the implementation of one or more aspects of security measures and procedures in order to determine how effectively they are being carried out ;

(41) "*Investigation*" shall mean an examination of a security incident and an explanation of its cause in order to avoid recurrence and to consider legal action ;

(42) "*Known Consignor*" A consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow the carriage of cargo or mail on any aircraft ;

(43) "*Loaded Firearm*" means a firearm which has inserted in it a live round of ammunition, cartridge in the chamber or in a clip, magazine or cylinder;

(44) "*Minister*" means the Honourable Minister for Aviation ;

(45) "*National Aircraft Operator*" means an aircraft operator operating under the authority of an air operators certificate issued by the Nigerian Civil Aviation Authority ;

(46) "*Person in Custody*" means a person who is for the time being under the control of a law enforcement officer ;

(47) "*Personal Search*" means a search of the clothing of a person and personal belongings for prohibited items by a designated aviation security officer, an aviation security screening officer or a member of the Nigerian Police ;

(48) "*Quality Control Programme*" shall mean the national civil aviation security quality control programme ;

(49) "*Record*" includes any writing, drawing, map, tape, film, photograph, or other means by which information is preserved ;

(50) "*Regulated Agent*" means an agent, freight forwarder or any other entity who conducts business with an aircraft operator and provides security controls that are accepted or authorized by the Appropriate Authority in respect of cargo, courier and express parcels or mail ;

(51) "*Restricted Area*" means any area of an aerodrome that is identified as an area to which access is restricted to authorized persons ;

(52) "*Restricted Area Permit*" means a document issued by the designated airport permit issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period ;

(53) "*Screening*" means the application of technical or other means which are intended to detect weapons, explosives or other prohibited items which have been designated as dangerous to aviation security ;

(54) "*Screening Staff*" includes an aviation security screening officer ;

(55) "*Security Programme*" means an Aerodrome Operator Security Programme, National Aircraft Operator Security Programme, Foreign Aircraft Operator Security Programme, Flight Catering Operator Security Programme, Tenant Restricted Area Security Programme and a Regulated Agent Security Programme, where applicable ;

(56) "*Security Audit*" shall mean an in-depth examination of all aspects of security measures and procedures in order to determine if they are being implemented on a continual basis and to a constant standard ;

(57) "*Security Directive*" means a formal written notification from the Director of NCAA requiring the recipient to take such security measures as are specified within the directive ;

(58) "*Security Incident*" shall mean an occurrence with negative implications for the security and safety of persons and property ;

(59) "*Sterile Area*" means :

(a) an area within a restricted area to which access is controlled by the inspection of persons and property in accordance with Parts II and III of these Regulations ; and

(b) a facility within a restricted area of an aerodrome accessible to screened persons and set apart to facilitate security control of persons embarking and disembarking aircraft ;

(60) "*Survey*" shall mean an evaluation of operations in order to determine security needs. This includes the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, despite the implementation of security measures and procedures, and the recommendation of compensatory protective measures commensurate with the threat to address any identified risk ;

(61) "*Technical Instructions*" means the International Civil Aviation Organization Instructions for the transport of Dangerous Goods by air ;

(62) "*Tenant Restricted Area*" means any area at, or connected to, an aerodrome that has been declared as such in accordance with the appropriate Airport (Restricted Area) Bye-laws ;

(63) "*Test*" shall mean a trial of aviation security measures, where the appropriate authority introduces or simulates intent to commit an unlawful act for the purpose of examining the efficiency and implementation of existing security measures ;

(64) "*Transit Passenger*" means a passenger departing from an aerodrome on the same flight on which he arrived ;

(65) "*Transfer Passenger*" means a passenger making direct connection between two different flights ; and

(66) "*Weapon*" means anything designed, used or capable of inflicting harm and includes a firearm.

PART—17.3 NATIONAL ORGANISATION

Appropriate
Authority and
National Civil
Aviation
Security
Programme.

17.3.1. The Nigerian Civil Aviation Authority (NCAA) is designated as the Appropriate Authority for aviation security within Nigeria, and shall specify this to the International Civil Aviation Organisation (ICAO), and is hereby responsible for the development, and maintenance of the national civil aviation security programme.

17.3.2. The Appropriate Authority shall establish, and monitor the implementation of, a written national civil aviation security programme designed to safeguard civil aviation operations against acts of unlawful interference, which takes into account the safety, regularity and efficiency of flights.

17.3.3. The national civil aviation security programme shall be the repository of national policy of the Federal Government of Nigeria with regard to civil aviation security measures implemented within Nigeria and on Nigerian registered aircraft, and shall specify the agencies responsible for the implementation of that policy.

17.3.4. Any person, assigned responsibility for a specific function or task within the national civil aviation security programme, who fails to carry out that

function or task, to the standard specified in the national civil aviation security programme, commits an offence under these Regulations, and upon conviction may be liable to a fine as specified in Part 19 to these Regulations.

PART—17.4. SECURITY PROGRAMMES

17.4.1. An international airport operator or domestic airport operator shall not operate the aerodrome specified in his aerodrome license unless he has submitted, for such aerodrome, a proposed Airport Security Programme, which meets the requirements of these Regulations for acceptance and subsequent approval by the Authority.

General
Condition for
Security
Programmes.

17.4.1.1. A person shall not operate a heliport within Nigeria unless he has submitted a proposed Heliport Security Programme which meets the requirements of these regulations for acceptance and subsequent approval by the Authority.

17.4.2. A person shall not operate a Nigerian registered aircraft within Nigeria or internationally unless he has submitted a proposed Airline Operator Security Programme for his operations, to the Appropriate Authority for its acceptance and subsequent approval.

17.4.3. A foreign airline operator shall not conduct operations in Nigeria unless he has submitted a proposed Airline Operator Security Programme as part of his application for air services to the Appropriate Authority for its acceptance and subsequent approval.

17.4.4. An organization or agency shall not provide air traffic services unless such organization or agency has submitted a proposed air traffic service provider security programme which meets the requirement of this regulation for acceptance and subsequent approval by the Authority.

17.4.5. A person shall not operate an enterprise or an organization whose purpose is the movement of cargo by air, within and through Nigeria, unless he has submitted a proposed Regulated Agent Security Programme for his operations, to the Appropriate Authority for its acceptance and subsequent approval, or has satisfied the Appropriate Authority that appropriate security controls are in place for each consignment of cargo to safeguard aircraft against an act of unlawful interference.

17.4.6. A person shall not operate an enterprise or an organization whose purpose is the provision of catering supplies and stores for use in air transport, within and through Nigeria, unless he has submitted a proposed Flight Catering Operator Security Programme for his operations, to the Appropriate Airport Authority for its acceptance and subsequent approval.

17.4.7. A person shall not operate an enterprise or an organization whose purpose is the provision of aviation services at any airport within Nigeria, unless he has submitted a proposed Aviation Security Service Provider Security Programme for his operations to the Authority for its acceptance and subsequent approval.

17.4.8. A person shall not operate an enterprise or an organization which provides a service at, or connected with, any airport within Nigeria, whether or not that service provider occupies land deemed to be a Tenant Restricted Area under the appropriate Airport (Restricted Area) Bye-Laws, unless he has submitted a proposed Tenant Restricted Area Security Programme for his operations, to the Appropriate Airport Authority for its acceptance and subsequent approval.

17.4.9. Where a person wishes his proposed security programme under this regulation to be approved by the Authority he shall :

(i) submit such security programme in writing at least sixty (60) days before the intended date of operations ;

(ii) meet the requirements of these Regulations.

17.4.10. A security programme under these Regulations shall be signed by the applicant and provide for the safety of the :

(i) passengers, crew and their property ;

(ii) the aircraft ;

(iii) operating staff associated with the facility or aircraft ; and

(iv) related aviation support facilities ; against acts of unlawful interference.

Additional
Requirements
for Applica-
tions.

17.5.1. Where a person, under 17.4., submits his security programme as part of his application for :

(a) an aerodrome licence under the Civil Aviation Act or Regulations made thereunder ;

(b) an Air Operator Certificate under the appropriate Nigerian legislation ; and

(c) a foreign air operator operations specifications authorization under the Part 18 of this Regulation, he shall in addition to meeting the requirements of that Regulation, meet the requirements for his security programme under these Regulations.

17.5.2. For the purpose of administering these Regulations a security programme shall be assessed by the Authority, for adequacy.

Acceptance of
Security
Programmes.

17.6.1. Where the Authority is satisfied that a proposed security programme submitted under 17.4., meets the requirements of these Regulations and does not conflict with the National Civil Aviation Security Programme, the Authority shall accept such proposed security programme.

17.6.2. Where the Authority determines that a proposed security programme submitted under Regulation 4, requires modification, the Authority shall direct the applicant to modify and re-submit the proposed security programme for acceptance.

17.6.3. An acceptance under this Regulation does not authorize the aerodrome operator, aircraft operator, air traffic service provider, regulated

agent, flight catering operator or Tenant Restricted Area operator to use his proposed security programme, submitted for approval under these Regulations, in his operations until the implementation of such programme has been evaluated and the programme has been approved for use.

17.6.4. Where the Authority is satisfied that the submitted security programme does not meet the requirements of these Regulations and is in conflict with the National Civil Aviation Security Programme, then such Security Programme will not be approved and the aerodrome operator, aircraft operator, air traffic service provider, flight catering operator, aviation service provider, tenant restricted area operator, or regulated agent, if he continues operations, commits an offence against these Regulations and is subject to the penalties outlined in Part 19.

17.7.1. An Aerodrome Operator Security Programme required under 17.4. and 17.5. in respect of a licensed aerodrome shall be designed to describe the measures in place to safeguard that airport against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.

Contents of
an
Aerodrome
Operator
Security
Programme.

17.7.2. An Aerodrome Operator Security Programme under subsection (1), shall be accompanied by a current scale map of the aerodrome under 17. 44.

17.8.1. In developing an Aerodrome Operator Security Programme under 17.4. an aerodrome operator shall take into consideration the needs of all aviation stakeholders, including

Development
of Security
Measures.

(a) reasonable access to aerodrome facilities and aircraft ; and

(b) the optimizing of aerodrome security arrangements in his development, renovation and expansion plans.

17.9.1. Upon a proposed Aerodrome Operator Security Programme submitted under Regulation 4 being accepted by the Authority under Regulation 6, an aerodrome operator shall within thirty days of such acceptance ensure that such Aerodrome Operator Security Programme is implemented and in full operation.

Approval of
Aerodrome
Operator
Security
Programme.

17.9.2. Where an aerodrome operator has implemented his accepted Aerodrome Operator Security Programme he shall notify the Authority that he :

(a) has implemented such accepted Aerodrome Operator Security Programme ; and

(b) wishes to commence operations under such implemented Aerodrome Operator Security Programme once it is approved by the Authority.

17.9.3. Where the Authority is satisfied that the Aerodrome Operator Security Programme implemented at the aerodrome and the accepted Aerodrome Operator Security Programme of the aerodrome operator are identical the

Authority shall approve the Aerodrome Operator Security Programme for full operation in commercial air transport operations.

17.9.4. Notwithstanding 17.9.3, where the Aerodrome Operator Security Programme implemented at the aerodrome and the accepted Aerodrome Operator Security Programme are not identical, but the differences are within an acceptable Level, the Authority may grant approval of such Aerodrome Operator Security Programme.

Contents of
an Aircraft
Operator
Programme.

17.10.1. A proposed Aircraft Operator Security Programme required under 17. 4. and 17.5. shall meet the requirements of the National Civil Aviation Security Programme and shall be in such form, manner and content as specified by the Authority.

Development
of Security
Measures.

17.11.1. In addition to the matter set out in 17. 10., an aircraft operator shall ensure that his Aircraft Operator Security Programme, required under 17.4, contains :

- (a) provisions to meet its international obligations ;
- (b) provisions to meet national obligations under the Act or Regulations made there-under;and
- (c) provisions to meet the requirement of the National Civil Aviation Security Programme.

Approval of
Aircraft
Operator
Security
Programme.

17.12.1. Upon a proposed Aircraft Operator Security Programme submitted under Regulation 4, being accepted by the Authority under Regulation 6, the aircraft operator shall within thirty days of such acceptance ensure that such Aircraft Operator Security Programme is implemented and in full operation.

17.12.2. Where an aircraft operator has implemented his accepted Aircraft Operator Security Programme, he shall notify the Authority that he—

- (a) has implemented such accepted Aircraft Operator Security Programme ; and
- (b) wishes to commence operations under such implemented Aircraft Operator Security Programme once it is approved by the Authority.

17.12.3. Where the Authority is satisfied that the implemented Aircraft Operator Security Programme implemented by the aircraft operator and the accepted Aircraft Operator Security Programme are identical, the Authority shall approve the Aircraft Operator Security Programme for full operation in commercial air transport operations.

17.12.4. Notwithstanding 17.12.3. where the Aircraft Operator Security Programme implemented by the aircraft operator and the accepted Aircraft Operator Security Programme are not identical, but the differences are within an acceptable Level, the Authority may grant the approval of such Aircraft Operator Security Programme.

17.12.5. A proposed Air Traffic Service Provider Security Programme required under 17.4. and 17.5. shall meet the requirements of the National Civil Aviation Security Programme and shall be in such form, manner and content as specified by the Authority.

Contents of
an
Air Traffic
Service
Provider
Security

17.12.6. In addition to the matter set out in 17.12.5. an air traffic service Provider shall ensure that the security programme required under 17.4 contains

Development
of
Security
measures.

(a) provision to meet its international obligations

(b) provision to meet national obligations under the Act or Regulation made thereunder and

(c) provisions to meet the requirement of the National Civil Aviation Security Programme

17.12.7.1. Upon a proposed Air Traffic Service Provider Security Programme submitted under 17.4., being accepted by the Authority under 17.6., the air traffic service provider shall within thirty days of such acceptance ensure that such security programme is implemented and in full operation.

Approval of
Air
Traffic
Service
Provider
Security
Programme.

17.12.7.2. where an air traffic service provider has implemented its accepted Air Traffic Service Provider Security Programme, it shall notify the Authority that he :

(i) has implemented such accepted Air Traffic Service Provider Security Programme ; and

(ii) wishes to commence operations under such implemented Air Traffic Service Provider Security Programme once it is approved by the Authority,

17.12.7.3. Where the Authority is satisfied that the implemented Air Traffic Service Provider Security Programme implemented by the Air Traffic Service Provider and the accepted Air Traffic Service Provider Security Programme are identical, the Authority shall provide the Air Traffic Service Provider Security Programme for full operation in commercial air transport operations.

17.12.7.4. Notwithstanding 17.12.7.3. where the Air Traffic Service Provider Security Programme implemented by the Air Traffic Service Provider and the accepted Air Traffic Service Provider Security Programme are not identical, but the differences are within an acceptable Level, the Authority may grant the approval of such Air Traffic Service Provider Security Programme.

17.13. A regulated agent shall ensure that his Regulated Agent Security Programme, required under 17.4., contains :

Contents of a
Regulated
Agent
Security
Programme.

(a) provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or Regulation made thereunder ; and

(b) include details of procedures for :

(i) ensuring the security of goods accepted by him and under his control ;

(ii) ensuring the security of his buildings, premises, transport facilities and cargo warehouses,

(iii) ensuring the security of goods during the transfer from one facility to another ;

(iv) recruitment and training of staff involved in the handling of goods ; and

(v) incident reporting.

Approval of
Regulated
Agent
Security
Programme.

17.14.1. Upon a proposed Regulated Agent Security Programme submitted under 17.4., being accepted by the Authority under 17.6, the regulated agent shall within thirty days of such acceptance ensure that such accepted Regulated Agent Security Programme is implemented and in full operation.

17.14.2. Where the regulated agent has implemented his accepted Regulated Agent Security Programme in accordance with 17.14.1 he shall :

(a) notify the Authority that he has implemented his accepted Regulated Agent Security Programme ; and

(b) wishes to commence operations under such implemented Regulated Agent Security Programme once it is approved by the Authority.

17.14.3. Where the Authority is satisfied that the Regulated Agent Security Programme implemented by the regulated agent and the accepted Regulated Agent Security Programme are identical, the Authority shall approve the Regulated Agent Security Programme, (hereinafter referred to as "an approved Regulated Agent Security Programme" for full operation in the operations of the regulated agent.

17.14.4. Notwithstanding 17.14.3 where the approved Regulated Agent Security Programme implemented by the regulated agent and the accepted Regulated Agent Security Programme are not identical, but the differences are within an acceptable level the Authority may grant approval of such Regulated Agent Security Programme.

Contents of a
Flight
Catering
Operator
Security
Programme.

17.15.1. A flight catering operator shall ensure that his Flight Catering Operator Security Programme, required under 17.4., contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or Regulation made thereunder.

17.15.2. A Flight Catering Operator Security Programme required under 17.5. shall be designed to describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.

17.15.3. A Flight Catering Operator Security Programme required under 17.5.1. shall be accompanied by a current scale map of the flight catering facility area of operations.

17.15.4. Notwithstanding 17.15.3 in the case where the area in which the flight catering operator conducts his business has been declared a Tenant Restricted Area under the appropriate Airport (Restricted Area) Bye-laws, then the requirement for maps will be in accordance with the requirements of the Authority.

17.16.1. Upon a proposed flight catering operator Security Programme submitted under 17.4., being accepted by the Authority under Regulation 6, the flight catering operator shall within thirty days of such acceptance ensure that such accepted Flight Catering Operator Security Programme is implemented and in full operation.

Approval of
Flight
Catering
Operator
Security
Programme.

17.16.2. Where the flight catering operator has implemented his accepted Flight Catering Operator Security Programme in accordance with 17.16.1. he shall :

(a) notify the Authority that he has implemented his accepted Flight Catering Operator Security Programme ; and

(b) wishes to commence operations under such implemented Flight Catering Operator Security Programme once it is approved by the Authority.

17.16.3. Where the Authority is satisfied that the Flight Catering Operator Security Programme implemented by the flight catering operator and the accepted Flight Catering Operator Security Programme are identical, the Authority shall approve the Flight Catering Operator Security Programme, (hereinafter referred to as ("an approved Flight Catering Operator Security Programme")) for full operation in the operations of the flight catering operator.

17.16.4. Notwithstanding 17.16.3. where the Flight Catering Operator Security Programme implemented by the flight catering operator and the accepted Flight Catering Operator Security Programme are not identical, but the differences are within an acceptable level, the Authority may grant the approval of such Flight Catering Operator Security Programme.

17.17.1. A Tenant Restricted Area Security Programme required under Regulation 4 and 5 in respect of an area located at an aerodrome, and specified in the appropriate Airport (Restricted Area) Bye-laws, shall be designed to safeguard both the TRA and the aerodrome connected with the TRA, against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.

Contents of a
Tenant
Restricted
Area Security
Programme.

17.17.2. A Tenant Restricted Area Security Programme under 17.17.1. shall be accompanied by a current scale map of the TRA, as required and produced under the appropriate Airport (Restricted Area) Bye-laws.

17.18.1. Upon a proposed Tenant restricted Area Security Programme submitted under 17.4., being accepted by the Airport Authority under Regulation, the TRA operator shall within thirty days of such acceptance ensure that such accepted Tenant Restricted Area Security Programme is implemented and in full operation.

Approval of
Tenant
Restricted
Area Security
Programme.

17.18.2. Where the TRA operator has implemented his accepted TRA Security Programme in accordance with 17.18.1. he shall :

(a) notify the Airport Authority that he has implemented his accepted TRA Security Programme ; and

(b) wishes to commence operations under such implemented TRA Security Programme once it is approved by the Airport Authority.

17.18.3. Where the Airport Authority is satisfied that the TRA Security Programme implemented by the operator of a tenant restricted area and the accepted TRA Security Programme are identical, Airport Authority shall approve the TRA Security Programme, (hereinafter referred to as "an approved TRA Security Programme") for full operation in the operations of the tenant restricted area.

17.18.4. Notwithstanding 17.18.3. where the TRA Security Programme implemented by the operator of a tenant restricted area and the accepted TRA Security Programme are not identical, but the differences are within an acceptable level, the Airport Authority may grant approval of such TRA Security Programme.

Contents of
an Aviation
Service
Provider
Security
Programme.

17.19.1. An aviation service provider shall ensure that his Security Programme, required under Regulation 4, contains provisions to meet the requirements of the National Civil Aviation Security Programme and his national obligations under the Act or Regulation made thereunder.

17.19.2. An aviation service provider shall ensure that his Security Programme required under Regulation 4 shall be designed to describe the measures in place to safeguard that facility against acts of unlawful interference and shall be in such form, manner and content as specified by the Authority.

Approval of
an Aviation
Service
Provider
Security
Programme:

17.20.1. Upon a proposed aviation service provider Security Programme submitted under 17. 4., being accepted by the Authority under 17. 6., the aviation service provider shall within thirty days of such acceptance ensure that such accepted Security Programme is implemented and in full operation.

17.20.2. Where the aviation service provider has implemented his accepted Flight Catering Operator Security Programme in accordance with 17.20.1 he shall :

(a) notify the Authority that he has implemented his accepted Security Programme ; and

(b) wishes to commence operations under such implemented Security Programme once it is approved by the Authority.

17.20.3. Where the Authority is satisfied that the Security Programme implemented by the aviation service provider and the accepted Security Programme are identical, the Authority shall approve the Security Programme, (hereinafter referred to as "an approved Aviation Service Provider Security Programme") for full operation in the operations of the aviation service provider.

17.20.4. Notwithstanding 17.20.3. where the Security Programme implemented by the aviation service provider and the accepted Security Programme are not identical, but the differences are within an acceptable level, the Authority may grant approval of such Security Programme.

17.21.1. Where a security programme has been approved under 17.9, 17.12, 17.14, 17.16, 17.18. and 17.20. (hereinafter referred to as ("an approved Security Programme")), the aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation service provider or tenant restricted area operator where applicable shall follow the procedures under 17.21.2. whenever he determines :

Modifications
to
Operational
Particulars
affecting
Security.

(a) in respect of an aerodrome operator :

(i) any description of the aerodrome area set out in such Aerodrome Operator Security Programme is no longer accurate ; and

(ii) the changes to the designation of the Aerodrome Security Co-ordinator required under Regulation 40 ;

(b) any description of his operations set out in his programme is no longer accurate, the procedures included, and the facilities and equipment described, in such Aerodrome Operator Security programme are no longer adequate.

17.21.2. Whenever a condition described in 17.21.1 occurs the aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation service provider or tenant restricted area operator where applicable shall :

(a) immediately notify the Authority of the changed condition, and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment to his approved Security Programme ; and

(b) within thirty days after notifying the Authority in accordance with paragraph (a), submit for approval in accordance with 17. 22, an amendment to his Security Programme to bring it into compliance with these Regulations.

Amendment
of Approved
Security
Programme
by
Aerodrome
Operator,
Aircraft
Operator,
Air Traffic
Service
Provider,
Regulated
Agent, Flight
Catering
Operator,
Aviation
Service
Provider
and Tenant
Restricted
Area
Operator.

Amendment
of Approved
Security
Programme
by the
Authority.

17.22.1. Where an aerodrome operator, aircraft operator, air traffic Service provider, regulated agent, flight catering operator, aviation security service provider or tenant restricted area operator wishes to amend his approved Security Programme, he shall submit the request for such approval to the Authority at least thirty days before the proposed effective date of intended implementation of the amended approved Security Programme.

17.22.2. When the Authority is satisfied that the proposed amendment to the approved Security Programme provides the level of security required by these Regulations, the Authority shall approve the amended approved Security Programme.

17.23.1. The Authority may require an aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation security service provider or tenant restricted area operator to amend his approved Security Programme, where he determines that safety and the public interest require the amendment.

17.23.2. Except in an emergency as provided in 17.23.5 where the Authority requires an aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation security service provider or tenant restricted area operator amend his approved Security Programme under 17.23.1. the Director General shall notify the aerodrome operator, aircraft operator, regulated agent, flight catering operator, or tenant restricted area operator in writing of the required amendment and allow a period of thirty days from the date contained in the notice, for a written response from such aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation security service provider or tenant restricted area operator.

17.23.3. Upon receipt of a notice of a proposed amendment under 17.23.2 the aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation security service provider or tenant restricted area operator may submit an alternative amendment to his approved Security Programme which meets the intent of the required amendment under subsection 17.23.2. for consideration by the Authority.

17.23.4. When the Authority is satisfied that the alternative amendment submitted under 17.23.3 would provide an overall level of security equal to that required by the Authority, the Authority may approve the alternative amendment to the approved Security Programme.

17.23.5. Where the Authority determines that an emergency exists which requires immediate action that makes the procedure in 17.23.2 and 17.23.3, impracticable or contrary to the public interest and safety, the Authority may direct the aerodrome operator, aircraft operator, air traffic service provider, regulated agent, flight catering operator, aviation security service provider or tenant restricted area operator to deviate in a specified manner from his approved security programme in the area of concern, for a specified period.

17.24.—AERODROME SECURITY

17.24.1. An aerodrome operator shall, prior to the implementation of any renovation and expansion works to his aerodrome or the construction of additional aerodrome facilities at the same location, submit to the Authority a revision of his measures designed to safeguard against acts of unlawful interference which may arise.

Aerodrome
Operator
Responsibilities.

17.24.2. Where a foreign air operator uses the aerodrome facilities of an aerodrome operator, the Authority may, in co-ordination with the aerodrome operator, approve an inspection by the entity responsible for aviation security of the Contracting State of such foreign air operator in order to assess the adequacy of the security measures.

17.24.3. An aerodrome operator shall keep at the aerodrome a current scale map of the aerodrome that identifies the restricted areas in accordance with the appropriate Airport (Restricted Area) Bye-laws, security barriers and restricted area access points.

17.25.1. An aerodrome operator shall establish an Aerodrome Security Committee to ensure the implementation of any national civil aviation security initiatives that may be required by the Authority from time to time.

Aerodrome
Security
Committee.

17.25.2. An Aerodrome Security Committee under subsection (1), shall comprise of those representatives stipulated within the respective Airport Security Programmes approved by the Authority.

17.26.1. An aerodrome operator shall provide aviation security officers and aviation security screening officers, in the number and in a manner adequate to support :

Aviation
Security
Officers and
Aviation
Security
Screening
Officers.

(a) his Aerodrome Operator Security Programme ; and

(b) each passenger screening system required under any Part of these Regulations.

17.26.2. An aerodrome operator shall ensure that an aviation security officer or aviation security screening officer employed by him :

(a) abstains from the consumption of alcoholic beverages or other substances prohibited by law while assigned to duty ; and

(b) is readily identifiable by uniform and displays or carries a badge or other identification of his authority while assigned to duty ; and

(c) has completed a training programme that meets the requirements in 17.26.6.

17.26.3. An aerodrome operator shall ensure that an aviation security officer or aviation security screening officer employed by him :

(a) is authorized to carry out the duties and functions assigned to him/her ; and

(b) conducts security duties in accordance with the applicable provisions of these Regulations.

17.26.4. An aviation security officer or aviation security screening officer shall, while on duty at an aerodrome, have the authority to arrest with or without a warrant, any person, who committed :

(a) a crime ; or

(b) an offence against any of these Regulations or the appropriate Airport (Restricted Area) Bye-laws in force.

17.26.5. Any person who obstructs, insults, intimidates or performs any act of violence against an aviation security officer or aviation security screening officer, while that officer is on duty at an aerodrome is guilty of an offence and shall upon conviction be liable to a penalty as specified in Part 19 to these Regulations.

17.26.6. The training programme required by 17.26.2(c) shall provide training in the subjects specified within the approved Aerodrome Operators Security Programme and shall meet the training standards specified by the Authority.

Employer's
Responsibility.

17.27.1. An aerodrome operator shall not employ any person as an aviation security officer or aviation security screening officer unless :

(a) such person meets the requirements of these Regulations ;

(b) such person has been trained in accordance with the requirements of these Regulations, where his duties are in respect to screening of passengers, crew, baggage and mail ; and

(c) where employed by the aerodrome tenant as an aviation security officer, such person is approved by the aerodrome operator.

17.27.2. An aerodrome operator shall ensure that :

(a) initial and periodic background checks are performed in respect of each aviation security officer and aviation security screening officer ; and

(b) initial and recurrent training on aviation security is received by each aviation security officer and aviation security screening officer in his employment.

17.27.3. An aerodrome operator shall keep an accurate record of the initial and periodic background check, experience and training of an aviation

security officer and aviation security screening officer in his employment and such record shall be retained for the duration of his employment and thereafter for a period of one year.

17.28.1. At each aerodrome certified by the Authority, members of the Nigeria Police shall be deployed in support of the aerodrome security personnel to provide an armed response capability to prevent the occurrence of acts of unlawful interference.

Support from members of the Nigeria Police.

17.28.2. The deployment of these members of the Police will be in accordance with the measures described within the appropriate aerodrome security programme.

17.29.1. Every person entering a sterile area, or enhanced security restricted area, at any aerodrome to which these Regulations apply, as specified within the appropriate aerodrome security programme, is required to be screened, including any carry on baggage, goods or other articles in their possession.

Requirement for Screening.

17.29.2. An organization approved by the Authority to carry out screening functions must ensure that any person who acts or will act as a screening officer for it or on its behalf meets the minimum standards set out by the Authority, as amended from time to time.

17.29.3. An organization approved by the Authority to carry out screening functions must not permit a screening officer to conduct an authorized search for it or on its behalf unless the screening officer meets the minimum standards set out by the Authority, as amended from time to time.

17.29.4. An air carrier must not transport a person or goods that must be screened in accordance with 17.29.1 unless the person or goods have been screened in accordance with that Regulation.

17.29.5. A person who must be screened under 17.29.5 must not circumvent a screening of their person or goods or other things in their possession or control or a vehicle under their care or control or assist another person who must be screened in circumventing a screening of that person or goods or other things in that person's possession or control or a vehicle under that person's care or control.

17.29.6. A person(s) who is at an aerodrome or on board an aircraft must not falsely declare that :

(a) they are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an aerodrome or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation ; or

(b) another person who is at the aerodrome or on board an aircraft is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an aerodrome or aircraft or that such an item is contained in goods or other things in that person's

possession or control or in a vehicle under their care or control and is being tendered or has been tendered for screening or transportation.

17.29.7. Notwithstanding 17.29.1 the Authority may, exempt such persons as he deems appropriate from the requirements to be screened. Any exemption made under this Regulation shall be promulgated in the National civil aviation security programme.

Refusal of
Screening.

17.30.1. Subject to 17.29.7 Any person who refuses to allow themselves and their carry-on baggage, goods or other articles in their possession to be screened will be denied access to the enhanced security restricted area or sterile area.

17.30.2. Where, after entering an enhanced security restricted area or sterile area, a person who is required by an aviation security officer or aviation security screening officer, to submit to screening of his person, goods, vehicle or means of conveyance refuses such a search, the aviation security officer or aviation security screening officer shall order such person to leave the enhanced security restricted area or sterile area and remove the goods, vehicle or means of conveyance in his possession from the enhanced security restricted area or sterile area.

17.30.3. Where, after having boarded an aircraft, a passenger is required by an aviation security officer or aviation security screening officer to submit to the screening of his person, or of the goods that he carried or had placed on board the aircraft and he refuses such a screening, the aviation security officer or aviation security screening officer shall order such person to disembark the aircraft and remove the carry-on baggage, goods or checked baggage of such person.

Unaccompa-
nied Baggage.

17.31.1. Where baggage is received at an aerodrome for transport on an aircraft and such baggage is not accompanied by a person who may give the permission to screen such baggage, an aviation security officer or aviation security screening officer, may carry out an authorized search of the baggage in the presence of the aircraft operator concerned or a regulated agent, and in carrying out that search may use such force as may reasonably be necessary to gain access to the baggage.

Unattended
Baggage.

17.31.2. Where baggage is left unattended or abandoned at an airport terminal, an Aviation security officer shall consider such bag suspect and report to the police so that they can be investigated and if necessary, removed to a safe location and confiscated.

Security
Incidents.

17.32.1. An aerodrome operator, aircraft operator, aerodrome tenant or regulated agent shall immediately notify an aviation security officer, aviation security screening officer, or a Police officer when there is :

- (a) the discovery of an unauthorized firearm other than an unloaded firearm allowed under the security programme of an aircraft operator ;

(b) the discovery, at the aerodrome, or on board an aircraft, of an explosive substance or an incendiary device or a suspected explosive substance or suspected incendiary device ;

(c) refusal by a person to submit to the security screening required under these Regulations ;

(d) refusal by a person to remove himself and his goods from a restricted area when so ordered by an aviation security officer ;

(e) a report of unattended baggage located in his area of responsibility ;

(f) a report of suspicious packages, articles or goods in his area of responsibility ; or

(g) a specific threat against the aerodrome comes to his attention.

17.32.2. An aerodrome operator shall investigate any of the reported security incidents set out in 17.32.1 and provide a report of the incident to the Authority in accordance with procedures set out in his approved Aerodrome Operator Security Programme.

17.33.1. An aerodrome operator shall ensure that a record is kept of every security incident at his aerodrome. Records.

17.33.2 A record required to be kept under subsection (1), shall :

(a) be kept for a minimum of ninety days ;

(b) be made available to the Authority upon request ; and

(c) include the number :

(i) and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each ;

(ii) of acts and attempted acts of air piracy ;

(iii) of bomb threats received, real and simulated bombs found and actual bombings at the aerodrome ; and

(iv) of detentions and arrests and the immediate disposition of each person detained or arrested.

17.34.1. An aerodrome tenant restricted area operator, and any other tenants at any aerodromes, shall develop security measures to manage access to the tenant restricted area, or other area, under his control in compliance with the TRA Security Programme submitted for approval under 17.17, or the Aerodrome Security Programme under 17.7.

Aerodrome
Tenant and
Tenant
Restricted
Area
Operator
Responsibility.

17.34.2. An aerodrome tenant restricted area operator, or other tenant, shall ensure that his personnel receive appropriate aerodrome security training or security awareness training as appropriate, in accordance with the approved TRA Security Programme or Aerodrome Security Programme.

17.34.3. An aerodrome tenant restricted area operator, or other tenant, shall not use a person as an aviation security officer unless the employment of such person has been approved by the aerodrome operator.

Confidential
Security
Information.

17.35. A person shall not divulge documented information in respect of security measures in effect at an aerodrome without the permission of the aerodrome operator.

False
Statements,
Entries or
Unauthorised
Reproduction.

17.36. A person shall not make, or cause to be made, any of the following :

(a) a fraudulent or intentionally false statement in any Aerodrome Operator Security Programme or an application for any security programme ;

(b) a fraudulent or intentionally false entry in any record or report that is kept, made or used to show compliance with this Part or exercise any privileges under this Part ; and

(c) a reproduction or alteration of any report, record, security programme, issued under this Part without the approval of the aerodrome operator.

Access
Control
System.

17.37.1. An aerodrome operator shall ensure that the location and function of restricted areas, enhanced security restricted areas and sterile areas at the aerodrome are designated and properly defined within the appropriate Airport (Restricted Area) Bye-laws.

17.37.2. The level of access to a restricted area, enhanced security restricted area or sterile area shall be clearly defined and made known to all persons at the aerodrome whose duties require them to have access to these areas.

17.37.3. An aerodrome operator shall include in his approved Aerodrome Operator Security Programme details of a system, method and procedure, which shall ensure that :

(a) access points into restricted areas, enhanced security restricted areas or sterile areas are limited in number and physical access through those points are strictly controlled ;

(b) entry points which cannot be effectively controlled are locked or otherwise secured against entry by unauthorized persons ;

(c) access by persons and vehicles to restricted areas, enhanced security restricted areas and sterile areas is restricted only to persons who have a clear need for such access by virtue of their duties ;

(d) enhanced security restricted areas and sterile areas not subject to continual access control measures shall be subjected to a thorough search prior to being brought into use ;

(e) a person whose duties require him to be at the aerodrome is required to have on display on his person, a valid aerodrome identification permit and any baggage or item he carries shall be screened before being allowed access to enhanced security restricted areas or sterile areas ;

(f) the screening under paragraph (e) shall be to the same standard as that required for passengers, under 17.29 ; and

(g) persons at an aerodrome are aware of what areas they are prohibited access.

17.37.4. Notwithstanding the screening requirements under 17.37.2(e), the Authority may consider screening at certain access points on a random basis depending on the assessed risk where details of such risks are included in an approved Aerodrome Operator Security Programme.

17.37.5. The system under 17.37.2 shall provide a means to differentiate the various airport restricted areas that holders of airport restricted area permits are allowed access to.

17.37.6. The system under 17.37.2 shall describe the scope of initial and periodic background checks conducted on applicants for all types of airport restricted area permits issued.

17.38.1. An aerodrome operator shall ensure that access to a restricted area, enhanced security restricted area or sterile area of his aerodrome is controlled by the use of an airport restricted area permit system to identify persons and vehicles and facilitate access where authorized.

Airport
Restricted
Area Permit
System.

17.38.2. Notwithstanding the provisions of 17.37(1), the airport restricted area permit system shall be in accordance with the appropriate Airport (Restricted Area) Bye-laws;'

17.39. On request of the Authority, an aerodrome operator shall provide evidence of compliance with this Part in his approved Aerodrome Operator Security Programme.

Evidence of
Compliance.

17.40.1. An aerodrome operator shall designate, in his approved Aerodrome Operator Security Programme, an officer in his organization as the Aerodrome Security Co-ordinator, who shall be held responsible for the co-ordination of all aviation security policies, procedures and preventive measures applied at a designated airport.

Aerodrome
Security
Co-ordinator.

17.40.2 An Aerodrome Security Co-ordinator shall serve as the primary contact of the aerodrome operator for security-related activities and communications with the Authority, as set forth in the approved Aerodrome Operator Security Programme.

17.41. Where an aerodrome operator determines that a specific threat that jeopardizes the security of his aerodrome exists, he shall immediately take all of the measures necessary to ensure the safety and security of the aerodrome and persons at the aerodrome, including informing the appropriate aviation security officers and/or aviation security screening officers of the nature of the threat.

Measures in
the Event of
Specific
Threat at
Aerodrome.

17.42.—(1) An aerodrome operator who is made aware of a threat against an airport facility or any part of his aerodrome, or tenant restricted area that is under the control of a person carrying on any activity at or connected with his aerodrome, other than the aerodrome operator, he shall immediately :

Notification
of Threat.

(a) notify the person in control of that facility or tenant restricted area of the nature of the threat ; and

(b) determine whether there is a specific threat that jeopardizes the security of the aerodrome.

17.42.2. Where a person authorized to conduct any screening activity at an aerodrome is made aware of a threat against the aerodrome, such person shall :

(a) immediately notify the aerodrome operator of the nature of the threat ;
and

(b) assist the aerodrome operator in determining whether there is a specific threat that jeopardizes the security of the aerodrome.

Discovery of
Weapons,
Incendiary
Devices or
Explosives at
Aerodromes.

17.43.1. An aerodrome operator shall immediately notify the Authority when there is :

(a) the discovery, at the aerodrome, of a weapon, other than an unloaded firearm allowed under Regulations 17.49 ;

(b) the discovery, at the aerodrome, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed under the Act or Regulations made thereunder ;

(c) an explosion at the aerodrome, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays ; or

(d) a specific threat against the aerodrome.

Aerodrome
Operator to
keep Maps
and Plans of
Aerodrome.

17.44. An aerodrome operator shall keep at the aerodrome a certified copy of a current scale map and/or plan, certified by the Authority, of the aerodrome and buildings located at that aerodrome, that identifies the restricted areas, enhanced security restricted areas and sterile areas, security barriers and restricted area access points, enhanced security restricted area access points, and sterile area access points. This map and/or plan is to be produced in accordance with the appropriate Airport (Restricted Area) Bye-laws.

Aerodrome
Operator to
Provide
Information.

17.45.1. The aerodrome operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the aerodrome, including :

(a) information concerning the method of implementing the security measures that apply to the aerodrome operator under 17.4(1) ; and

(b) a copy of the scale map and/or plan referred to in 17.44.

17.45.2. An aerodrome operator shall provide the Authority with written notice of any new commercial air transportation service that is to commence operations at the airport terminal building.

AIRCRAFT OPERATOR SECURITY

17.46. An aircraft operator having an approved Aircraft Operator Security Programme shall :

Aircraft
Operator
Security
Programme.

- (a) maintain one complete copy of his approved Aircraft Operator Security Programme at his principal business office ;
- (b) maintain a complete copy or the pertinent portions of his approved Aircraft Operator Security Programme at each aerodrome where security screening is being conducted ;
- (c) make the documents under paragraphs (a) and (b), available for inspection upon request by the Authority; and
- (d) restrict the distribution, disclosure, and availability of sensitive security information only to persons who by their defined roles in the programme require to have such information for the performance of their function.

17.47.1. An aircraft operator shall ensure that at aerodromes, screening is conducted of :

Screening of
Passengers
and Property.

- (a) passengers, transit passengers, transfer passengers and crew travelling on his aircraft ;
- (b) carry-on baggage of persons under paragraph (a) ;
- (c) checked baggage of persons under paragraph (a) ; and
- (d) other goods in the hold of his aircraft.

17.47.2. Notwithstanding 17.47.1. an aircraft operator may authorize the aerodrome operator of the aerodrome from which he operates or any other person to conduct the screening functions set out in his approved Aircraft Operator Security Programme.

17.47.3. In giving an authorization to an aerodrome operator or any other person under 17.47.2. the aircraft operator shall further instruct such aerodrome operator or person, to prohibit any passenger refusing to be screened from entry onto any of his aircraft.

17.47.4. An aircraft operator or person authorized by him under 17.47.2., shall use the procedures and the facilities and equipment described in his Aircraft Operator Security Programme :

- (a) to prevent or deter the carriage of any weapon or incendiary device on or about the person of an individual or accessible property and the carriage of any weapon or incendiary device in checked baggage on aircraft ;
- (b) to detect the existence of a weapon or incendiary device, to inspect each person entering a sterile area at each pre-boarding screening check point and to inspect all accessible property under the control of such person ; and
- (c) to perform the following control functions with respect to each aircraft operation for which screening is required :

- (i) prohibit unauthorized access to the aircraft ;
- (ii) ensure that baggage carried in the aircraft is checked-in by a properly trained agent and that identification is obtained from all passengers and persons shipping goods or cargo on board the aircraft ;
- (iii) ensure that cargo and checked baggage carried on board the aircraft are handled in a manner that prohibits unauthorized access ; and
- (iv) conduct a security inspection of the aircraft before placing it in service and after it has been left unattended.

17.47.5. An aircraft operator shall refuse to transport :

- (a) any person who does not consent to an authorized search of his person when required to do so by the aircraft operator or person authorized to conduct such searches on his behalf ; and
- (b) any property of any person who does not consent to a search or inspection of that property in accordance with the screening system prescribed by subsection (1).

17.47.6. An aircraft operator shall remove from the aircraft any item(s) left behind by passenger disembarking from any commercial flight or otherwise dealt with such item(s) appropriately before departure of such aircraft.

17.47.7. A foreign aircraft operator shall not conduct a flight within Nigeria with a passenger on board who refuses to submit to a screening, required under these Regulations or while the carry on or checked baggage of such person is on board his aircraft.

17.47.8. Notwithstanding being in possession of a boarding pass, where the pilot in command of an aircraft has reasonable grounds to believe that a person is in violation of this Part, the pilot in command may order that person to disembark such aircraft.

**Prevention
and
Management
of Hijackings
and Sabotage
Attempts.**

17.48.1. An aircraft operator shall :

- (a) assign an appropriately qualified and trained person as a Ground Security Co-ordinator to co-ordinate the ground security duties specified in his approved Aircraft Operator Security Programme ; and
- (b) designate the pilot in command as the In-flight Security Co-ordinator for each flight, as required by his approved Aircraft Operator Security Programme to co-ordinate activities in response to threats of acts of unlawful interference.

17.48.2. An aircraft operator shall, where directed by the Authority, permit and facilitate the carriage of in-flight security officers on specific flights to prevent :

- (a) unauthorized persons from gaining access to the flight deck ; and
- (b) hijackings and other criminal acts on board the aircraft.

17.48.3. In-flight Security Officers under this section, where required to be on board a flight, shall :

- (a) prevent unauthorized persons from gaining access to the flight deck and prevent hijackings and other criminal acts on board the aircraft ; and
- (b) conduct a crew briefing prior to departure to ensure the flight crew and cabin crew understand his/her role on board the aircraft.

17.49.1. An aircraft operator shall not permit any person, who is not authorized, to have on or about his person or property, a weapon, either concealed or unconcealed, accessible to him while on board an aircraft.

Carriage of Weapons.

17.49.2. 17.49.1. shall not apply to in-flight security officers required to be on board under 17.48.

17.49.3. A person shall not, without authority, while on board an aircraft operated by an aircraft operator, carry on or about his person, a weapon, either concealed or unconcealed.

17.49.4. An aircraft operator shall not knowingly permit any person to transport, nor shall any person transport or tender for transport, a weapon, incendiary device or loaded firearm in checked baggage on board an aircraft without proper authorization.

17.49.5. An aircraft operator shall not knowingly permit any person to transport, nor may any person transport or tender for transport, any unloaded firearm in checked baggage on board an aircraft unless :

(a) such person declares to the aircraft operator, either orally or in writing before tendering the baggage for the purpose of being checked in that he has a firearm carried in his/her checked baggage and it is unloaded ;

(b) the baggage or container in which a firearm is carried is locked ;

(c) the checked baggage or container containing the firearm is loaded on the aircraft in an area that is inaccessible to passengers ; and

(d) such person presents a licence for such firearm from the State that permits him to have in his possession such firearm, an export licence for such firearm from the State of departure and an import licence for such firearm to the State of destination.

17.49.6. Where a firearm to be transported in checked baggage but is not secured in such checked baggage it shall be carried in the hold of the aircraft, in a container that the aircraft operator considers appropriate for air transportation.

17.50.1. An aerodrome operator, aircraft operator or person authorized to conduct screening on his behalf, shall not use any screening equipment systems within Nigeria to inspect carry-on or checked baggage unless specifically authorized under an approved Aircraft Operator Security Programme required by 17. 12. or an approved Aerodrome Security Programme required by 17. 4.

Use of Screening Equipment.

17.50.2. An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, may be authorized by the Authority, to use X-ray systems for inspecting carry-on or checked baggage under an approved

Aircraft Operator Security Programme, or Aerodrome Security Programme where he shows that :

(a) the X-ray system complies with the standards for X-ray systems designed primarily for the inspection of carry-on and checked baggage and meets the performance requirements set out by the Authority in the National Civil Aviation Security Programme ;

(b) a programme for initial and recurrent training of operators of the system is established, which includes training in radiation safety, the efficient use of X-ray systems, and the identification of weapons and other dangerous articles, as prescribed in the National Aviation Security Training Programme ; and

(c) the system meets the imaging requirements described in the approved Aircraft Operator Security Programme, or Aerodrome Security Programme in accordance with the combined test requirements prescribed by the Authority.

17.50.3. An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, shall ensure that an X-ray system is not used :

(a) unless within the preceding twelve months, a test has been conducted which shows that the system meets the applicable performance standards or guidelines prescribed by the Authority ; and

(b) after the system is initially installed or after it has been moved from one location to another, a test has been conducted which shows that the system meets the applicable performance standards or guidelines prescribed by the Authority.

17.50.4. An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, shall maintain at least one copy of the results of the most recent test conducted under 17.50.3 and shall make it available for inspection upon request by the Authority at each of the following locations :

(a) the principal business office of the organization conducting the screening ; and

(b) the place where the X-ray system is in operation.

17.50.5. An aerodrome operator, aircraft operator, or any other person authorized to conduct screening on his behalf, shall ensure that screening staff comply with X-ray operator duty time limitations specified in his Aircraft Operator Security Programme, or Aerodrome Security Programme.

17.51.1. Where an aircraft operator determines that there is a specific threat which jeopardizes the security of an aircraft or flight, he shall immediately take all of the measures necessary to ensure the safety of the aircraft, passengers and crew on board such aircraft, including :

(a) informing the pilot in command, the crew members assigned to the aircraft or flight, the aerodrome operator and the appropriate Police agency of the nature of the threat ;

(b) where the aircraft is on the ground, moving such aircraft to a place of safety at the aerodrome according to the directions of the aerodrome operator ; and

(c) the inspection of the aircraft and search of the passengers and goods on board such aircraft, unless the inspection and search are likely to jeopardize the safety of the passengers and crew members.

17.51.2. Where the aircraft, under 17.51.1 is on the ground, the pilot in command shall comply with any direction given by the aerodrome operator under 17.51.1(a), or a member of the appropriate Police agency, unless complying with such direction is likely to jeopardize the safety of the passengers and crew members.

17.51.3. Immediately upon receiving information that an act or suspected act of unlawful interference has been committed, the aircraft operator shall notify the Authority.

17.51.4. Where an aircraft operator determines that there is a specific threat which jeopardizes the security of a facility, a tenant restricted area, or part of an aerodrome under his control, he shall immediately take all of the measures necessary to ensure the safety of the facility, tenant restricted area or part of the aerodrome and persons at the facility, including informing the aerodrome operator and the appropriate Police agency of such threat.

17.51.5. Where the aircraft under 17.51.3 is in the airspace under the jurisdiction of a State other than Nigeria, the aircraft operator shall also notify the Appropriate Authority of the State in whose territory the aircraft is located and, if the aircraft is in flight, the Appropriate Authority of the State in whose territory the aircraft is to land.

17.51.6. Upon receipt of a bomb threat against a specific aircraft, each aircraft operator shall attempt to determine whether or not any explosive or incendiary device is aboard the aircraft involved by doing the following :

(a) conduct an analysis of the threat and classify the threat as :

(i) a hoax ;

(ii) non-specific ; or

(iii) specific ;

(b) in cases of (ii) and (iii), consider conducting a security inspection on

the ground before the next flight or, where the aircraft is in flight, immediately after its next landing ; and

(c) where the aircraft is on the ground, advising the pilot in command of the results of the analysis and the proposed action to be taken ; or

(d) where the aircraft is in flight, immediately advising the pilot in command of all pertinent information available so that necessary emergency action can be taken.

17.51.7. Where the aircraft is in flight, ensure the pilot-in-command notifies the appropriate air traffic control authority of the threat.

17.52.1. An aircraft operator shall immediately notify the Authority when there is :

(a) a hijacking or attempted hijacking of an aircraft ;

(b) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under 17.32 (1) (a) or 17. 49 ;

(c) the discovery, on board an aircraft, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed on board the aircraft under the Act or Regulations made hereunder ;

(d) an explosion on an aircraft ; or

(e) a specific threat against an aircraft, a flight or a facility or part of an aerodrome under his control.

17.52.2. An aircraft operator shall immediately notify the aerodrome operator when a weapon other than a firearm allowed under 17.32 (1) (a), or 17.49, is detected in any part of the aerodrome under his control.

17.53.1. A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, aerodrome operator, the Nigeria Police and the Authority when any of the following is detected at a restricted area access point where screening is conducted of persons and carry-on baggage and other articles in the possession or control of persons who are screened :

(a) a weapon, other than a weapon allowed under 17.32 (1) (a) or 17.49 ;

(b) an explosive substance, other than :

(i) ammunition carried by a person allowed to carry or have access to a weapon or firearm under 17.32(1)(a) and 17.49 ; or

(ii) an explosive substance allowed under the Act or Regulations made thereunder ; or

(c) an incendiary device, other than an incendiary device allowed under the Act or Regulations made thereunder.

17.53.2. A person authorized to conduct screening activities shall immediately notify the appropriate aircraft operator, the aerodrome operator, the

Reporting of
Security
Incidents.

Person
Authorized
to Conduct
Screening
Activities.

appropriate Police agency and the Authority when any of the following is detected in checked baggage :

- (a) a loaded firearm ;
- (b) an explosive substance, other than ammunition ; or
- (c) an incendiary device.

17.54.1. An aircraft operator shall where the Authority provides reasonable notice, provide the Authority, with a written or electronic record or other information relevant to the security of his operations, including :

Security
Information.

- (a) information concerning the method of implementing the security measures that apply to the aircraft operator under 17. 4(2) ; and
- (b) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

17.55.1. A person who provide services to an aircraft operator and a person who provides a service related to the transportation of goods by air, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the operations of the aircraft operator, including :

Provision of
Information
to the
Authority on
the
Security of
Operations
by Service
Providers.

- (a) information concerning the method of implementing the security measures that apply to those persons under 17. 4 (2) ; and
- (b) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight.

17.56.1. A person authorized to perform screening on behalf of an aircraft operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of his screening operations, including :

Provision of
Information
to the
Authority on
the Security
of Opera-
tions by
Screening
Personnel.

- (a) information concerning the method of implementing the security measures that apply to it under 17. 4 (2) ; and
- (b) a description of the nature of the screening operations related to a particular flight or at a particular aerodrome.

17.57.1. Where required by the Authority, an aerodrome operator, aircraft operator, or any other person acting on his behalf, required to conduct screening under a security programme shall use an explosive detection system that has been approved by the Authority to screen checked baggage in accordance with his Aircraft Operator Security Programme, or Aerodrome Security Programme.

Use of
Explosives
Detection
Systems.

17.58.1. An aircraft operator, when required to carry a passenger who is the subject of judicial or administrative proceedings, shall only do so once appropriate security controls have been applied to the passenger in question, including notification to the pilot-in-command.

Carriage of
Passengers
under
Administrative
Control
by
Aircraft
Operator

17.58.2. An aircraft operator shall ensure that prior to departure :

(a) the aircraft is equipped with adequate restraining devices to be used in the event restraint of any passenger becomes necessary ;

(b) each passenger travelling under 17.58.1 has been searched and does not have on or about his person or property anything that can be used as a weapon ; and

(c) each passenger travelling under 17.58.1 whether under the control of an escort officer or not, under this Regulation, is :

(i) boarded before any other passengers when boarding at the aerodrome from which the flight originates and deplaned at the destination after all other deplaning passengers have deplaned ;

(ii) seated in the rear-most passenger seat when boarding at the aerodrome from which the flight originates ; and

(iii) seated in a seat that is not located close to or directly across from any exit.

17.58.3. An aircraft operator operating an aircraft under 17.58.1 shall not:

(a) serve food, beverage, or provide eating utensils made of metal to a passenger under such judicial or administrative proceedings while on board such aircraft unless authorized to do so ; or

(b) serve any escort officer, or the passenger under the control of the escort officer, any alcoholic beverages while on board such aircraft.

17.58.4. In cases where an escort officer is also carried under the provisions of subsection (1), the escort officer shall, at all times, accompany the passenger under his control and keep the passenger under surveillance while on board the aircraft including visits to the lavatory.

17.58.5. This Regulation shall not apply to the carriage of passengers under voluntary protective escort.

Training.

17.59.1. An aircraft operator shall not use any person as a Security Coordinator unless, within the preceding twelve months, such person has satisfactorily completed the required security training specified in his approved Aircraft Operator Security Programme and required by the National Civil Aviation Security Training Programme.

17.59.2. A national aircraft operator shall not use any person as a crewmember on any domestic or international flight unless within the preceding twelve months that person has satisfactorily completed the security training required by Part 3 of these Regulations as specified in his approved Aircraft Operator Security Programme and the National Civil Aviation Security Training Programme.

17.60.1. An aircraft operator, or aerodrome operator, shall ensure that :

(a) a person authorized to perform a security related function on his behalf has knowledge of :

(i) the provisions of Part 4 of these Regulations, applicable security directives and information circulars promulgated pursuant to 17. 83 ; and

(ii) elements of the approved Aircraft Operator Security Programme or Aerodrome Operator Security Programme required for the performance of his functions ;

(b) the Security Co-ordinator of the aircraft operator, or aerodrome operator at each aerodrome :

(i) reviews daily all security-related functions for effectiveness and compliance with :

(a) Part 4 of this Regulation ;

(b) the approved Aircraft Operator Security Programme or Aerodrome Operator Security Programme ; and

(c) applicable security directives ; and

(ii) immediately initiates corrective action for each instance of non-compliance with :

(a) Part 4 of this Regulation ;

(b) the approved Aircraft Operator Security Programme or Aerodrome Operator security Programme ; and

(c) applicable security directives.

17.60.2. The requirements prescribed under 17.60.1, shall apply to all security-related functions performed for the aircraft operator, or aerodrome operator, whether by his employee or the employee of a contractor.

17.60.3. An aircraft operator, or aerodrome operator, conducting operations in Nigeria shall not use any person to perform any required screening function, unless such person has :

(a) a combination of education and experience, which the Authority has determined is necessary for the person to perform his duties and as stipulated in the National Civil Aviation Security Training Programme and National Civil Aviation Security Quality Control Programme ;

(b) the following basic aptitudes and physical abilities :

(i) the ability to distinguish on the X-ray monitor the appropriate imaging standard specified in his national aircraft operator security programme, or aerodrome security programme including the perception of colours where displayed by the X-ray system ;

(ii) the ability to distinguish each colour displayed on every type of screening equipment and explain what each colour signifies ;

(iii) the ability to hear and respond to the spoken voice and to audible alarms generated by screening equipment in an active check point environment ;

(iv) the ability to efficiently and thoroughly manipulate and handle such baggage, containers, and other objects subject to security processing ; and

(v) the ability to have sufficient dexterity and capability to conduct partial and full body searches or hand held metal detector searches in accordance with the guidelines prescribed by the Authority ;

(c) the ability to read, write, and speak the English Language well enough to :

(i) carry out written and oral instructions in the English Language regarding the proper performance of screening duties ;

(ii) read English Language airport restricted area permits, credentials, airline tickets, and labels on items normally encountered in the screening process ;

(iii) provide direction to and understand and answer questions from English-Speaking persons undergoing screening ; and

(iv) write incident reports and statements and log entries into security records in the English Language ; and

(d) satisfactorily completed all initial, recurrent, and appropriate specialized aviation security training required by the Aircraft Operator Security Programme, Aerodrome Operator Security Programme and the National Civil Aviation Security Training Programme.

17.60.4. An aircraft operator, or aerodrome operator, shall not use a person to perform a screening function after that person has failed an operational test related to that function, until such person has successfully completed the remedial training specified in his Aircraft Operator Security Programme, or Aerodrome Security Programme, and has passed a re-test related to that function.

17.60.5. An aircraft operator, or aerodrome operator shall ensure that a Security Co-ordinator conducts and documents an annual evaluation of each person assigned screening duties and may continue the employment of that person in a screening capacity only upon the determination by that Security Co-ordinator that the person :

(a) has not suffered a significant diminution of any physical ability required to perform a screening function since the last evaluation of those abilities ;

(b) has a satisfactory record of performance and attention to duty ; and

(c) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform screening functions.

17.60.6. 17.60.1. through 17.60.5. shall not apply to those aviation security screening functions conducted outside Nigeria over which the national aircraft operator does not have operational control.

17.60.7. At locations outside Nigeria where the national aircraft operator has operational control over a screening function, he may use aviation security screeners who do not meet the requirements of 17.60.3(c), provided that at least one of his representatives who has the ability to functionally read and speak the English language is present while the passengers of the aircraft operator are undergoing security processing.

CARGO AND REGULATED AGENT SECURITY

17.61.1. No aircraft operator shall accept consignments of cargo, courier and express parcels or mail for carriage on passenger flights unless the security of such consignments is accounted for by a regulated agent that is approved by the Authority, or such consignments are subjected to other security controls, that are approved by the Authority, to safeguard such aircraft against an act of unlawful interference.

Security
Controls over
Cargo.

17.62.1. A regulated agent prior to accepting goods for transport in an aircraft shall carry out such security controls as are specified in his approved Regulated Agent Security Programme.

Aviation
Security
Responsibilities of a
Regulated
Agent.

17.62.2. An approved regulated agent who offers goods to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of goods accepted and offered for air transport, employee training records, airway bills and valid consignment security declarations.

17.63.1. An aircraft operator accepting goods for transport on his aircraft :

Responsibility of the
Aircraft
Operator
Receiving
Goods from
a Regulated
Agent.

(a) may conduct screening of such shipments of goods ; and

(b) shall ensure :

(i) the safeguarding of such goods against unlawful interference until such goods have been placed in the aircraft ;

(ii) that his shipments of goods are recorded ; and

(iii) that whenever the goods are received from an approved regulated agent such goods are delivered by an authorized employee of such regulated agent.

17.63.2. An aircraft operator shall not accept any goods for transport by aircraft unless the documentation for such goods is examined for inconsistencies and is accompanied by a valid consignment security declaration.

17.63.3. An aircraft operator shall not accept any goods, from a regulated agent, for transport by aircraft unless that regulated agent is an accepted and accredited regulated agent as determined by the Authority :

17.63.4. An aircraft operator shall provide an approved regulated agent with all the necessary information in order that he is able to comply with the Technical Instructions.

17.63.5. An aircraft operator shall make available to the Authority a report of any incident where an airway bill or equivalent document did not provide an accurate record of the goods being offered for air transport.

17.63.6 An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any goods that are not acceptable.

Inspection of
Goods
Offered for
Transport by
Regulated
Agent.

17.64.1. An aircraft operator may inspect any goods or any package, or container having goods offered for transport by air by a regulated agent.

17.64.2. Where an inspection is conducted pursuant to 17.64.1 a regulated agent or a representative of the regulated agent may observe the inspection.

17.64.3. In the absence of a regulated agent, or a representative of a regulated agent, an aircraft operator may use such force as is necessary to access the contents of any package or container containing goods offered for transport by air by such regulated agent, representative of a regulated agent or aircraft operator.

17.64.4. Where an inspection is conducted by an aircraft operator pursuant to 17.64.1. the package, container or goods shall remain in possession of the aircraft operator until after the inspection is complete.

17.64.5. Where an inspection of goods under this Regulation provides evidence of a breach of this Part, the national aircraft operator shall maintain possession of the goods offered for air transport by a regulated agent and the airway bill and inform the Authority in the prescribed form.

Screening of
Cargo.

17.65.1. An aircraft operator accepting goods from a consignor, or any authorised representative of the consignor, that is not a regulated agent approved by the Authority, must conduct screening of those goods to determine that they do not contain any weapons, explosives or other dangerous devices, prior to them being carried on any aircraft.

FLIGHT CATERING OPERATOR SECURITY

Aviation
Security
Responsibilities
of a Flight
Catering
Operator.

17.66.1. A flight catering operator prior to accepting raw materials and equipment for preparation as catering supplies for transport in an aircraft shall follow such procedures as are specified in his Flight Catering Operator Security Programme that has been approved by the Authority

17.66.2. An approved flight catering operator who offers catering stores and supplies to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of raw materials and equipment accepted and catering stores and supplies offered for air transport, employee training records and other accountable catering documents.

17.67.1. An aircraft operator accepting catering stores and supplies for transport on his aircraft from an approved flight catering operator :

(a) will ensure that all catering supplies are properly recorded on documentation and are secured through the use of catering seals ;

(b) may accept the integrity of the catering if he is satisfied the seals and documentation are in order and that the catering shows no signs of being tampered with ;

(c) may conduct screening of such shipments of catering if the seals and documentation do not match, or if the catering shows any sign of having been tampered with ; and

(d) will ensure that whenever the catering supplies and stores are received, such catering supplies and stores are delivered by an authorized employee of such approved flight catering operator.

17.67.2. An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for such catering supplies and stores is examined for inconsistencies and is accompanied by a valid security declaration.

17.67.3. An aircraft operator shall not accept any catering supplies and stores, from a flight catering operator, for transport by aircraft unless the flight catering operator is in possession of an approved Flight Catering Operator Security Programme, approved by the Authority.

17.67.4. An aircraft operator shall make available to the Authority a report of any incident where a catering or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transport.

17.67.5. An aircraft operator, except as provided in the Technical Instructions, shall not place in an aircraft any catering supplies and stores that are not acceptable.

17.67.6. An aircraft operator shall preserve for not less than one year any record of acceptance checklists and inspections carried out under this Part.

17.68.1. An aircraft operator may inspect any catering supplies and stores or any package, or container having catering supplies and stores offered for transport by air by an approved flight catering operator.

17.68.2. Where an inspection is conducted pursuant to 17.68.1, a flight catering operator or a representative of the flight catering operator may observe the inspection.

17.68.3. In the absence of a flight catering operator, or a representative of a flight catering operator, an aircraft operator may use such force as is necessary to access the contents of any package or container containing catering supplies and stores offered for transport by air by such flight catering operator, or representative of a flight catering operator.

Responsibility
of the
Aircraft
Operator
receiving
Catering
Stores and
Supplies from
a Flight
Catering
Operators.

Inspection of
Catering
Supplies.

17.68.4. Where an inspection is conducted by an aircraft operator pursuant to 17.68.3 the package, container or catering supplies and stores shall remain in possession of the aircraft operator until after the inspection is complete.

17.68.5. Where an inspection of catering supplies and stores under this Regulation provides evidence of a breach of this Part, the aircraft operator shall maintain possession of the catering supplies and documentation and inform the Authority in the prescribed form.

TENANT RESTRICTED AREA SECURITY

**TRA
Requirements.**

17.69.1. A Tenant Restricted Area (TRA) operator at, or in connection with, any aerodrome, will take such measures as required by the Appropriate Airport Authority to protect his TRA, and the aerodrome associated with the TRA, to prevent weapons, explosives or any other dangerous devices which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means whatsoever, on board an aircraft engaged in civil aviation.

17.69.2. In carrying out the requirements of 17.69.1, a TRA operator will comply with 17.4 and 17.17 of these Regulations, the Appropriate Airport (Restricted Area) Bye-laws in force, and the terms and conditions of his approved Tenant Restricted Area Operator Security Programme.

QUALITY CONTROL

**Objectives
and Content
of Quality
Control
Programme.**

17.70.1. The quality control programme shall contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of the national civil aviation security programme, including the policies on which they are based.

17.70.2. The quality control programme shall be in such form and include such elements as are stipulated within the National Civil Aviation Security Programme (NCASP).

**Compliance
Monitoring.**

17.71.1. The implementation of the national civil aviation security programme shall be monitored by the Authority for compliance by all stakeholders.

17.71.2. Monitoring shall be undertaken in accordance with the approved National Civil Aviation Security Quality Control Programme (NCASQCP), taking into consideration the threat level, type and nature of the operations, standard of implementation, and other factors and assessments which will demand for more frequent monitoring.

17.71.3. The management, setting of priorities and organisation of the quality control programme shall be undertaken independently from the operational implementation of the measures taken under the National Civil Aviation Security Programme (NCASP).

17.71.4. The Authority may in writing require any person who :

(a) is required to hold an aviation security programme ; or

(b) operates, maintains, or services, or does any other act in respect of any aircraft, aeronautical product, aviation related service, air traffic service, or aeronautical procedure, to undergo or carry out such inspections and audits and such monitoring as the Authority considers necessary in the interests of civil aviation security.

17.71.5. The Authority may, in respect of any person described in paragraph :

(a) or paragraph (b) of 17.71.5 of this section, carry out such inspections, audits and monitoring as the Authority considers necessary in the interests of civil aviation security.

17.71.6. For the purposes of any inspection, audit or monitoring carried out in respect of any person under 17.71.6 of this section, the Authority may in writing require from that person such information as the Authority considers relevant to the inspection, audit or the monitoring.

17.72.1. The Authority shall ensure that auditors performing functions on its behalf shall have appropriate qualifications, which shall include sufficient theoretical and practical experience in the relevant field.

Qualification
Criteria for
Auditors.

17.72.2. The auditors shall have :

(a) a good understanding of the national civil aviation security programme and how it is applied to the operations being examined ;

(b) where appropriate, knowledge of the more stringent measures as applicable in the location being examined ;

(c) a good working knowledge of security technologies and techniques ;

(d) a knowledge of audit principles, procedures and techniques ;

(e) a working knowledge of the operations being examined.

17.73.1. The Authority may, in writing, require any holder of an approved aviation security programme to undergo an investigation conducted by the Authority if the Authority believes, on reasonable grounds, that it is necessary in the interests of civil aviation security, and if the Authority :

Power of
Investiga-
tion.

(a) has reasonable grounds to believe that the holder has failed to comply with any conditions of an aviation security programme ; or

(b) considers that the privileges or duties for which the security programme has been approved, are being carried out by the holder in a careless or incompetent manner.

17.73.2. If the Authority requires a holder of an approved security programme to undergo an investigation, the Authority shall :

(a) conclude the investigation as soon as practicable ; and

(b) inform the holder, in writing, of :

- (i) the date on which the investigation will begin ; and
- (ii) the results of the investigation, including :
 - (a) any recommendations arising out of the investigation ; and
 - (b) the grounds for those recommendations.

Power to
Suspend
Security
Programme.

17.74.1. The Authority shall suspend any aviation security programme approved under these Regulations or impose conditions in respect of any such security programme if the Authority considers such action necessary in the interests of security, and if the Authority :

- (a) considers such action necessary to ensure compliance with these Regulations ;
- (b) is satisfied that the holder has failed to comply with any conditions of an aviation security programme ; or
- (c) considers that the privileges or duties for which the security programme has been approved are being carried out by the holder in a careless or incompetent manner.

General
Power of
Entry.

17.75.1. For the purpose of carrying out its functions, duties, or powers under these Regulations, every person duly authorised by the Authority shall have right of access at any reasonable time to the following :

- (a) any aircraft, aerodrome, building, or place ; and
- (b) any document or record concerning any aircraft, aeronautical product, or aviation related service.

17.75.2. Without limiting the power conferred by 17.75.1 of this section, every person duly authorised by the Authority who has reasonable grounds to believe that :

- (a) any breach of these Regulations is being or about to be committed ;
- (b) a condition imposed under any civil aviation security programme is not being complied with ; or
- (c) a situation exists within the civil aviation system or is about to exist that constitutes a danger to persons or property, may at any reasonable time enter any aircraft, aerodrome, building, or place, and carry out an inspection to determine whether or not a matter referred to in paragraphs (a) to (c) of this subsection exists.

17.75.3. Every person who is authorized to have access to or to enter any aircraft, aerodrome, building, or place under 17.75.1 or 17.75.2 :

- (a) shall require any person who is in possession of an aviation security programme, or of any certificate, book, manual, record, list, notice, or other document that is required to be kept under these Regulations, to produce or surrender it ; and

(b) shall, if a document is surrendered under paragraph (a), inform the relevant aviation document holders orally, as soon as practicable, and in writing that the document has been surrendered.

17.75.4. Every person exercising the power of entry conferred by 17.75.1. or 17.75.2. of this section shall carry a proof of identity and authority, issued by the Authority specifying :

(a) the name and the office or offices held by the person ; and

(b) that the person is authorised by the Authority to exercise the power conferred by 17.75.1. or 17.75.2. of this section to enter aircraft, aerodromes, buildings, and off airport facilities, and to carry out such inspection.

17.75.5. Every person exercising the power of entry conferred by 17.75.1. or 17.75.2. of this section shall produce the warrant of authority and evidence of identity :

(a) If practicable on first entering the aircraft, aerodrome, building, or off airport facilities ; and

(b) Whenever subsequently reasonably required to do so. 17.76.

17.76.1.—(1) The Authority shall give at least two months' notice to the facility operator or service provider that is the subject of a security audit.

Notification
of Audits.

17.76.2. When an airport is to be audited, the Authority shall notify the appropriate airport authority accordingly.

17.76.3. When giving notice of an audit to the facility operator or service provider being audited, the Authority shall communicate a pre-audit questionnaire, for completion by the facility operator or service provider and a request for the following security documents :

(a) the approved facility or service provider security programme (where applicable) ;

(b) records, and results of any internal quality assurance audits undertaken

(c) results of any investigations conducted into security incidents since the date of the last audit ; and

(d) results of previous audits and/or inspections carried out by the Authority designated auditors.

17.76.4. The completed questionnaire and the documents requested shall be submitted to the Authority within four (4) weeks of receipt of the audit notification.

17.77.1.—(1) A standard methodology shall be used to monitor compliance with the requirements laid down in the national civil aviation security programme and relevant facility or service provider security programme.

Conduct of
Inspections
and Audits.

17.77.2. Facility operators or service providers shall ensure that the Authority auditors are accompanied at all times during the inspection or audit.

17.77.3. The Authority auditors shall carry an identity card authorising inspections and audits on behalf of the Authority and an airport identification card allowing access to all areas required for inspection and audit purposes.

17.77.4. Tests shall only be performed after advance notification and agreement, in close co-ordination with the facility operator or service provider, to ensure their security, safety and effectiveness.

17.77.5. Without prejudice to Regulation 80, the Authority auditors shall, wherever appropriate and practicable, deliver an informal oral summary of their findings on the spot. In any case, the facility operator or service provider shall be informed promptly of any serious deficiencies identified by the Authority inspection and/or audit.

Failure to
Comply with
Inspection
Request.

17.78.1. Every person commits an offence who, without reasonable excuse, fails to comply with any requirement of the Authority under 17.71.4.

Obstruction
of Authorised
Persons.

17.79.1.—(1) Every person commits an offence who obstructs or impedes any person who is duly authorised by the Authority and acting in the performance or exercise of any functions, duties, or powers conferred on him or her by these Regulations, and is liable.

Audit
Report.

17.80.1. Within six weeks of completion of an audit, an appropriate report shall be communicated by the Authority to the appropriate facility operator or service provider.

17.80.2. The report shall identify findings established during the audit. The report may contain recommendations for remedial action.

17.80.3. When assessing the implementation of the terms of the individual facility operator's, or service provider's approved security programme, and the requirements of the national civil aviation security programme, the following classifications shall apply :

- (a) fully compliant ;
- (b) compliant, but improvement desirable ;
- (c) not compliant, with minor deficiencies ;
- (d) not compliant, with serious deficiencies ;
- (e) not applicable ;
- (f) not confirmed.

Facility
Operator or
Service
Provider
Answer.

17.81.1. Within two (2) months of the date of dispatch of an audit report, the facility operator or service provider shall submit in writing to the Authority an answer to the report which :

- (a) addresses the findings and recommendations ;
- (b) provides an action plan, specifying actions and deadlines, to remedy any identified deficiencies.

17.81.2. Where the audit report identifies no deficiencies, no answer shall be required.

MISCELLANEOUS

17.82.1. For the purpose of these Regulations the following information and records containing such information constitute sensitive security information :

Protection of
Sensitive
Security
Information.

(a) an approved security programme for an aircraft operator, aerodrome operator, air traffic service provider, regulated agent, flight catering operator, aviation security service provider, or tenant restricted area operator ;

(b) any security programme that relates to transportation by air and any comments, instructions or implementing guidance pertaining thereto ;

(c) security directives, information circulars and any comments, instructions or implementing guidance pertaining thereto ;

(d) any profile used in any security screening process, including for persons, baggage or cargo ;

(e) any security contingency plan or information and any comments, instructions, or implementing guidance pertaining thereto ;

(f) technical specifications of any device used for the detection of any deadly or dangerous weapon, explosive, incendiary, or destructive substance ;

(g) a description of, or technical specifications of, objects used to test screening equipment ;

(h) communication procedures and technical specifications of any security communication equipment ;

(i) any information that the Authority has determined may reveal a systemic vulnerability of the aviation system or a vulnerability of aviation facilities, to attack ;

(j) information concerning threats against civil aviation released by the Authority ;

(k) specific details of aviation security measures whether applied directly by the Authority or regulated parties and includes, but is not limited to, information concerning specific numbers of aviation security officers and aviation security screening officers, deployments or missions, and the methods involved in such operations ;

(l) any other information, the disclosure of which the Authority has prohibited ; and

(m) any draft, proposed or recommended change to the information and records identified in these Regulations.

17.83.1. The Authority shall, for the purpose of implementation of any of the Security Programmes required under these Regulations; issue a security directive to any person to whom 17.83.2 applies requiring him to take such measures as are specified in the directive.

Issue of
Security
Directives.

17.83.2 This subsection applies to :

- (a) the Airport Authority ;
- (b) the manager of an aerodrome other than an aerodrome which is principally used by aircraft in military service ;
- (c) any operator of an aircraft registered or operating in Nigeria ;
- (d) any person who occupies any land forming part of an aerodrome ;
- (e) any person who is permitted to have access to a restricted area in an aerodrome for the purposes of the activities of a business carried on by him ;
- (f) any person who manages navigational or other aviation related facilities that are important to the continued operation of international civil aviation ; and
- (g) any person who carries on a business :
 - (i) which involves handling of any article intended to be carried into an aerodrome for any purpose ;
 - (ii) which involves provision of service by personnel who have access to a restricted area ; or
 - (iii) which, in the opinion of the Authority, otherwise impinges on the security of an aerodrome.

17.83.3. The Authority may, by a security directive :

- (a) revoke wholly or partly another security directive issued previously ; and
- (b) modify another security directive issued previously in such manner as he thinks fit.

17.84.1. A security directive shall be issued in writing.

17.84.2. A security directive may :

- (a) be either of a general or of a specific character ;
- (b) require any measure to be taken, or require any person not to cause or permit anything to be done, at such time and during such period as may be specified in the directive ;
- (c) require different measures be taken in relation to different kinds or level of threat specified in the directive ;
- (d) specify :
 - (i) the minimum number of persons to be employed for the purposes of implementing any measures required to be taken by the person to whom it is issued ;
 - (ii) the manner in which persons employed for such purposes are to be deployed ; and
 - (iii) the qualifications which persons employed for such purposes are to have ; and

Requirements
of Security
Directives.

(e) specify any apparatus, equipment or other aids to be used for such purposes.

17.84.3. A security directive to any person not to cause or permit anything to be done shall be construed as requiring him to take all such steps as in any particular circumstances are practicable and necessary to prevent that thing from being done.

17.84.4. A security directive may be issued to a person appearing to the Authority to be about to become a person to whom 17.75.3 applies, but a security directive issued to a person by virtue of this subsection shall not take effect until he becomes such a person, and, in relation to a security directive so issued, the preceding provisions of this section shall apply with the necessary modifications.

17.85.1. Any person who receives a security directive shall :

Implementa-
tion of
Security
Directives.

(a) no later than twenty-four hours after delivery by the Authority or within the time prescribed in the security directive, acknowledge receipt of such security directive ;

(b) within the time prescribed in such security directive, specify the method by which the aerodrome operator, aircraft operator, air traffic service provider, flight catering operator, aviation security service provider, regulated agent, or tenant restricted area operator has implemented or plans to implement the measures contained in the security directive ; and

(c) ensure that information regarding the security directive and measures implemented in response to such security directive are distributed to specified personnel as prescribed in the security directive and to other personnel who require to have such information for the performance of their functions.

17.85.2. In the event that an aerodrome operator, aircraft operator, air traffic service provider, flight catering operator, regulated agent, or tenant restricted area operator is unable to implement the measures contained in the security directive, received under 17.85.1, he shall submit proposed alternative measures, to the Authority within the time frame for compliance prescribed in the security directive.

17.85.3. The Authority shall review alternative measures submitted by the aerodrome operator, aircraft operator, air traffic service provider, flight catering operator, aviation security service provider, regulated agent, or tenant restricted area operator, under 17.85.2. and where the Authority is satisfied that they meet the requirements of the security directive, the Authority shall approve such alternative measures.

17.85.4. The aerodrome operator, aircraft operator, air traffic service provider, flight catering operator, aviation security service provider, regulated agent, or tenant restricted area operator shall implement any alternative measures approved by the Authority under 17.85.3.

17.85.5. Any person who receives a security directive or information circular, under 17. 83, shall :

(a) restrict the availability of the security directive or information circular and information therein to those persons who require such information for the performance of their functions ; and

(b) refuse to release the security directive or information circular and information regarding the security directive or information circular to other persons without the prior written consent of the Authority.

Objection to
Security
Directives.

17.86.1. A person to whom a security directive is issued may serve on the Authority a notice in writing objecting to the directive, on the grounds that the measures specified in the directive :

(a) are unnecessary and should be dispensed with ; or

(b) are excessively onerous or inconvenient and should be modified.

17.86.2. Where the person to whom a security directive is issued serves a notice under 17.86.1. objecting to the directive, the Authority shall consider the grounds of the objection and, if so requested by the objector, shall afford to him a reasonable opportunity of appearing before and being heard by a public officer appointed by the Authority for this purpose, who shall then decide on the objection by :

(a) confirming the directive as originally issued ;

(b) confirming the directive subject to one or more modifications specified in the notice served under 17.86.3 ; or

(c) withdrawing the directive.

17.86.3. A decision under 17.86.2 shall be notified to the objector by the Authority by a notice in writing.

Search of
Persons and
Goods.

17.87.1. A person, who, prior to entering a restricted area, enhanced security restricted area or sterile area is required by an aviation security officer or aviation security screening officer :

(a) to submit to a search of his person ;

(b) to permit a search to be carried out of the goods that such person intends to take or have placed on board an aircraft or take into a restricted area ; or

(c) to submit to a search of a vehicle or other means of conveyance, under his control, shall not board, and shall not be allowed to board the aircraft, or enter the restricted area, enhanced security restricted area or sterile area unless he submits to a search or permits a search to be carried out, as the case may be.

17.87.2. Where a person is given an order by an aviation security officer or aviation security screening officer pursuant to 17.87.1 the person shall thereupon leave the restricted area, enhanced security restricted area or sterile

area immediately and remove the goods, vehicle or means of conveyance in his possession from the restricted area, enhanced security restricted area or sterile area.

17.87.3. A person under 17.87.1 or 17.87.2 who is requested to leave a restricted area, enhanced security restricted area or sterile area shall be escorted out of such restricted area, enhanced security restricted area or sterile area by an aviation security officer or aviation security screening officer.

17.88.1. A person shall not carry, or attempt to carry, weapons, prohibited items or other dangerous devices not authorized for transport, in carry-on baggage or in hold baggage, on board an aircraft.

Passengers
and Members
of the Public.

17.88.2. A person shall not make a false statement to an aviation security officer, an aviation security screening officer, an aircraft operator, or a member of the Nigerian Police assigned to aerodrome duties, in regard to possession of a weapon, incendiary device or any other dangerous device.

17.88.3. A person shall not enter or remain in any part of an aerodrome that is not a public area where a notice is given orally by the aerodrome operator, aerodrome tenant, aircraft operator or by a posted sign stating that trespassing is prohibited, or that entry is restricted to authorized persons as stipulated in the appropriate Airport Bye-laws.

17.88.4. Where a person has been ordered to disembark an aircraft in accordance with 17. 30, he shall disembark the aircraft and remove his carry-on baggage and have his checked baggage removed from the aircraft.

17.89.1. A person shall be allowed access to aerodrome restricted areas in accordance with the requirements of the appropriate Airport (Restricted Area) Bye-laws.

Access to
Aerodrome
Restricted
Areas.

17.89.2. A person, who has been granted access to a restricted area of an aerodrome, shall only access or attempt to access such restricted area at a designated restricted area access control point.

17.89.3. Subject to 17.89.4 a person shall not :

(a) provide another person with physical access to a restricted area where the latter has not been issued with a restricted area permit ; or

(b) assist another person in gaining physical access to a restricted area where the latter has been issued a restricted area permit but does not have such restricted area permit in his possession.

17.89.4. Notwithstanding 17.89.3 a person may enter certain restricted areas of an aerodrome where such person :

(a) has a valid boarding pass issued by an aircraft operator, is proceeding to the assigned gate for the purpose of boarding an aircraft and has been subject to the screening requirements of these Regulations ; or

(b) he/she is identified in the emergency response plan of the aerodrome operator and is attending to an aerodrome emergency.

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Restriction
on Entry
into
Enhanced
Security
Restricted
Areas and
Sterile Area.

Submission to
Screening.

Unruly
Passenger.

17.90. A person shall not enter an enhanced security restricted area or a sterile area unless he has been screened and cleared for entry by an aviation security officer or aviation security screening officer.

17.91. A person shall not enter an enhanced security restricted area or sterile area without submitting to the screening of his person and property in accordance with the procedures being applied to control access to that area under Regulation 17.37.

17.92.1. Any passenger who becomes unruly at the airport terminal or on board an Aircraft commits an offence.

17.92.2. the word "*unruly*" as used in this section refers to but is not limited to, the following acts :

(a) Smoking on board an aircraft or in a non smoking area of the terminal building ;

(b) Use of mobile phones and/or other communication/electronics gadgets on board an aircraft without the approval of the aircraft commander ;

(c) Fighting or other disorderly conduct on board an aircraft or at the terminal building ;

(d) Any conduct/act constituting a nuisance to other passengers ;

(e) Disobedience of lawful instructions issued by the aircraft commander, flight crew, cabin attendants, check-in staff and/or security screening staff ;

(f) Any conduct that endangers or is likely to endanger the safety of flight operations ;

(g) Tampering with smoke detectors and other aircraft equipment .

17.92.3. Where any passenger becomes unruly on board an aircraft or at the terminal building, the aircraft commander or airport authority shall take necessary measures including restraint where necessary :

(a) to protect the safety of the aircraft, terminal building or of persons or property therein, or

(b) to maintain good order and discipline on board or at the terminal building ; and

(c) to enable him deliver such person to competent authorities.

PART 18—AIR TRANSPORT ECONOMIC REGULATIONS

INTRODUCTION

Part 18 provides for the rules governing the administration, certification, licensing, permits, registration, and audit procedures of economic air transport activities. It also incorporates relevant guidelines contained in ICAO Guidance Materials as well as best practices.

The Part deals with Air Transport Licensing, Domestic Operations, Regional and International Operations by Nigerian Carriers, Foreign Airline Operations into and out of Nigeria, Air Services Agreement, Airport and Air Navigation Services, Facilitation of Air Transport, Allied Aviation Services, Travel Agency, Airline Financial Health, Aviation Insurance, Civil Aviation Fees, Air Transport Statistics, Fares and Tariff, Unfair Methods of Competition and Anti-Competitive Practices.

PART 18—AIR TRANSPORT ECONOMIC REGULATIONS

- 18.1. GENERAL
 - 18.1.1. Applicability.
 - 18.1.2. Definitions.
 - 18.1.3. Abbreviation.
- 18.2. AIR TRANSPORT LICENSING
 - 18.2.1. Licences and Permits.
 - 18.2.2. Licences for Scheduled Domestic Flight Operations (ATL).
 - 18.2.3. Airline Operating Permit (AOP).
 - 18.2.4. Permit for Non-Commercial Flight Operations (PNCF).
 - 18.2.5. Air Travel Organizer's Licence (ATOL).
 - 18.2.6. Permit for Aerial Aviation Services (PAAS).
 - IS:18.2. Implementing Standards.
- 18.3. DOMESTIC OPERATIONS
 - 18.3.1. General.
 - 18.3.2. Modes of Operations.
 - 18.3.2.1. Scheduled Domestic Operations.
 - 18.3.2.2. Non-Scheduled Domestic Operations (Charter).
 - 18.3.2.3. Non-Commercial Domestic Operations (Private).
 - 18.3.2.4. Aerial Operations (crop spraying, banner towing, etc.).
 - 18.3.2.5. Organized Package Tours.
 - 18.3.2.6. Interlining of Tickets.
 - 18.3.2.7. Self-Handling Operations.
 - 18.3.2.8. Billing and Settlement Plan (BSP).
- 18.4. REGIONAL AND INTERNATIONAL OPERATIONS BY NIGERIAN AIRLINES
 - 18.4.1. Scheduled Operations by Nigerian Airlines.
 - 18.4.2. Non-Scheduled Operations by Nigerian Airlines.
 - 18.4.2.1. Non-Scheduled Passenger (Charter) Operations-Commercial.
 - 18.4.2.2. Non-Scheduled Cargo (Charter) Operations.
 - 18.4.2.3. Private Operations.
 - IS 18.4. Implementing Standards.
- 18.5. FOREIGN AIRLINE OPERATIONS INTO AND OUT OF NIGERIA
 - 18.5.1. Scheduled Operations by Foreign Airlines.
 - 18.5.1.1. Operations by Designated Foreign Airlines.
 - 18.5.2. Non-Scheduled Passenger (Charter) Operations by Foreign Airlines.
 - 18.5.3. Non-Scheduled Cargo (Charter) Operations by Foreign Airlines.
 - IS 18.5. Implementing Standards.

18.6. AIR SERVICES AGREEMENTS

- 18.6.1. Preamble.
- 18.6.2. Internal Procedure in Consultation Advice Process.
- 18.6.3. Principles for Consultation and Advice to the Minister on International Agreements.
- 18.6.4. BASA Monitoring.
- 18.6.5. Commercial Agreements.
- 18.6.6. Multilateral Agreements.
- 18.6.7. Open Skies Agreements.

18.7. AIRPORT AND AIR NAVIGATION SERVICES

- 18.7.1. Applicability.
- 18.7.2. Entry into Airport Business.
- 18.7.3. Regulation of Charges, Fees and Tariffs.
- 18.7.4. Service Level Agreement (SLA).
- 18.7.5. Financial Returns and Other Obligations.
- IS:18.7. Implementing Standards.

18.8. FACILITATION OF AIR TRANSPORT

- 18.8.1. Applicability.
- 18.8.2. Collaboration with Relevant Government and Security Agencies.
- 18.8.3. Obligations of Airport Operators, Airlines and Ground Handlers.
- 18.8.4. National Facilitation Programme.
- 18.8.5. Airport Facilitation Programme.
- 18.8.6. Airport Slot Allocation Committee.
- IS:18.8. Implementing Standards.

18.9. ALLIED AVIATION SERVICES

- 18.9.1. Registration of Allied Aviation Businesses.
- 18.9.1.(i) Ground Handling Companies.
- 18.9.1.(ii) Agents of Foreign Airlines.
- 18.9.1.(iii) Travel Agencies.
- 18.9.1.(iv) Cargo Agency and Air Freight Forwarding.
- 18.9.1.(v) In-Flight Catering Services.
- 18.9.1.(vi) Aviation Fuel Supply.
- 18.9.1.(vii) Air Transport Training Institutions.
- 18.9.1.(viii) Aircraft Equipment Sale and Leasing.
- 18.9.1.(ix) Other Aviation Related Services.
- 18.9.2. Register of Certificate of Registration or Licence.
- 18.9.3. Discrimination Against or Decline of Access to Airlines.
- 18.9.4. Travel Agency Business in Nigeria.
- 18.9.4.1. Registration of Travel Agency business with the Authority.
- 18.9.5. General Sales Agent (GSA).

18.10. AIRLINE FINANCIAL HEALTH

- 18.10.1. Applicability.
- 18.10.2. Conduct of Nigerian Licensed Airlines.
- 18.10.3. Submission of Financial Data/Records on Operations.
- 18.10.4. Evaluation of Airline's Financial Returns.
- 18.10.5. Review of Airline's Representations.

18.11. AVIATION INSURANCE

- 18.11.1. Applicability.
- 18.11.2. Provision of Adequate and Valid Insurance for Airlines, Aerodrome, Air Navigation, Meteorological Services, Ground Handling and other Allied Aviation Service Providers.
- 18.11.3. Inclusion of Liability Clause on Airline's Tickets.
- 18.11.4. Minimum Third Party Liability by Airlines, Aerodrome, Air Navigation, Meteorological Services, Ground Handling and other Allied Aviation Service Providers.
- 18.11.5. Minimum Insurance Sum for Aerodrome, Air Navigation, Meteorological Services, Ground Handling and other Allied Aviation Service Providers.
- 18.11.5.1. Minimum Insurance Cover to be Maintained by Aviation Service Providers.
- 18.11.6. Victims Family Assistance Programme.

18.12. CIVIL AVIATION FEES

- 18.12.1. Applicability.
- 18.12.2. Submission of Relevant Passenger Flights Information by all Airlines.
- 18.12.3. All Domestic Airlines on the Authority's Direct Debit Platform.
- 18.12.4. Submission of Relevant Cargo Flights Information by Foreign Airlines.
- 18.12.5. Submission of Relevant Charter Flights Information by Domestic Airlines.
- 18.12.6. Currency Denomination for Payment on all Sales Charges.

18.13. AIR TRANSPORT STATISTICS

- 18.13.1. Applicability.
- 18.13.2. Submission of Statistical Information by Airlines, Aerodrome, Air Navigation, Meteorological Services, Ground Handling and other Aviation Service Providers.

18.13.3. Transmission of Statistical Information to ICAO.
IS:18.13. Implementing Standards.

18.14. FARES AND TARIFFS

- 18.14.1. Filing Requirement.
- 18.14.2. Disallowance/Suspension of Fares.
- 18.14.3. Approval of Charges.
- 18.14.4. Publication and Display of Tariffs.
- 18.14.5. Filing Through an Agent.
- IS:18.14. Implementing Standards.

18.15 UNFAIR METHODS OF COMPETITION/ANTI-COMPETITIVE PRACTICES

- 18.15.1. Applicability.
- 18.15.2. Control of Anti-Competitive Practices.
- 18.15.3. Restrictive and Concerted Practices.
- 18.15.4. Exemptions of Certain Agreements.
- 18.15.5. Abuse of Dominant Position or Market Power.
- 18.15.6. Mergers, Acquisition, Combinations and Joint Ventures.
- 18.15.7. Penalties for Civil Violations, Offence and Penalty
in respect of Agreements.
- 18.15.8. Leniency, Concessions, Immunity Programme and
Rules.
 - 18.15.8.1. Grant of Leniency, Concession and Immunity.
 - 18.15.8.2. Requirement for Qualification.
 - 18.15.8.3. The Process for Leniency, Concession
or Immunity.

S. I. 48 of 2012.

AIR TRANSPORT ECONOMIC REGULATIONS

18.1. GENERAL

18.1.1. This part shall apply to :

Applicability.

18.1.1.1.—(i) Licensing of scheduled, non scheduled air transport operations, non-commercial private flight operations and conduct of foreign airline operations.

(ii) Economic monitoring of airlines, aerodromes air navigation services and other aviation and allied aviation service providers.

(iii) Billing and reconciliation of accounts arising from Commercial Agreements.

(iv) Regulation of Aviation charges and other related charges by aerodrome operators, air navigation, meteorological and other allied service providers.

(v) Facilitation of Air Transport ;

(vi) Certification, Licensing of and the setting and monitoring of Standards and Service Level Agreement (SLA) by ground handling service providers, Catering, Travel Agency, Cargo Agents, Air Freight Forwarders. Agents of Foreign Airlines and other related allied aviation service providers.

(vii) Adequacy and validity of insurance cover for airlines, aerodrome operators and allied aviation service providers.

(viii) Civil aviation fees and Air Transport Statistics.

(ix) Anti-competition rules and Airline Fares and Tariffs.

18.1.2. For the purpose of this part, the following definitions shall apply :

Definitions

(1) "Act" means the Civil Aviation Act, 2006 or/and any subsequent amendments thereto.

(2) "Aerial Work" means an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

(3) "Aerodrome" means a defined area on land or water (including any building, installations and equipment) intended to be used either wholly or in part for the arrival, departure, and surface movement of aircraft.

(4) "Aerodrome Operator" means the owner or provider of an aerodrome that is certified for operation by the Authority.

(5) "Aerodrome Control Service" means air traffic control service for aerodrome traffic.

(6) "*Aeronautical Charges*" means charges for aeronautical services levied in line with ICAO Policies and Principles.

(7) "*Aeronautical Authority*" means the minister responsible for aviation and any person or body authorized to perform any function at present performed by the said minister or similar function.

(8) "*Agent of Foreign Airlines*" means an individual or corporate body that is in the business of obtaining flight clearances, flight plans, and provides ground transportation, fuelling of aircraft and hotel accommodation on behalf of non-scheduled (*ad hoc*) airlines or aircraft operators.

(9) "*Aircraft*" means any machine that can derive support in the atmosphere from reactions of the air other than reactions of the air against the earth surface.

(10) "*Air Carrier*" means an enterprise that engages in provision of transportation services by aircraft for remuneration or hire.

(11) "*Aircraft Movement*" means the number of arrivals and departures of aircraft into and out of an airport.

(12) "*Air Freight Forwarders*" means any person or company who arranges the carriage or movement of air-freighted goods and associated formalities on behalf of an importer or exporter at the international boundary of cargo airports.

(13) "*Airlines*" means any air transport enterprise offering or operating an international or domestic flight for remuneration or hire.

(14) "*Air Operator*" means any organization which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly or by a lease or any other arrangement.

(15) "*Air Service*" means any service performed by any aircraft for hire or reward.

(16) "*Air Transport Licensing Committee*" means NCAA Management responsible for considering and approving/disapproving of requests for Licences and Permits. The Committee is chaired by the Director General.

(17) "*Air Navigation Services*" include air traffic management (ATM), communication, navigation and surveillance systems (CNS), meteorological services for air navigation (MET), search and rescue (SAR) and aeronautical information services (AIS). These services are provided to air traffic during all phases of operations (approach, aerodrome control and en route).

(18) "*Air Navigation Services Provider*" means an independent entity established for the purpose of operating and managing air navigation services and empowered to manage and use the revenues it generates to cover its costs.

(19) "*Airport Phase Operations*" means any or all phases of aircraft operations involving approach, landing take off and/or departure.

(20) "*Air Traffic Control Services*" means a service provided for the purpose of:

- (a) preventing collisions ;
 - (i) between aircrafts ; and
 - (ii) on the maneuvering area between aircrafts and obstructions ; and
- (b) expediting and maintaining an orderly flow of air traffic.

(21) "*Air Traffic Management (ATM)*" means the aggregation of the airborne functions and ground-based functions (air traffic services, air space management, and air traffic flow management) required to ensure the safe and efficient movement of aircraft during all phases of operations.

(22) "*Air Traffic Service (ATS)*" means a generic term meaning variously, flight information service, alerting service, air traffic advising service , air traffic control service (area control service, approach control service or aerodrome control service).

(23) "*Alerting Service*" means a service provided to notify appropriate organizations regarding aircrafts in need of search and rescue aid, and assist such organization as required.

(24) "*Anti-Competitive*" means an apparent intent or the probable effect of crippling, excluding or driving another airline or service provider from the market, with a behavior/practice which indicates an abuse of dominant position by an airline in the market.

(25) "*Audited Financial Statement*" means a report on the financial position or operations of a company that has been certified by an independent auditor.

(26) "*Authority*" means the Nigerian Civil Aviation Authority.

(27) "*Aviation Consumer*" means consumer of civil aviation services.

(28) "*Aviation Fuel Supplier*" means a person responsible for the supply and distribution of aviation fuel to the aircraft and reservoir in and within the airport area.

(29) "*Amortization*" means a gradual extinguishment of the cost of an asset by periodic (annual) charges to expenses, usually applicable to intangible assets.

(30) "*Annex*" means international standards and recommended practices adopted in accordance with the Convention and any amendment of the Convention or of such Annex which is made in accordance with the Convention.

(31) "*Approach Control Service*" means air traffic control service for arriving or departing control flights.

(32) "*Area Control Service*" means air traffic control service for controlled flights in control areas (en routes).

(33) "*Assessment*" means an initial evaluation of a complaint by the Authority to determine the appropriate means of redress.

(34) "*Asset*" means a resource from which future economic benefits are expected to flow to the entity that owns or controls it.

(35) "*Autonomous Entity*" means an independent entity established for the purpose of operating and managing one or more airports and/or air navigation services, which is empowered to manage and use the revenues it generates to cover its costs.

(36) "*Baggage*" means personal property of passengers or crew carried on an aircraft by agreement with the operator.

(37) "*Balance Sheet*" means a statement indicating as of a specific date the assets owned by a company, the liabilities owed to others, and the accumulated investments of its owners.

(38) "*Bilateral Air Services Agreement*" means an air services agreement on air transportation subsisting between Nigeria and any other country.

(39) "*Cancellation*" means the non-operation of a flight which was previously planned and on which at least one seat was reserved.

(40) "*Capacity*" means the quantitative measure of air transport services offered or proposed to be offered by one or more air carriers in a city-pair or country-pair market or over a route. It may be expressed in aircraft size, number of seat or tonne available in an aircraft.

(41) "*Cargo*" which is equivalent to the term "*goods*", means anything carried or to be carried in an aircraft or by means of surface transportation including, but not limited to, road or rail vehicles, except mail, or baggage carried under a passenger ticket and baggage check, but includes baggage moving under an Air Waybill or Shipment Record.

(42) "*Cargo Agent*" means an individual or corporate body appointed by an airline to solicit and process air freight shipment.

(43) "*Charge*" means a levy that is designed and applied specifically to recover the cost providing facilities and services for civil aviation.

(44) "*Chicago Convention*" means the convention on International Civil Aviation concluded at Chicago on the 7th December 1944.

(45) "*Combined Single Limit*" means a liability policy commonly offering separate limits that apply to bodily injury claims and to claims for property damage expressed as a single sum coverage or as a limit per occurrence.

(46) "*Commercial Agreement*" means an Agreement between two designated airlines, wherein an airline of one of the contracting States, on application to the other State, is granted extra BASA rights to operate additional flights (more than those specified in the BASA) to the point(s) of entry into the conceding States.

(47) "*Commercialization*" means an approach to management of facilities and services in which business principles are applied or emphasis is placed on development of commercial activities.

(48) "*Compensation*" means direct and or indirect monetary and non-monetary rewards given to passengers on board or employee on the basis of value of the personal contributions, and their performance in line with the set standards by the organization concerned.

(49) "*Concerted Practice*" means a practice involving direct or indirect contacts between competitors falling short of an actual or formal agreement.

(50) "*Complainant*" means :

(i) An air passenger ;

(ii) one or more air passengers, where there are numerous air passengers having the same interest ; or

(iii) in case of the death of an air passenger, his legal heirs or representatives making or continuing a complaint.

(51) "*Complaint*" means an allegation in writing made by an air passenger.

(52) "*Confirmed Reserved Space*" means space on a specific date and on a specific flight and class of service of an air carrier which has been requested by a passenger, including a passenger with a "zero fare ticket," and which the air carrier or its agent has verified, by appropriate notation on the ticket or in any other manner provided therefore by the air carrier, as being reserved for the accommodation of the passenger.

(53) "*Contracting States*" means all member countries of the International Civil Aviation Organization (ICAO).

(54) "*Denied Boarding*" means a refusal to carry passengers on a flight, although they have presented themselves for boarding under the conditions laid down in these Regulations, except where there are reasonable grounds to deny them boarding, such as reasons of health, safety or security, or inadequate travel documentation ;

(55) "*Director-General*" means the Director-General of the Nigerian Civil Aviation Authority (NCAA).

(56) "*Direct Operating Cost (DOC)*" means expenditure that is directly related to flight operation, such as flight crew allowance, aircraft fuel and oil, lease rental or depreciation, aircraft maintenance, insurance premium, ground handling, navigational charges, landing and parking charges and in-flight catering service.

(57) "*Disembarkation*" means the leaving of an aircraft after landing, except by crew or passenger continuing on the next stage of the same through-flight.

(58) "*Embarkation*" means the boarding of an aircraft for the purpose of commencing a flight, except by such crew or passengers as have embarked on a previous stage of the same through-flight.

(59) "*Exclusive Dealing*" means any practice whereby a supplier of products or services :

(a) as a condition of supplying the products or services to a customer or travel agent requires the customer to :

(i) deal only or primarily in products or services supplied by or designed by the supplier or its nominee, or

(ii) refrain from dealing in a specified class or kind of products or services except as supplied by the supplier or his nominee ;

(b) induces a customer to meet a condition referred to in paragraph (a) by offering to supply the products or services to the customer on more favourable terms or conditions if the customer agrees to meet that condition.

(60) "*Extraordinary Circumstances*" means any mechanical, technical, operational, climatic, sociopolitical or any other conditions beyond the actual control of the party involved.

(61) "*Facilitation (FAL)*" means the efficient management of control processes, to expedite clearance and prevent unnecessary delays at the airports.

(62) "*Fare*" means the price paid for air transportation including all mandatory taxes and fees. It does not include ancillary fees for optional services.

(63) "*Federal Gazette*" means the official *gazette* of the Federal Republic of Nigeria.

(64) "*Final Destination*" means the destination on the ticket presented at the check-in counter or, in the case of directly connecting flights, the destination of the last flight.

(65) "*Fixed Costs*" means costs which in the short term remain unchanged regardless of whether or not the volume of services provided increases or decreases.

(66) "*Flight Information Region*" means an airspace of defined dimensions within which flight information service and alerting service are provided.

(67) "*Flight Information Service*" means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

(68) "*Foreign Aircraft*" means an aircraft other than a Nigerian registered aircraft.

(69) "*General Aviation Operation*" means an aircraft operation other than a commercial air transport operation or an aerial work operation.

(70) "*Ground Equipment*" means an article of a specialized nature for use in the maintenance, repair and servicing of an aircraft on ground, including testing equipment and cargo and passenger-handling equipment.

(71) "*Ground Handling Company*" means anyone that carries out the variety of activities before and after a flight to ensure the safe and smooth process of passengers, baggage, cargo, mail and other materials associated with their transportation by air.

(72) "*Indirect Operating Cost (IOC)*" means expenditure incurred from items utilized for the support of airline business that vary from one airline to another such as staff salaries, training, ticketing and reservation, sales promotion, vehicles, maintenance, rent, travels, ICT, etc.

(73) "*In-flight Catering Service Provider*" means a person or corporate body that engages in the planning and preparation of meals and assembly of meal trays designed to be served on board an aircraft.

(74) "*Insurance*" means a contract (policy) in which an individual or entity receive financial protection or reimbursement against an insurance company.

(75) "*International Airport*" means any airport designated by the Contracting State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

(76) "*Lease*" means A contract by which a rightful possessor of real property conveys the right to use and occupy the property in exchange for consideration usually rent.

(77) "*Insurance Liability*" means maximum amount of coverage available under a liability insurance policy.

(78) "*Liability*" means debt of the entity in the form of financial claims on an entities assets.

(79) "*Licence*" means a licence granted under section 32 of the Civil Aviation Act, 2006.

(80) "*Mail*" means dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the universal postal union.

(81) "*Market Restriction*" means any practice whereby a supplier of products or services, as a condition for supplying them to a customer, requires that customer to supply any product or service only in a specified area or exacts a penalty of any kind from the customer if the customer supplies any products or services outside a specified area.

(82) "*Minister*" means the Minister responsible for civil aviation.

(83) "*Mishandled Baggage*" means baggage voluntarily or inadvertently, separated from passenger or crew.

(84) "*Non-Aeronautical Charges*" means charges levied by an airport in consideration for the various commercial arrangements it makes in relation to the granting of concessions, the rental or leasing of premises and land, and free-zone operations, even though such arrangements may in fact apply to activities which may themselves be considered to be of an aeronautical character.

(85) "*Non-Scheduled Operations*" means journeys undertaken other than scheduled operations.

(86) "*Officer*" means a Director, General Manager, Secretary or other similar officer and includes any person who purports to act in any such capacity.

(87) "*Package*" means tour, travel or holiday services provided by a tour operator which is marketed or advertised as an all-inclusive trip including transport, accommodation and/or other trip expenses at an inclusive or special price.

(88) "*Passenger*" means a person in whose name a ticket and or a reservation is made and or confirmed and who is eligible to travel upon the stated flight pursuant to that ticket whether the ticket is purchased by the person or not and whether the ticket is a zero fare ticket or other ticket for which no fees or fare is paid.

(89) "*Passenger Traffic*" means number of passenger embarkation and disembarkation.

(90) "*Permit*" means a permit granted under Section 32 (1) of the Civil Aviation Act, 2006.

(91) "*Person*" means any individual, firm, partnership, corporation, company association, joint state association or body politic and includes any trustee, receiver, assignee, or other similar representative of their entities.

(92) "*Person with Disabilities*" means any person whose mobility is reduced due to physical incapability (sensory or locomotor), an intellectual deficiency, age, illness, or any other cause of disability when using transport and whose situation needs special attention and the adaptation to the person's needs of the services made available to all passengers.

(93) "*Profit and Loss Account*" means a financial statement that summarizes the financial transactions for a business over a period in time. It shows revenue, expenditure and the profit and/or loss resulting from operations for a given 'financial year'.

(94) "*Relevant Market*" refers to the area of effective competition within which an airline or service provider operates and includes geographic area, route, substitutability, close competitors, and such other factors that may affect consumer choice.

(95) "*Reservation/Bookings*" means allotment in advance of seating or sleeping accommodation for a passenger or of a space or weight capacity for baggage.

(96) "*Revenue*" means Inflows of cash or increases in other assets or settlement of liabilities during a period from delivering or rendering services or performing other activities that constitute the entity in major operations.

(97) "*Royalty*" means an amount in money accruing to the country through commercial agreements subsisting with other foreign airlines.

(98) "*Scheduled Operations*" means any operation that offers air transport service on a published time-table and open to use by the general public.

(99) "*Special Drawing Right (SDR)*" means an international foreign exchange reserve assets, allocated to nations by the International Monetary Fund (IMF) and represents a claim to foreign currencies for which it may be exchanged in times of need.

(100) "*Statistics*" means the collection and provision for exchange of airline traffic data related to the agreed services, either periodically or as needed for the regulation of capacity, route evaluation, or other purposes.

(101) "*Tariff*" means a schedule of fares, rates, charges and terms and conditions of carriage applicable to the provision of an air service and other incidental services.

(102) "*Ticket*" means a valid document giving entitlement to transport, or something equivalent in paperless form, including electronic form, issued or authorized by the air carrier or its authorized agent ;

(103) "*Tied Selling*" means any practice whereby a supplier of products or services ;

(a) as a condition of supplying the products or services (hereinafter referred to as the "tied products") to a customer, requires the customer to :

(i) acquire any other products or services from the supplier or nominee,

(ii) refrain from using or distributing, in conjunction with the tied products or services, any other products or services that are not of a brand designated by the supplier or the nominee ; and

(b) induces a customer to meet a condition set out in paragraph (a) by offering to supply the tied products or services to the customer on more favourable terms or conditions if the customer agrees to meet that condition.

(104) "*Third Party*" means an individual or entity not party to an Agreement but with an interest in the Agreement.

(105) "*Third Party Claim*" means claims for injury or damage to property of a third party alleged to have been caused by the acts or omission of the insured.

(106) "*Tour Operator*" means, with the exception of an air carrier, an organizer of package travel, package holidays and package tours.

(107) "*Traffic Rights*" means privilege to take on and put down traffic loads (passengers, cargoes and mails) from one point to the other between two countries for hire or reward.

(108) "*Travel Agent*" means one who assists travelers by sorting through vast amounts of information to help their clients make the best possible travel arrangements.

(109) "*User Charge*" means any fee or levy payable by users for the consumption of any service.

(110) "*Unaccompanied Baggage*" means baggage that is transport as cargo and may not be carried on the same aircraft with the person to whom it belongs.

(111) "*Unclaimed Baggage*" means baggage that arrives at an airport and is not picked up or claimed by a passenger.

(112) "*Unidentified Baggage*" means baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

(113) "*Volunteer*" means a person who responds to the carrier's request for volunteers and who willingly accepts the carriers' offer of compensatory benefits, in exchange for relinquishing the confirmed reserved space.

(114) "*Zero Fare Ticket*" means a ticket acquired without a substantial monetary payment such as by using frequent flyer miles or vouchers, travel vouchers or a consolidator ticket obtained after a monetary payment that does not show a fare amount on the ticket. A zero fare ticket does not include free or reduced rate air transportation provided to airline employees and guests.

18.1.2.2. Every other term not defined herein shall have the same meaning as contained in the Act and the Chicago Convention and its Annexes.

18.1.3. ABBREVIATIONS

18.1.3.1. The following abbreviations are used in these regulations are :

(1)	ACS	-	Area Control Service
(2)	ACP	-	Air Carrier Permit
(3)	ATL	-	Air Transport Licence
(4)	ATM	-	Air Traffic Management
(5)	ATS	-	Air Traffic Services
(6)	AOP	-	Airline Operating Permit
(7)	AOC	-	Air Operator's Certificate
(8)	ATOL	-	Air Travel Organizer's Licence
(9)	ATLC	-	Air Transport Licensing Committee
(10)	API	-	Advanced Passenger Information
(11)	AVSEC	-	Aviation Security
(12)	BASA	-	Bilateral Air Services Agreement
(13)	CSL	-	Combined Single Limit
(14)	DGR	-	Dangerous Goods Regulation
(15)	FCOP	-	Foreign Carriers' Operating Permit
(16)	FIR	-	Flight Information Region
(17)	FIS	-	Flight Information Service

(18)	GSA	-	General Sales Agent
(19)	IS	-	Implementing Standard
(20)	LAR	-	Life Animal Regulation
(21)	MTOW	-	Maximum Take-off Weight
(22)	NANTA	-	National Association of Nigerian Travel Agents
(23)	NCASP	-	National Civil Aviation Security Programme.
(24)	NDLEA	-	National Drug Law Enforcement Agency
(25)	Nig.CARs	-	Nigerian Civil Aviation Regulations
(26)	PNCF	-	Permit for Non-Commercial Flights
(27)	PAAS	-	Permit for Aerial Aviation Services
(28)	PHS	-	Personal History Statement
(29)	PRM	-	Person with Reduced Mobility
(30)	SLA	-	Service Level Agreement
(31)	SDR	-	Special Drawing Right
(32)	SSS	-	State Security Service
(33)	TSC	-	Ticket Sales Charge

18.2. AIR TRANSPORT LICENSING

18.2.1. These regulations prescribe the types of licences, permits and or any other authorization for scheduled and non-scheduled flight operations.

Licences and Permits.

18.2.2. This section shall apply to the carriage of passengers, mail and cargo by air for hire and reward in public transport category.

Licences for Scheduled Domestic Flight Operations.

18.2.2.1. No person shall engage in air transport business in Nigeria for the carriage of passengers, mail or cargo for hire and reward in public transport category between two or more places in Nigeria unless such a person holds an Air Transport Licence (ATL) issued by the Authority and operates in accordance with its provisions.

18.2.2.2. An application for the grant or renewal of an ATL shall be made in writing to the Authority and shall contain such information as specified in IS:18.2.2.2 (A) and IS:18.2.2.2 (B) to these regulations and as may be published by the Authority from time to time

18.2.2.3. The Authority if satisfied that the applicant has met and complied with the requirements for the grant or renewal of an ATL shall grant or renew the license.

18.2.2.4. An ATL shall be valid for a period of five (5) years and subject to renewal every five years and on such terms and conditions as may be specified by the Authority from time to time.

18.2.2.5. An ATL not utilized at the expiration of its validity period shall not be renewed by the Authority, notwithstanding, the holder of the ATL may apply for a fresh issuance.

18.2.2.6. The holder of an ATL shall continue to be in a position to demonstrate to the Authority its ability to meet the conditions set forth in the ATL.

18.2.2.7. If on the date of the expiration of a licence, an application for renewal is pending with the Authority, the expiring licence may continue in force under such terms and conditions as may be prescribed by the Authority. This provision shall only apply if all the required documents for renewal of the licence have been submitted to the Authority and the delay in the renewal of the ATL is occasioned by a third party. PROVIDED that, this period shall not exceed six (6) months from the date of the expiration of the ATL.

18.2.2.8. Each holder of an ATL shall submit to the Authority annually or, at such times as the Authority may deem fit, a list showing the names of its shareholders or any person(s) holding more than five percent (5%) shareholding in the company together with the names of any person on whose behalf such shares are held.

18.2.2.9. Each holder of an ATL shall file with the Authority, a true copy of every contract or agreement affecting air transportation or any modification or cancellation thereof, between the air carrier and any other air carrier or other bodies. The Authority may disapprove of such contract or agreement whether or not previously approved if found to be in violation of these regulations, rules and orders made by the Authority or against public interest.

18.2.2.10. The Authority may vary, suspend or revoke an ATL if the holder of the ATL contravenes any of the provisions of the Civil Aviation Act, these regulations, rules and orders made thereunder and any such condition subject to which the ATL was granted.

18.2.2.11. If the Authority proposes to suspend or revoke any ATL the Authority shall :

- give a written notice to the holder of the ATL specifying the violation(s) ; specify in the written notice the right of the holder of the ATL to make representations in writing regarding the alleged violation(s) within twenty-eight (28) days of the receipt of the written notice from the Authority.
- Upon receipt of the representations from the holder of the ATL, the Authority shall make an evaluation and inform the holder of the ATL of its determination.
- Notwithstanding the above, the Authority may by written notice, convey to the holder of the ATL its decision to suspend the ATL if it is in the interest of safety.

18.2.2.12. The Authority shall publish for the information of the general public, its decision regarding an application for and revocation of an ATL.

18.2.3. This section shall apply to the carriage of passengers, mail and cargo by air for hire and reward in public transport category on non-scheduled or charter basis.

18.2.3.1. No person shall use any aircraft in Nigeria for hire and reward in public transport category to provide non-scheduled or charter air service unless such a person holds an ATL or Airline Operating Permit (AOP) issued by the Authority.

18.2.3.2. Application for the grant or renewal of an AOP shall be made in writing to the Authority and shall contain such information as specified in IS:18.2.3 to these regulations or such other information as may be published by the Authority from time to time.

18.2.3.3. The Authority if satisfied that the applicant has met and complied with the requirements for the grant or renewal of an AOP shall grant or renew the permit.

18.2.3.4. An AOP shall be valid for a period of three (3) years and subject to renewal every 3 years on such terms and conditions as may be specified by the Authority from time to time

18.2.3.5. An AOP not utilized at the expiration of its validity period shall not be renewed by the Authority, notwithstanding, the holder of the AOP may apply for a fresh issuance.

18.2.3.6. The holder of a permit granted by the Authority under this regulation shall at all times be in a position to demonstrate the ability to meet the conditions as set forth in the AOP.

18.2.3.7. If at the expiration of an AOP, an application for renewal is pending with the Authority, the expiring AOP may continue in force under such terms and conditions as prescribed by the Authority. This provision shall only apply if all the required documents for renewal of the AOP have been submitted to the Authority and the delay is occasioned by a third party. PROVIDED that, this period shall not exceed six (6) months from the date of the expiration of the AOP.

18.2.3.8. Each holder of an AOP shall submit to the Authority annually or at such times as the Authority may deem fit, a list showing the names of its shareholders or any person(s) holding more than five percent (5%) shareholding in the company together with the names of any person on whose behalf such shares are held.

18.2.3.9. Each holder of an AOP shall file with the Authority, a true copy of every contract or agreement affecting air transportation or any modification or cancellation thereof, between the air carrier and any other air carrier or other bodies. The Authority may disapprove of such contract or agreement whether or not previously approved if found to be in violation of these regulations, rules and orders made by the Authority or against public interest.

18.2.3.10. The Authority may suspend or revoke an AOP if the holder of the AOP contravenes any of the provisions of the Civil Aviation Act, these regulations, rules and order made thereunder and any such condition subject to which the AOP was granted.

18.2.3.11. If the Authority proposes to suspend or revoke any AOP, the Authority shall :

- (a) give a written notice to the holder of the AOP specifying the violation(s);
- (b) specify in the written notice the right of the holder of the AOP to make representations in writing regarding the alleged violation(s) within twenty-eight (28) days of the receipt of the written notice from the Authority.
- (c) Upon receipt of the representations from the holder of the AOP, the Authority shall make an evaluation and inform the holder of the AOP of its determination.
- (d) Notwithstanding the above, the Authority may by written notice, convey to the holder of the AOP its decision to suspend the AOP if it is in the interest of safety.

18.2.3.12. The Authority shall publish for the information of the general public, its decision regarding an application for and revocation of an AOP.

Permit for
Non-
Commercial
Flight
Operations
(PNCF).

18.2.4. This section shall apply to flight operations undertaken for non-commercial or private purposes:

18.2.4.1. No person shall use any aircraft for non-commercial purposes between two or more places in Nigeria, unless such a person holds a Permit for Non-Commercial Flights (PNCF) issued by the Authority.

18.2.4.2. Application for the grant or renewal of a PNCF shall be made in writing to the Authority and may contain such information as specified in IS:18.2.4 to these regulations or such other information as may be published by the Authority from time to time..

18.2.4.3. The Authority if satisfied that the applicant has complied with the requirements for the grant or renewal of the PNCF, shall grant or renew the PNCF.

18.2.4.4. A PNCF shall be valid for a period of three (3) years and subject to renewal every three years on such terms and conditions as may be specified by the Authority from time to time

18.2.4.5. A PNCF not utilized at the expiration of its validity period shall not be renewed by the Authority notwithstanding, the holder of the PNCF may apply for a fresh issuance.

18.2.4.6. The holder of a PNCF shall continue to demonstrate to the Authority its ability to meet the conditions set forth in the PNCF. In addition, the holder must have adequate resources for the maintenance and safe operation of the aircraft.

18.2.4.7. Each holder of a PNCF shall file with the Authority, a true copy of every contract or agreement affecting air transportation or any modification or cancellation thereof, between the holder and any other person including air carriers.

18.2.4.8. The Authority shall charge such fees as it may determine for processing the grant and renewal of PNCF.

18.2.4.9. The holder of PNCF shall pay such annual fee as may be determined by the Authority from time to time.

18.2.4.10. If at the expiration of a PNCF, an application for renewal is pending with the Authority, the expiring PNCF may continue in force under such terms and conditions as prescribed by the Authority. This provision shall only apply if all the required documents for renewal of the PNCF have been submitted to the Authority and the delay is occasioned by a third party. PROVIDED that, this period shall not exceed six (6) months from the date of the expiration of the PNCF.

18.2.4.11. The Authority may vary, suspend or revoke a PNCF if the holder of the PNCF contravenes any of the provisions of the Civil Aviation Act, these regulations, rules and order made thereunder and any such condition subject to which the PNCF was granted.

18.2.4.12. If the Authority proposes to suspend or revoke any PNCF, the Authority shall :

- (a) give a written notice to the holder of the PNCF specifying the violation(s) ;
- (b) specify in the written notice the right of the holder of the PNCF to make representations in writing regarding the alleged violation(s) within twenty-eight (28) days of the receipt of the written notice from the Authority.
- (c) Upon receipt of the representations from the holder of the PNCF, the Authority shall make an evaluation and inform the holder of the PNCF of its determination.
- (d) Notwithstanding the above, the Authority may by written notice, convey to the holder of the PNCF its decision to suspend the PNCF if it is in the interest of safety.

18.2.4.13. The Authority shall publish, for the information of the general public, its decision regarding an application for and revocation of a PNCF.

18.2.5. This section shall apply to tour organizers who are engaged in holiday travels, tour packages, special events, and religious pilgrimages.

Air Travel
Organiser's
Licence
(ATOL).

18.2.5.1. No person shall organize tour operations for the purpose of holiday travels, tour packages, special events, religious pilgrimages unless in accordance with the provisions of an Air Travel Organiser's Licence (ATOL) or other authorization issued by the Authority.

18.2.5.2. Application for the grant or renewal of an ATOL shall be made in writing to the Authority and may contain such information as specified in 18.2.5 to these regulations or such other information as may be published by the Authority from time to time.

18.2.5.3. The Authority if satisfied that the applicant has complied with the requirements for the grant or renewal of the ATOL, shall grant or renew the ATOL.

18.2.5.4. An ATOL shall be valid for a period of two (2) years and subject to renewal every two years and on such terms and conditions as may be specified by the authority from time to time.

18.2.5.5. An ATOL not utilized at the expiration of its validity period shall not be renewed by the Authority, notwithstanding the holder of the ATOL may apply for a fresh issuance.

18.2.5.6. The holder of an ATOL shall continue to demonstrate to the Authority its ability to meet the conditions set forth in the ATOL.

18.2.5.7. The Authority shall charge such fees as it may determine for processing the grant and renewal of an ATOL.

18.2.5.8. The Authority may vary suspend or revoke an ATOL if the holder of the ATOL contravenes any of the provisions of the Civil Aviation Act, these regulations, rules and order made thereunder and any such condition subject to which the ATOL was granted.

18.2.5.9. If the Authority proposes to suspend or revoke any ATOL, the Authority shall :

- (a) give a written notice to the holder of the ATOL specifying the violation(s) ;
- (b) specify in the written notice the right of the holder of the ATOL to make representations in writing regarding the alleged violation(s) within twenty-eight (28) days of the receipt of the written notice from the Authority.
- (c) Upon receipt of the representations from the holder of the ATOL, the Authority shall make an evaluation and inform the holder of the ATOL of its determination.
- (d) Notwithstanding the above, the Authority may by written notice, convey to the holder of the ATOL its decision to suspend the ATOL if it is in the interest of safety.

18.2.5.10. The Authority shall publish, for the information of the general public, its decision regarding an application for and revocation of an ATOL.

Permit for
Aerial
Aviation
Services
(PAAS).

18.2.6. This section shall apply to the provision of aerial aviation services such as aerial mapping, aerial survey, crop spraying, aerial advertisement, flying club, flying school and such other services as may be designated by the Authority from time to time.

18.2.6.1. No person shall provide aerial aviation services such as aerial mapping, aerial survey, crop spraying, aerial advertisement, flying club, flying school and such other services as may be designated by the Authority from time to time, unless he is a holder of a Permit for Aerial Aviation Services (PAAS) or other authorizations issued by the Authority.

18.2.6.2. Application for the grant or renewal of a PAAS shall be made in writing to the Authority and may contain such information as specified in IS:18.2.6 or such other information as may be published by the Authority from time to time.

18.2.6.3. The Authority if satisfied that the applicant has complied with the requirements for the grant or renewal of the PAAS shall grant or renew the PAAS.

18.2.6.4. A PAAS shall be valid for a period of three (3) years and subject to renewal every three years and on such terms and conditions as may be specified by the Authority from time to time.

18.2.6.5. A PAAS not utilized at the expiration of its validity period shall not be renewed by the Authority notwithstanding the holder of the PAAS may apply for a fresh issuance.

18.2.6.6. The holder of a PAAS shall continue to demonstrate to the Authority its ability to meet the conditions set forth in the PAAS.

18.2.6.7. If at the expiration of a PAAS, an application for renewal is pending with the Authority, the expiring PAAS may continue in force under such terms and conditions as prescribed by the Authority. This provision shall only apply if all the required documents for renewal of the PAAS have been submitted to the Authority and the delay is occasioned by a third party. PROVIDED that this period shall not exceed six (6) months from the date of the expiration of the PAAS.

18.2.6.8. Each holder of a PAAS shall submit to the Authority annually or, at such times as the Authority may deem fit, a list showing the names of its shareholders or any person(s) holding more than five percent (5%) shareholding in the company together with the names of any person on whose behalf such shares are held.

18.2.6.9. Each holder of a PAAS shall file with the Authority, a true copy of every contract or agreement affecting air transportation or any modification or cancellation thereof, between the holder of PAAS and any air carrier or other bodies.

18.2.6.10. The Authority may suspend or revoke a PAAS if the holder of the PAAS contravenes any of the provisions of the Civil Aviation Act, these regulations, rules and orders made thereunder and any such condition subject to which the PAAS was granted.

18.2.6.11. If the Authority proposes to suspend or revoke any PAAS, the Authority shall :

(a) give a written notice to the holder of the PAAS specifying the violation(s) ;

(b) specify in the written notice the right of the holder of the PAAS to make representations in writing regarding the alleged violation(s) within twenty-eight (28) days of the receipt of the written notice from the Authority.

(c) Upon receipt of the representations from the holder of the PAAS, the Authority shall make an evaluation and inform the holder of the PAAS of its determination.

(d) Notwithstanding the above, the Authority may by written notice, convey to the holder of the PAAS its decision to suspend the PAAS if it is in the interest of safety.

18.2.6.12. The Authority shall publish for the information of the general public, its decision regarding an application for and revocation of a PAAS.

18.2.6.13. An applicant for a PAAS shall not be incorporated under Part C of the Companies and Allied Matters Act and any amendment thereof.

IS:18.2. Implementing Standards.

IS:18.2.2. REQUIREMENTS FOR GRANT OF AIR TRANSPORT LICENCE (ATL)

General. **IS:18.2.2.—(i).** Application for grant of an Air Transport Licence (ATL) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorised by the applicant.

(iii) The application must be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing ATL.

Requirements. The application for the grant of ATL must contain the following particulars :

- (a) Name and address of applicant ;
- (b) Type(s) of air services to be provided ;
- (c) Proposed operational base of applicant ;
- (d) Details of proposed routes to be operated where applicable ;
- (e) Number and types of proposed aircraft to be utilized ; and
- (f) Time and frequency of the services.

(ii) The following supporting documents are required for processing the Application :

(a) Four (4) copies of certified true copy of the Certificate of Incorporation of the Company.

(b) Four (4) copies of certified true copy of :

(i) the Memorandum and Articles of Association ;

(ii) Particulars of the Directors of the Company (Form CAC7) ;

(iii) Statement of Share Capital/Return of Allotment (Form CAC2) with minimum PAID-UP share capital of :

- ₦500,000,000.00 (five hundred million Naira) for domestic operations ;
- ₦1,000,000,000.00 (one billion Naira) for regional operations ; and
- ₦2,000,000,000.00 (two billion Naira) for intercontinental operations,

at least one member of the board of directors must be an aviation professional in line with the provisions of the Act. In addition, the majority shareholding shall be held by Nigerian(s) ;

(c) Four(4) copies of the current tax clearance certificates of the company and of each of the directors (original copies of the documents should be submitted for sighting) ;

(d) Four(4) copies of a detailed business plan of the company indicating among other things, the company's vision, mission, market analysis and strategy, company's ownership structure, personnel plan, fleet acquisition plan, financial plan including source(s) of finance, balance sheet, break-even analysis, pro-forma income projections (profit and loss statements), cash flow analysis, proposed fares for passengers or cargo, etc and other standard business plan requirements showing the road map of the applicant's strategy to provide efficient services in respect of safety, regularity, reliability and profitability of operations.

(e) Publication of Notice of the application in two (2) national daily newspapers. The publication should contain information on the application submitted to the Authority for the grant of ATL.

(f) Evidence of the applicant's financial solvency to undertake the business. Applicants are expected to prove that they are financially solvent to run operations for a period of three (3) months from the start of operations without resorting to any income from their operations.

(g) Duly completed application forms (to be obtained from the Authority).

(h) Duly completed Personal History Statement (PHS) forms and two(2) passport photographs in respect of each of the shareholders of the company having more than five *per cent* (5%) equity shareholding (forms are available at the Authority).

(i) Receipt of payment of ₦1million non-refundable processing fee (Bank draft made payable to the Authority).

PUBLICATION IN THE OFFICIAL GAZETTE

The Authority will in the process of carrying out the technical evaluation of the application cause the notice of application to be published in the Official Government *Gazette*, the fee of which shall be borne by the applicant.

SECURITY CLEARANCE

No person shall operate an aircraft in Nigeria without a security clearance issued by the Government. Applicants duly completed Personal History Statement (PHS) forms and other relevant documents will be forwarded by the Authority to the Ministry responsible for Aviation for purpose of security clearance.

HOME OR OPERATIONAL BASE OF THE AIRLINE

The applicant will be required to liaise with the Airport Service Providers and or Federal Airports Authority of Nigeria (FAAN) regarding approval of its home or operational base.

ANNUAL UTILIZATION FEE.

Upon receipt of ATL, an annual utilization fee of ₦200,000.00 shall be paid to the Authority.

ADDITIONAL INFORMATION

On receipt of an application, the Director-General may request for additional information from the applicant as deemed necessary.

IS.B18.2.2. REQUIREMENTS FOR RENEWAL OF AIR TRANSPORT LICENCE (ATL)

GENERAL

(i) Application for renewal of an Air Transport Licence (ATL) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorised by the applicant.

(iii) The application must be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing ATL.

REQUIREMENTS

The following supporting documents are required for processing the application :

(a) Receipt of payment of one million, five hundred thousand Naira (₦1,500,000.00) being :

(i) ₦500,000.00 processing fees ; and

(ii) ₦1,000,000.00 utilization fees at ₦200,000.00 *per annum*.

(b) Evidence of utilisation of ATL indicating the following details :

(i) Number and type(s) of aircraft in use ;

(ii) Insurance of aircraft in use, including passenger, cargo and third party ;

(iii) Routes operated ; and

(iv) Total number of passengers, cargo and mail carried during the period of operation of the expiring licence.

(c) Evidence of submission of monthly statistical returns of operations to the Authority.

(d) Evidence of filing of fares and tariffs with the Authority.

(e) Evidence of regular and up-to-date payment of aviation charges.

SECURITY CLEARANCE

Security clearance shall be required for the renewal of ATL.

Provided there is a satisfactory report on the airline and the airline has fulfilled the above listed requirements, the ATL shall be renewed by the Director-General for a further period of five (5) years.

VALIDITY OF RENEWED ATL AND UTILIZATION FEE

- (i) The validity of a renewed ATL shall be five (5) years.
- (ii) An annual utilization fee of ₦200,000.00 shall be paid to the Authority.

ADDITIONAL INFORMATION

On receipt of an application for the renewal of an ATL, the Director-General may request for additional information from the applicant as may be deemed necessary.

IS:18.2.3. GUIDELINES AND REQUIREMENTS FOR GRANT OF AIRLINE OPERATING PERMIT (AOP)

GENERAL

(i) Application in respect of an Airline Operating Permit (AOP) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expected date of utilization of the AOP.

REQUIREMENTS

(i) The application for the grant of AOP must contain the following particulars :

- (a) Name and address of applicant ;
- (b) Type of services to be provided ;
- (c) Number and types of aircraft to be utilized ; and
- (d) Proposed operational base of applicant.

(ii) The following supporting documents are required for processing of the application :

(a) Four (4) copies of the certified true copy of the Certificate of Incorporation of the Company..

(b) Four (4) copies of certified true copy of :

(i) the memorandum and articles of association.

(ii) Particulars of the Directors of the Company (Form CAC7).

(iii) Statement of Share Capital/Return of Allotment (Form CAC2) with minimum PAID-UP share capital of five hundred million Naira (₦500,000,000.00).

At least one member of the board of directors must be an aviation professional in line with the provisions of the Act. In addition, the majority shareholding shall be held by Nigerian(s) ;

(c) Four(4) copies of the current tax clearance certificates of the company and of each of the directors (original copies of the documents should be submitted for sighting) ;

(d) Four(4) copies of a detailed business plan of the company indicating among other things, the company's vision, mission, market analysis and strategy, company's ownership structure, personnel plan, fleet acquisition plan, financial plan including source(s) of finance, balance sheet, break-even analysis, pro-forma income projections (profit and loss statements), cash flow analysis, proposed fares for passengers or cargo, etc and other standard business plan requirements showing the road map of the applicant's strategy to provide efficient services in respect of safety, regularity, reliability and profitability of operations.

(e) Publication of Notice of the application in two (2) national daily newspapers. The publication should contain information on the application submitted to the Authority for the grant of AOP ;

(f) Evidence of the applicant's financial solvency to undertake the business. Applicants are expected to prove that they are financially solvent to run operations for a period of three (3) months from the start of operations without resorting to any income from their operations.

(g) Duly completed application forms (to be obtained from the Authority).

(h) Duly completed Personal History Statement (PHS) forms and two(2) passport photographs in respect of each of the shareholders of the company having more than five *per cent* (5%) equity shareholding (forms are available at the Authority).

(i) Receipt of payment of five hundred thousand Naira (₦500,000.00) non-refundable processing fee (Bank Draft made payable to the Authority).

(j) Evidence of adequate insurance cover for passengers, cargo and third party liability as specified in this regulation.

PUBLICATION IN THE OFFICIAL GAZETTE

The Authority will in the process of carrying out the technical evaluation of the application cause the notice of application to be published in the *Official Government Gazette*, the fee of which shall be borne by the applicant.

SECURITY CLEARANCE

The Authority shall also forward the applicant's duly completed Personal History Statement (PHS) forms and other relevant documents to the Ministry responsible for Aviation to seek security clearance from the Presidency.

HOME OR OPERATIONAL BASE OF THE AIRLINE

The applicant will be required to liaise with the Airport Service providers and or Federal Airports Authority of Nigeria (FAAN) regarding approval of its home or operational base.

UTILIZATION FEE

Upon receipt of the AOP, an annual utilization fee of ₦100,000.00 shall be paid to the Authority .

ADDITIONAL INFORMATION

On receipt of an application for an AOP, the Director-General may request for additional information from the applicant as may be deemed necessary.

IS:B18.2.3. GUIDELINES AND REQUIREMENTS FOR RENEWAL OF AIRLINE OPERATING PERMIT (AOP)

GENERAL

(i) Application for renewal of an Airline Operating Permit (AOP) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The Application for an AOP shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing AOP.

REQUIREMENTS

The following supporting documents are required for processing the application :

(a) Receipt of payment of five hundred and fifty thousand Naira (₦550,000.00) being :

- (i) ₦250,000.00 processing fee ; and
- (ii) ₦300,000.00 utilization fees.

(b) Evidence of utilization of Permit vides the following details :

- (i) Number and type(s) of aircraft in use ;
- (ii) Insurance of aircraft in use, including passenger, cargo and third party ;
- (iii) Routes operated ; and
- (iv) Total number of passenger, cargo and mail carried during the period of operation of the expiring permit.

(c) Evidence of submission of monthly statistical returns of operations to the Authority.

(d) Evidence of regular and up to date payment of aviation charges.

SECURITY CLEARANCE

Security clearance shall be required for renewal of an AOP.

Provided there is a satisfactory report on the airline and the airline has fulfilled the above listed requirements, the AOP shall be renewed by the Director-General for a further period of three (3) years.

VALIDITY OF RENEWED PERMIT AND UTILIZATION FEE

(i) The validity of a renewed AOP shall be three (3) years.

(ii) An annual utilization fee of ₦100,000.00 shall be paid to the Authority.

ADDITIONAL INFORMATION

On receipt of an application for an AOP, the Director-General may request additional information from the applicant as may be deemed necessary.

IS:A18.2.4. REQUIREMENTS FOR GRANT OF PERMIT FOR NON-COMMERCIAL FLIGHTS (PNCF)

GENERAL

(i) Application for grant of Permit for Non-Commercial Flights (PNCF) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application for renewal of PNCF must be submitted to the Director-General, Nigerian Civil Aviation Authority on or before a date not less than six (6) months to the expiration of the existing PNCF.

REQUIREMENTS

(i) The application for the grant of the PNCF must contain the following particulars :

(a) Purpose for which the aircraft will be used ;

(b) Number and type(s) of aircraft to be operated ;

(c) Area of operation of flights (i.e. whether within and outside Nigeria).

(ii) The following supporting documents are required for processing the application :

(a) Duly completed Personal History Statement (PHS) form(s) with two passport photographs in respect of the owner of the aircraft or each shareholder of the company having more than five percent (5%) equity shareholding (the forms are to be obtained from the Authority) ;

(b) Receipt of payment of ₦250,000.00 non-refundable processing fee (Bank Draft to be made payable to the Authority) ;

- (c) Source(s) of funds for the maintenance and safe operation of the aircraft ;
- (d) Tax clearance certificate(s) of the owner of the aircraft or company and its directors ;
- (e) 4 copies of Certified true copy of certificate of incorporation and memorandum of article of association of the company (where applicable) ;
- (f) Personal identification document (such as international passport, drivers license etc) and curriculum vitae where applicant is an individual).

SECURITY CLEARANCE

The Authority shall during the course of processing the application, forward the Personal History Statement forms and other relevant documents to the Ministry responsible for Aviation to enable it seek on behalf of the applicant, security clearance, from the Presidency.

ANNUAL UTILIZATION FEE

Upon receipt of PNCF, a utilization fee of fifty thousand Naira (₦50,000.00) shall be paid to the Authority annually.

ADDITIONAL INFORMATION

- (i) On receipt of an application of a PNCF, the Director-General may request for additional information from the applicant as may be deemed necessary ;
- (ii) No aircraft can be imported into the country without pre-arrival inspection ; and
- (iii) No aircraft operation can commence without NCAA Safety Clearance from the Directorate of Airworthiness and the Directorate of Operations and Training.

IS:B 18.2.4. GUIDELINES AND REQUIREMENTS FOR RENEWAL OF PERMIT FOR NON-COMMERCIAL FLIGHTS (PNCF)

GENERAL

- (i) Application for renewal of Permit for Non-Commercial Flights (PNCF) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).
- (ii) The application shall be signed by a person duly authorized by the applicant.
- (iii) The application for the PNCF must reach the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing PNCF.

REQUIREMENTS

The following supporting documents are required for processing the application :

(i) Duly completed Personal History Statement (PHS) form(s) in respect of the owner of the aircraft or Shareholders of the company having more than five percent (5%) equity shareholding (the forms are to be obtained from the Authority) ;

(ii) The Authority's receipt of payment of ₦150,000.00 processing fee.

SECURITY CLEARANCE

Security clearance shall be required for the renewal of a PNCF.

IS:18.2.4.3.2. Provided there is a satisfactory report on the PNCF holder and the holder has fulfilled the above listed requirements, the PNCF shall be renewed by the Authority for a period of three (3) years.

VALIDITY PERIOD OF THE PNCF AND ANNUAL UTILIZATION FEE

(i) The validity of the renewed Permit shall be three (3) years.

(ii) A utilization fee of ₦50,000.00 shall be paid to the Authority annually.

ADDITIONAL INFORMATION

On receipt of an application for a PNCF, the Director-General may request for additional information from the applicant as may be deemed necessary.

IS:A18.2.5. REQUIREMENTS FOR GRANT OF AIR TRAVEL ORGANIZER'S LICENCE (ATOL)

GENERAL

(i) Application for the grant of an Air Travel Organizer's Licence (ATOL) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expected date of utilization of the ATOL.

REQUIREMENTS

(i) The application for the grant of ATOL should contain *inter alia* the following information :

(a) Types of Travels and Tours

(b) Principal Catchment Areas

(c) Principal Destination(s)

(d) Flight Arrangement(s)

(ii) The following supporting documents are required for processing the application :

- (a) Four (4) copies of certified true copy of the certificate of incorporation of the company.
- (b) Four (4) copies of certified true copy of :
 - (i) the memorandum and articles of association ;
 - (ii) Particulars of the Directors of the Company (Form CAC7) ;
 - (iii) Statement of Share Capital/Return of Allotment (Form CAC2) with minimum PAID-UP share capital of five million (₦5,000,000.00) Naira.
- (c) Four (4) copies of the current tax clearance certificates of the company and of each of the directors (original copies of the documents should be submitted for sighting).
- (d) Performance Bond of ₦7.5 million from a Bank or Insurance Company. The Bond should cover the two (2) year validity period of the ATOL when issued.
- (e) An Audited Statement of Accounts for the last three (3) years for an existing company or certified opening balance sheet in case of new company.
- (f) Publication of Notice of the application in two (2) national daily newspapers. The publication should contain information on the application submitted to the Authority for the grant of an ATOL.
- (g) Receipt of payment of ₦500,000.00 non-refundable processing fee to the Authority.

ADDITIONAL REQUIREMENTS FOR MULTIPLE FLIGHTS

An ATOL holder wishing to carry out series of holiday packages at a particular time over a period of two (2) weeks or more such as religious pilgrimage, etc in addition to the initial ₦7.5million Bond earlier submitted during the processing of its ATOL, will be required to produce a Bank/Insurance Bond based on 15 *per cent* of forecast turnover. This means that the value of the Bond to be submitted to the Authority before the operation shall be 15 *percent* of the expected gross revenue from the passengers/pilgrims to be carried.

IS:B18.2.5. REQUIREMENTS FOR RENEWAL OF AIR TRAVEL ORGANIZER'S LICENCE (ATOL)

GENERAL

- (i) Application for renewal of an Air Travel Organizer's Licence (ATOL) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).
- (ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application for renewal of an ATOL must be submitted to the Director-General, Nigerian Civil Aviation Authority on or before a date not less than three (3) months to the expiration of the existing ATOL.

REQUIREMENTS

The following supporting documents are required for processing the application:

(a) Performance Bond of ₦7.5million from a reputable bank or insurance company. The Bond should cover the two (2) years validity period of the ATOL when issued.

(b) Evidence of utilization of the expired ATOL to wit the following documents:

(i) Types of travel arrangements made, whether whole plane charter or otherwise;

(ii) Name(s) of aircraft operator(s) or airline(s) used;

(iii) Types of tours organized and destination;

(iv) Total number of passengers carried for the various tour packages during the period of operation of the expiring licence.

(c) Audited Statement of Account or Auditor's report of operation carried out by the company.

(d) Receipt of payment of ₦250,000.00 non-refundable processing fee to the Authority.

VALIDITY PERIOD OF RENEWED ATOL

The validity of a renewed ATOL shall be two (2) years with effect from the date of issuance by the Authority.

ADDITIONAL REQUIREMENTS FOR LONG TERM CHARTER OPERATIONS

An ATOL holder wishing to carry out series of holiday packages at a particular time over a period of two (2) weeks or more such as religious pilgrimage, etc in addition to the initial ₦7.5million Bond earlier submitted during the processing of its ATOL, will be required to produce a Bank or Insurance Bond based on 15 percent of forecast turnover. This means that the value of the Bond to be submitted to NCAA before the operation shall be 15 percent of the expected gross revenue from the passengers or pilgrims to be carried.

IS:18.2.6. A REQUIREMENTS FOR GRANT OF PERMIT FOR AERIAL AVIATION SERVICES (PAAS)

GENERAL

(i) Application for grant of a Permit for Aerial Aviation Services (PAAS) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be submitted to the Director-General on or before a date not less than six (6) months to the expected date of utilization of the PAAS.

REQUIREMENTS

(i) The application for the grant of PAAS must contain the following particulars :

- (a) Name and address of applicant ;
- (b) Type(s) of air services to be provided ;
- (c) Proposed operational base of applicant ;
- (d) Details of proposed routes to be operated where applicable ;
- (e) Number and types of proposed aircraft to be utilized ; and
- (f) Time and frequency of the services.

(ii) The following supporting documents are required for processing the application :

(a) Four (4) copies of certified true copy of the certificate of incorporation of the company ;

(b) Four (4) copies of certified true copy of :

(i) the memorandum and articles of association ;

(ii) Particulars of the directors of the company (Form CAC7) ;

(iii) Statement of Share Capital/Return of Allotment (Form CAC2) with minimum PAID-UP share capital of ₦20,000,000.00 (twenty million Naira) ; and at least one member of the board of directors must be an aviation professional in line with the provisions of the Act. In addition, the majority shareholding shall be held by Nigerian(s) ;

(c) Four(4) copies of the current tax clearance certificates of the company and of each of the directors (original copies of the documents should be submitted for sighting) ;

(d) Four(4) copies of a detailed business plan of the company indicating among other things, the company's vision, mission, market analysis and strategy, company's ownership structure, personnel plan, fleet acquisition plan, financial plan including source(s) of finance, balance sheet, break-even analysis, pro-forma income projections (profit and loss statements), cash flow analysis and other standard business plan requirements showing the road map of the applicant's strategy to provide efficient services.

(e) Evidence of the applicant's solvency to undertake the business.

(f) Duly completed application forms (to be obtained from the Authority).

(g) Duly completed Personal History Statement (PHS) forms and two(2) passport photographs in respect of each of the shareholders of the company having more than five *per cent* (5%) equity shareholding (forms are available at the Authority).

(h) Receipt of payment of ₦500,000.00 (five hundred thousand Naira) non-refundable processing fee (Bank draft made payable to the Authority).

PUBLICATION IN THE OFFICIAL GAZETTE

The Authority will in the process of carrying out the technical evaluation of the application cause the notice of application to be published in the Official Government Gazette, the fee of which shall be borne by the applicant.

SECURITY CLEARANCE

No person shall operate an aircraft in Nigeria without a security clearance issued by the Government. Applicants duly completed Personal History Statement (PHS) forms and other relevant documents will be forwarded by the Authority to the Ministry responsible for Aviation for purpose of security clearance.

ANNUAL UTILIZATION FEE

Upon receipt of PAAS, an annual utilization fee of ₦100,000.00 shall be paid to the Authority.

ADDITIONAL INFORMATION

On receipt of an application for a PAAS, the Director-General may request for additional information from the applicant as may be deemed necessary.

IS:B18.2.6. REQUIREMENTS FOR RENEWAL OF PERMIT FOR AERIAL AVIATION SERVICES (PAAS)

GENERAL

(i) Application for the renewal of Permit for Aerial Aviation Services (PAAS) shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application must be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing PAAS.

REQUIREMENTS

The following supporting documents are required for processing the application:

(a) Receipt of payment of five hundred and fifty thousand Naira (₦550,000.00) being:

(i) ₦250,000.00 processing fee ; and

(ii) ₦300,000.00 utilization fees at ₦100, 000.00 *per annum*.

(b) Evidence of utilization of PAAS.

(c) Evidence of regular and up-to-date payment of aviation charges.

SECURITY CLEARANCE

Security clearance shall be required for renewal.

Provided there is a satisfactory report on the holder of PAAS has fulfilled the above listed requirements, the PAAS shall be renewed by the Director-General for a further period of three (3) years.

VALIDITY OF RENEWED PAAS AND ANNUAL UTILIZATION FEE.

(i) The validity of a renewed PAAS shall be three (3) years.

(ii) An annual utilization fee of ₦100,000.00 shall be paid to the Authority.

ADDITIONAL INFORMATION

On receipt of an application for a PAAS, the Director-General may request for additional information from the applicant as may be deemed necessary.

18.3. DOMESTIC OPERATIONS

18.3.1.1. This section shall apply to domestic airline operations in Nigeria.

18.3.1.2. Airline operations in Nigeria is deregulated.

18.3.1.3. Subject to these regulations, domestic airlines may determine the route(s) to operate, the frequency or frequencies of operations and fares to be charged. General.

18.3.1.4. All domestic airlines operating in Nigeria shall notify the Authority of the route(s) to operate, the frequency or frequencies of operations and fares charge prior to the introduction of these routes, frequencies and fares.

18.3.2.1. SCHEDULED DOMESTIC OPERATIONS

Mode of
Operation.

18.3.2.1.1. Prior to commencement of operation an ATL holder shall :

(i) obtain Air Operator Certificate (AOC) from the Authority ;

(ii) have at least two (2) aircraft in its fleet ;

(iii) provide adequate insurance cover for passengers, cargo and third party ;

18.3.2.1.2. All airlines engaged in domestic operations shall have in place arrangements for tickets interlining.

18.3.2.1.3. All Airlines engaged in domestic operations shall operate in accordance with the conditions specified in their Licences.

18.3.2.2.1. A Holder of Airline Operating Permit (AOP) prior to commencement of operation shall :

Non-
Scheduled
Domestic
Operations
(Charter)

(i) obtain Air Operator Certificates (AOC) from the Authority ; and

(ii) provide adequate insurance cover for passengers, cargo and third party.

18.3.2.2.2. All domestic Airlines engaged in non-scheduled operations shall not sell tickets or carry out any form of scheduled operations.

18.3.2.2.3. All domestic Airlines engaged in non-scheduled operations shall submit their client invoice and passenger manifest to the Authority after every flight.

18.3.2.2.4. All domestic Airlines engaged in non-scheduled operations shall operate in accordance with the conditions specified in their Permits.

Non-
Commercial
Operations
(Private).

18.3.2.3.1. Holders of Permit for Non-Commercial Flights (PNCF) shall :

(i) prior to the commencement of operations obtain Safety Clearance Certificates (including Maintenance Clearance Certificate (MCC) and Flight Operations Clearance Certificate (FOCC)) from the Authority ;

(ii) submit to the Authority details of their flight operations including names of passengers carried, route(s) operated and times of operations ;

(iii) not engage in any form of carriage for hire and reward ; and

(iv) operate in accordance with the conditions specified in their Permits.

Aerial
Operations
(crop
spraying,
banner
towing, etc)..

18.3.2.4.1. Holders of Permit for Aerial Aviation Services (PAAS) shall :

(i) obtain Safety Clearance Certificates from the Authority before commencement of operations ;

(ii) not engage in any form of carriage for hire and reward ;

(iii) not engage in any form of operation different from those specified in their Permits ; and

(iv) operate in accordance with the conditions contained in their Permits.

Organized
Package
Tours.

18.3.2.5.1. Holders of Air Travel Organizer's Licence (ATOL) shall :

(i) not engage in aircraft operations ;

(ii) have current and adequate Bank/Insurance Bonds to cover their operations ;

(iii) ensure that their passengers are catered for and are treated in accordance with the contract of carriage and as specified in these Regulations ; and

(iv) operate in accordance with the conditions specified in their Licences.

Interlining of
Tickets.

18.3.2.6.1. All airlines engaged in domestic operations shall ensure that tickets sold to passengers can be used on any other airline operating on the same route under interlining arrangements.

18.3.2.6.2. All airlines engaged in domestic operations shall participate in the domestic clearing system for the interlining of tickets.

Self -
Handling
Operations.

18.3.2.7.1. Domestic airlines will endeavor to use the services of existing handling companies.

18.3.2.7.2. Where a domestic airline decides to handle itself, it shall obtain approval from NCAA after duly fulfilling the statutory requirements as specified by the Authority.

18.3.2.7.3. All self-handling operations shall be in accordance with ICAO and IATA Airport Handling Manual rules and these regulations.

18.3.2.8.1. All domestic airlines shall join and trade on the IATA Billing and Settlement Plan (BSP).

Billing and Settlement Plan (BSP).

18.4. REGIONAL AND INTERNATIONAL OPERATIONS BY NIGERIAN AIRLINES

18.4.1.1. The Authority shall issue an Air Carrier's Permit (ACP) to designated Nigerian airlines on international routes, subject to the airline fulfilling the requirements specified in IS 18.4.1.1 to these regulations and as may be published by the Authority from time to time.

Scheduled Operations by Nigerian Airlines.

18.4.1.2. All Nigerian airlines designated on regional and international routes in addition to obtaining safety certificates shall :

(i) join IATA and the IATA Clearing House as well as pass the IATA Operational Safety Audit (IOSA) ;

(ii) have adequate financial capability for such operations.

18.4.1.3. All Nigerian airlines shall endeavor to have foreign technical partners.

18.4.2.1. NON-SCHEDULED PASSENGER (CHARTER) OPERATIONS -COMMERCIAL

18.4.2.1.1. Holders of Air Operator Certificates (AOC) are not required to obtain flight clearances from the Authority prior to undertaking non-scheduled international operations, but shall be required to depart and enter the country through designated customs airports.

Non-Scheduled Operations by Nigerian Airlines.

18.4.2.2.1. Holders of Airline Operating Permit (AOP) engaged in cargo operations shall :

(i) obtain Air Operator Certificates (AOC) from the Authority prior to commencement of operation.

Non-Scheduled Cargo (Charter) Operations.

(ii) engage in cargo operations worldwide.

(iii) not pay royalty on cargo carried.

(iv) put in place adequate insurance cover for its cargo operations.

(v) submit to the Authority their airway bills and client invoices.

(vi) enter and depart the country through designated customs airport.

18.4.2.3.1. No person shall operate a private aircraft into and out of Nigeria without a flight clearance issued by the Authority such operations shall be undertaken only at designated Customs' airports.

Private Operations.

IS:18.4.1.1.A. GUIDELINES AND REQUIREMENTS FOR DESIGNATION OF NIGERIAN AIRLINES ON INTERNATIONAL ROUTES

These requirements shall apply to Nigerian airlines seeking designation on international routes.

GENERAL

(i) Application for designation on international routes shall be made in writing to the Minister responsible for Aviation. The application shall thereafter be forwarded to the Authority for assessment.

(ii) The application shall contain the following particulars :

- (a) Details of routes to be operated ;
- (b) Number and type(s) of aircraft to be used for the operation(s) ;
- (c) Details of airline's existing fleet, including number and age of aircraft ;
- (d) Point(s) of departure and entry in Nigeria ; and
- (e) Point(s) of entry and departure in the country/countries the airline intends to operate to.

REQUIREMENTS

The following supporting documents are required for processing the application :

(a) Four (4) copies of certified true copy of the certificate of incorporation of the company.

(b) Four (4) copies of certified true copy of :

- (i) The memorandum and articles of association ;
- (ii) Particulars of the directors of the company (Form CAC7) ;
- (iii) Statement of Share Capital/Return of Allotment (Form CAC2) with minimum PAID-UP share capital of 1 to ₦1 billion (one billion Naira) for regional routes and ₦2 billion (two billion Naira) for international routes.
- (c) A copy of valid Air Transport License (ATL) of the applicant.
- (d) A business Plan on the Operation of the proposed route(s).

The business plan shall contain but not necessarily be limited to the following :

(i) Route viability analysis including detailed projected expenditure and revenue forecasts. The expenditure should be on such operating cost items as fuel, airport charges, handling charges, aircraft lease or depreciation, aircraft maintenance, catering, insurance, personnel etc. While the revenue figures should include proposed load factors, fares and tariffs both at base and outstations, etc ;

(ii) A projected Balance Sheet including profit and loss account and current assets and liabilities for the next two (2) years (24 months) ; and

(iii) A projected cash flow statement and liquidity plan for the first three (3) months of operation.

(iv) The assumptions used for the computations.

(e) Evidence of ability to meet fixed and operational costs incurred from operations for the first three (3) months without generating any income ; and

(f) Evidence of ability to meet its actual and potential obligations for a period of twenty-four (24) months from the start of operations.

(g) The applicant is also required to submit the following :

(i) Details of Insurance Policy/Policies covering hull, passenger/cargo, crew and the third Party. Limits of this cover shall be in accordance with the provision of the Civil Aviation Act, the Regulation, Rules, Orders made there under.

(ii) Details of airline ownership structure and operational control of the airline.

(iii) Details of management team.

(iv) Mode of acquisition of the aircraft proposed for utilization on the route(s) and evidence of ownership of more than one aircraft.

(v) Technical and maintenance arrangements in place or being put in place.

(vi) Details of the airline security programme in accordance with National Civil Aviation Security Programme and carriage of Dangerous Goods in accordance with Part 15 of Nig. CARs, ICAO Doc. 9284 Technical Instruction for Safe Transport of Dangerous Goods by Air.

(vii) Evidence of three (3) years audited statement of account for existing airlines and certified opening balance sheet for new Airlines.

(viii) Current Tax Clearance Certificates of the company and its Directors.

(ix) Proposed arrangements put in place or to be put in place for fuelling of aircraft, catering and handling of passengers/cargo and aircraft ; as well as organizational provisions at outstations.

(x) Evidence and details of applicant's computer reservation system.

(xi) Details of communication network in place.

(xii) Ticketing sales arrangements.

(xiii) Samples of tickets, baggage tags, manifest and other related documents necessary to conduct a commercial flight

(xiv) Evidence of membership or arrangement to be a member of IATA.

(xv) Existing or proposed commercial arrangement with other operators (e.g. alliance, code share, interline, sales agency, etc) (if any).

(xvi) Details of technical partners (if any).

(xvii) Details of applicants experience on scheduled domestic passenger operations and international passenger/cargo and charter operations for operating airlines. While new airlines must show evidence of capability and competence in terms of finance, personnel, equipment and organization to carry out international passenger/cargo operations.

(xviii) Evidence of meeting all financial obligations associated with its operations such as aviation charges if required.

(xix) Additional Information if required.

The Authority shall forward its technical report with appropriate recommendations to the Minister.

PART TWO

IS:18.4.1.1B. GUIDELINES AND REQUIREMENTS FOR GRANT OF AIR CARRIER'S PERMIT TO DESIGNATED NIGERIAN AIRLINES ON INTERNATIONAL ROUTES

A designated Nigerian Airline wishing to obtain an Air Carrier's Permit (ACP) for international operations shall fulfill the following requirements :

(i) Make a payment of a non-refundable processing fee of ₦5 million for African routes and ₦10 million for intercontinental routes provided that Airlines designated on both African and intercontinental routes shall pay ₦10 million only to the Authority.

(ii) The designated airline shall also submit the following documents :

(a) A revised business plan on the proposed operations of the airline.

(b) Evidence of detailed arrangements of the proposed destinations to support the intended operations.

(c) Evidence of authorized share capital commensurate with the scope of operation. For African routes ₦1 billion, while intercontinental routes shall be ₦2 billion.

(d) Evidence of insurance policy for hull, passenger, cargo, third party liability in line with international standards.

(e) Evidence of organizational exposition detailing airline ownership and control, airline management structure and details of the airlines operations including engineering, marketing, sales and promotion, flight operations, flight planning and scheduling, arrangement for aircraft fuelling, handling, receipt and dispatch, catering and customer services.

(f) Evidence of Computer Reservation System and product distribution and or support system.

(g) Evidence of ownership or operational control of aircraft.

(iii) An airline that has been approved for designation by government on international routes shall seek from the Authority, the variation of its Air Operator's Certificate (AOC) to cover routes and aircraft types to be operated.

(iv) An airline that has varied its AOC and obtained an Air Carrier's Permit (ACP) for international routes will have its designation process finalized by the Ministry through the exchange of diplomatic notes.

(v) Government reserves the right to withdraw from any designated airline, routes not operated consistently within a period of twelve (12) months for African routes and twenty four (24) months for intercontinental routes. Where a designated air carrier suspends operation on a route for more than 12 months, government reserves the right to reassign the routes to other interested airline.

(vi) Designated airlines shall pay destination inspections fees to the Authority and applicable negotiation or re-negotiation of applicable Bilateral Air Services Agreements (BASA).

IS:18.4.1.1.C. CONDITIONS AND PRIVILEGES OF AIR CARRIER'S PERMIT (ACP) ON INTERNATIONAL ROUTES

(i) All commercial alliances, code share arrangements etc being entered into by any designated airlines on allocated routes shall be submitted to the Ministry and the Authority for approval.

(ii) No right on the designated routes can be subcontracted by an airline without approval of the Minister.

(iii) Any airline that abandons a route for a period of twelve (12) months shall have the route withdrawn and given to another interested airline.

(iv) An airline shall ensure compliance with its approved seasonal schedules. The Authority shall keep records of the dispatch reliability of airlines. Any airline that fall short of the benchmark set by the Authority will have its permit withdrawn.

(v) An airline must put in place, a co-operative arrangement to cover its scheduled operations in case of unavoidable technical and operational problems.

(vi) An Air Carrier's Permit (ACP) will be considered for revocation and the top management of the airline liable for prosecution if :

(a) the airline and or its agents are found engaging in criminal activities that can tarnish the image of the country.

(b) the airline by omission or commission promotes the interest of other nations above that of Nigeria.

(c) the airline and or its agent fail(s) to meet safety and security standards, as well as financial obligations to creditors.

(d) Any other condition and privileges that may be specified by the authority from time to time.

18.5. FOREIGN AIRLINE OPERATIONS INTO AND OUT OF NIGERIA

18.5.1.1. Operations by Designated Foreign Airlines.

18.5.1.1.1. This section shall apply to foreign airline operations into and out of Nigeria.

18.5.1.1.2. Foreign Airline(s) shall not operate into and out of Nigeria, without obtaining a Foreign Carrier Operating Permit (FCOP) issued by the Authority.

Scheduled
Operations
by Foreign
Airlines.

18.5.1.1.3. Foreign airlines shall fulfill the requirements specified IS:18.5.1.1.3 A and IS:18.5.1.1.3 (B) to these regulations and as may be published by the Authority from time to time.

18.5.1.1.4. The Authority's safety inspectors shall carry out safety assessment audit of the airline's base prior to the issuance of FCOP and commencement of operations.

18.5.1.1.5. Where the holder of a FCOP violates any provision of the Act, regulations, rules and orders made thereunder, the Authority may suspend or revoke the FCOP.

18.5.1.1.6. Foreign airlines operating into and out of Nigeria for the purpose of scheduled international air services shall not have sales offices or outlets in cities other than the point(s) of entry specified in the subsisting bilateral air services agreement under which the foreign carrier is designated, and this shall be limited to the airports.

18.5.1.1.7. Foreign airlines operating into and out of Nigeria for the purpose of scheduled international air services shall not distribute tickets through banks and other financial institutions.

18.5.1.1.8. Foreign airlines shall not engage in self handling, but shall use the services of duly registered Nigerian handling companies.

Non-
Scheduled
Passenger
(Charter)
Operations
by Foreign
Airlines.

18.5.2.1. A foreign airline shall not conduct non-scheduled (charter) operations into and out of Nigeria without a flight clearance issued by the Authority.

18.5.2.2. No foreign airline shall engage in non-scheduled (charter) passenger operations into and out of Nigeria except in conjunction with a Nigerian ATOL holder.

18.5.3.1. A foreign airline engaged in non-scheduled cargo operations into and out of Nigeria shall obtain flight clearance from the Authority and also pay royalty to the Authority as may be determined by the Authority from time to time.

IS:18.5. IMPLEMENTING STANDARDS

IS:18.5.1.1.3 A. REQUIREMENTS FOR THE COMMENCEMENT OF OPERATIONS BY DESIGNATED FOREIGN AIRLINES ON NIGERIAN ROUTES

GENERAL

Foreign airlines applying to operate scheduled services into and out of Nigeria shall fulfill the under listed requirements :

(i) be designated under an existing Bilateral Air Services Agreement (BASA) between its government and Nigeria.

(ii) submit necessary supporting documents through diplomatic channels, to the Nigerian aeronautical authority. Details of such designation must be in accordance with the provisions of the existing BASA, upon which such designation is being made.

(iii) Designated airlines must fulfill the requirements of Part 10 of the Nigerian Civil Aviation Regulations (Nig.CARs) on Commercial Air Transport by Foreign Air Carriers within Nigeria before the FCOP can be issued by the Authority.

REQUIREMENT

The following documents shall be provided by the designating country or airline shall include :

Non -
Scheduled
Cargo
(Charter)
Operations
by Foreign
Airlines.

(a) *Details of the Designated Airline including :*

- (i) Name of Airline.
- (ii) Address of its principal place of business (Head Office).
- (iii) Details of Airline's ownership structure.
- (iv) Nationality of Airline.
- (v) Address in Nigeria.
- (vi) Names and address of the Airline's representative(s) in Nigeria.
- (vii) Proposed ground handling company to be used.
- (viii) Aircraft type(s) to be utilized for the proposed operation.
- (ix) Aircraft configuration and specifications.

(b) *Airline's Aircraft Documents*

- (i) Air Operator Certificate (AOC).
- (ii) Evidence of comprehensive insurance cover for aircraft, passenger, cargo and third party liabilities.
- (iii) Certificate of aircraft Registration (for each Aircraft) to be operated on the route.
- (iv) Certificate of Airworthiness (for each Aircraft) to be operated on the route.

(c) *Airline Security Manual*

The designated airline shall submit a copy of its Security Manual which should be in accordance with The National Civil Aviation Security Programme.

(d) *Dangerous Goods Manual*

The designated airline shall submit a copy of its Dangerous Goods Manual which should be in accordance with Technical Instruction For The Safe Transport of Dangerous Goods by Air Doc. 9284, Part 15 of Nig.CARs.

(e) *Other Supporting Documents*

- (i) Proposed tariff on the route.
- (ii) Proposed flight schedule and timetable.
- (iii) Existing and proposed commercial arrangements with other operators i.e. alliance, code-share, interline, sales agency, etc.

(iv) Evidence that substantial ownership and effective control of the airline are vested in the designating party or its nationals.

(v) Any other licence or approvals issued by the aeronautical authorities of the airline's designating country.

Base
Inspection.

The Authority's safety inspectors shall carry out safety assessment audit of the airline's base prior to the issuance of FCOP and commencement of operations.

Air Services
Agreements.

18.6.1. This section shall apply to the :

(i) consultative and advisory process by the Authority in respect of international agreements, bilateral air services agreements, multilateral air service agreements, commercial agreements, and all other agreements, protocols or documents related to membership of an international organization, granting of traffic rights in air services agreements, performance of a covenant of an international nature, or stipulating adherence to international standards ; and

(ii) monitoring of the operations of foreign airlines operating under subsisting bilateral air services agreements, multilateral air services agreements, commercial agreements and other Sub-regional and Regional Protocols and Agreements.

Internal
Procedure in
Consultation
and Advice
Process.

18.6.2.1. Upon notification by the Minister of the requirement for the Authority's advice, input or participation in respect of any international agreement, the Director-General shall constitute a committee comprising persons in the Directorate of Air Transport Regulation and Legal Department to prepare Nigeria's position on the issue.

18.6.2.2. The Authority shall forward the Nigeria's position to the Minister.

Principles
for
Consultation
and Advice
to the
Minister on
International
Agreements.

18.6.3.1. In its deliberations and actions under this sub section, the Authority shall be guided by the overriding principle of promoting the overall interest of the Nigerian nation. It shall also be guided by the following principles which shall constitute minimum standards applicable to the Authority's consultation and advisory process :

(i) Encourage competition and the development of new and expanded international air services to benefit travellers, airlines, the tourism and business sectors ;

(ii) Create opportunities for Nigerian airlines to grow and compete successfully in a more liberalized global environment ;

(iii) Enable Nigerian airports to market themselves in a manner that is unhindered by bilateral constraints to the greatest extent possible ;

Support and facilitate Nigeria's international trade objectives.

(iv) Support a safe, secure, efficient, economically healthy and viable Nigerian air transportation industry ;

(v) Protect consumers from unreasonably discriminatory practices and the application of all subsisting consumer protection regulations.

18.6.4.1. The Authority shall monitor the operations of all foreign airlines operating into and out of Nigeria to ensure that their operations are in accordance with the provisions of the subsisting BASAs, MASAs, Commercial Agreements and approvals guiding their operations.

18.6.4.2. The Authority shall ensure that the frequencies being operated by foreign airlines are in accordance with the Seasonal Schedules approved by the Minister.

18.6.5.1. This sub section shall apply to the collection of flight data, billing and maintenance of account or accounts for the payment of royalties accruing to the country from commercial agreements with foreign airlines.

Commercial
Agreements.

18.6.5.2. All foreign airlines having commercial agreements with Nigeria shall pay all royalties accruing to the country into a designated account(s) with the Central Bank of Nigeria (CBN).

18.6.5.3. All foreign airlines operating under commercial agreements shall forward to the Authority, passenger and cargo manifests, load sheets, air waybills and any other information that will be necessary for accurate billing, not later than twenty-four (24) hours after each flight.

18.6.5.4. A Reconciliation Committee shall be instituted for the purpose of resolution of disputes and discrepancies arising from bills forwarded to the foreign airlines by the Authority. The Reconciliation Committee shall comprise the Ministry, the Authority and the concerned airline.

18.6.5.5. Non-compliance with the terms of payment in the commercial agreement by any airline will lead to the suspension or withdrawal of such services in addition to up to nine *percent* (9%) compound interest rate on the unsettled amount to be reflected in subsequent commercial agreements.

18.6.6.1. The Authority shall continue to promote the interests of Nigeria in the monitoring and implementation of the Yamoussoukro Decision, The Banjul Accord Group (BAG) Agreements and other Multilateral Agreements and Protocols to which Nigeria is signatory.

Multilateral
Agreements.

18.6.6.2. The Authority shall continue to support and facilitate the implementation of the resolution of the Banjul Accord Group Council of Ministers to turn airline operations of the BAG States into domestic operations.

18.6.7.1. The Authority shall continue to promote the interest of Nigeria, Nigerian airlines as well as the sustainable development of the Nigerian aviation industry, in fulfilling the country's obligation in any open skies agreement to which Nigeria is a signatory.

Open Skies
Agreements.

18.7.1. This section shall apply to the economic regulation of airports, air navigation services, aero-meteorological services and other related services.

Airport and
Air
Navigation
Services.

Entry into
the Airport
Business.

18.7.2.1. Any person or body corporate, state or local government intending to provide airport services shall show evidence of adequate financial capability to provide the necessary infrastructure in accordance with the guidelines and requirements set by the Authority.

18.7.2.2. Any person or body corporate intending to establish aerodrome or take over an existing aerodrome shall obtain Security Clearance from the Presidency.

Regulation of
Charges,
Fees and
Tariffs.

18.7.3.1. All airport operators, air navigation service provider(s), aero-meteorological service provider(s) and other service providers shall obtain the approval of the Authority before revising and imposing new charges, fees and tariffs for their services.

18.7.3.2. All airports, air navigation and aero-meteorological service providers shall provide financial or other data as may be required by the Authority to determine the basis for charges, fees and tariffs.

18.7.3.3. All airports, air navigation and aero-meteorological service providers shall adhere to the principles and procedures of consultation with users, cost-relatedness, non-discrimination and transparency in the application of charges, fees and tariffs.

18.7.3.4. All airports, air navigation and aero-meteorological service providers shall adhere to the policies, principles and guidelines contained in ICAO's documents. Doc.9082 (Charges for Airports and Air Navigation Services), Doc.9562 (Airport Economic Manual) and Doc.9161 (Manual on Air Navigation Services Economics) or as may be amended by ICAO from time to time.

18.7.3.5. Any person(s) who violates the provision of regulations 18.7.3.1 shall be liable to the penalty set forth in the sanctions regime of these regulations.

Service Level
Agreements
(SLAs).

18.7.4.1. All airports, air navigation and aero-meteorological service providers are required to develop internal mechanisms for performance monitoring.

18.7.4.2. All airports, air navigation and aero-meteorological service providers shall enter into service level agreements (SLAs) with the users of their services.

Financial
Returns and
Other
Obligations.

18.7.5.1. All airports, air navigation and aero-meteorological service providers shall submit to the Authority a 5-year business plan.

18.7.5.2. All airports, air navigation and aero-meteorological service providers shall submit their financial returns yearly, or at such periodic intervals in formats as may be prescribed by the Authority.

18.7.5.3. These financial returns shall include, but not be limited to income and expenditure statement, profit and loss statement, cash flow statement, insurance policy and evidence of payment of premiums, and other returns that may be required by the Authority.

1.S:18.7.3.1. GUIDELINES AND REQUIREMENTS FOR INTRODUCTION AND REVISION OF AVIATION CHARGES

Any airport operator, air navigation service provider or aero-meteorological service provider intending to introduce or revise charges shall submit to the Authority, an application for approval to introduce or revise the charges. The application which shall be addressed to the Director General of the Authority shall be submitted at least sixty (60) days prior to the introduction of the new charges, fees and tariffs

The application shall be accompanied with the necessary documents justifying the need for the introduction or revision of the charges, fees and tariffs.

These documents shall include but not limited to the following :

- (i) Financial projections based on existing charges, fees and tariffs.
- (ii) Financial projections based on proposed charges, fees and tariffs.
- (iii) Minutes of meeting between the operator and the users of the service in accordance with ICAO Doc.9082.

The Authority may require additional information or documents and invite the operator to meetings, if necessary.

18.8.1. This section shall apply to efficient processing and expeditious clearance of passengers, crew, cargo, mail and aircraft at the airports.

Facilitation
of Air
Transport.

18.8.2. The Authority shall collaborate with all relevant Government agencies (Customs, Immigration, Port Health, NDLEA, SSS, Plant Quarantine, AVSEC, Police) at the airports to ensure an effective and efficient facilitation process.

18.8.3. Every airport operator, airline and ground handling company shall :

- (i) provide facilities and services that will ensure efficient processing of passengers, crew, cargo, mail and aircraft at the airports.
- (ii) provide facilities at the airports to enhance the movement of Persons with Reduced Mobility (PRM) and also ensure that no passenger is discriminated against on the grounds of his/her disability or reduced mobility.

18.8.4.1. The Authority shall initiate the process for the establishment of a National Facilitation Programme to provide for and facilitate the border-crossing formalities that must be accomplished with respect to aircraft engaged in international operations and their passengers, crew and cargo. The composition, terms of reference and mode of operations of the National Facilitation Programme shall be as specified in IS 18.8.4 of these regulations.

National
Facilitation
Programme.

18.8.5.1. Every airport operator shall establish an Airport Facilitation Committee at its airport.

Airport
Facilitation
Programme.

18.8.5.2. The composition, terms of reference and mode of operations of the Airport Facilitation Committee shall be as specified in IS:18.8.5 of these Regulations.

Airport Slot
Allocation
Committee,

18.8.6.1. Every airport operator shall establish where necessary, a Slot Allocation Committee, which shall ensure the continued access of airlines to the airport on a fair, transparent and non-discriminatory basis.

18.8.6.2. The composition, terms of reference and mode of operation of the Slot Allocation Committee shall be as specified in IS18.8.6.2 of these Regulations.

IS: 18.8. IMPLEMENTING STANDARDS

Nigerian
National
Facilitation
Programme
(NNFP).

IS:18.8.4.—(i) The Nigerian National Facilitation Programme (NNFP), shall be in conformity with the provisions of ICAO Annex 9 on Facilitation.

(ii) *Purpose of the NNFP*

The purpose of this NNFP is to facilitate border-crossing formalities which must be accomplished with respect to aircraft engaged in international operations and their passengers, crew and cargo, in line with the Chicago Convention, 1944.

(iii) *Scope of the NNFP*

The NNFP contains applicable Articles of the Chicago Convention and the responsibilities for implementing the Articles in accordance with the Standards and Recommended Practices (SARPs) of Annex 9 on Facilitation.

(iv) *Organization and Management of NNFP*

The primary responsibility of the NNFP shall rest with the Director-General, Nigerian Civil Aviation Authority, while the implementation shall be through the National Facilitation Committee and the Airport Facilitation Committees.

(v) *Composition of the National Facilitation Committee*

The National Facilitation Committee shall be headed by the Director-General of NCAA and made up of representatives of the following organizations :

- (a) NCAA ;
- (b) Aviation Ministry;
- (c) The Airport Operators ;
- (d) Nigeria Customs Services ;
- (e) Nigeria Immigration Services ;
- (f) Nigeria Police Force ;
- (g) Foreign Affairs Ministry ;
- (h) Nigerian Agricultural Quarantine Service ;
- (i) State Security Service ;
- (j) Nigerian Drug Law Enforcement Agency ;
- (k) Port Health ;
- (l) Nigerian Airspace Management Agency ;

- (m) Tourism ;
- (n) Airline Operators ; and
- (o) National Aviation Security Committee.

(vi) *Guidelines for National Facilitation Committee*

(a) The National Facilitation Committee shall be responsible for implementation of the application Articles of the Chicago Convention as follows :

(i) *Article 12—Landing at Customs Airport*

The National Facilitation Committee shall :

- (a) Designate Customs airports in Nigeria ;
- (b) Develop procedures through which operators of scheduled and non-scheduled services may request permission to land or depart from customs airports ; and
- (c) Arrange for border inspection services at customs airports.

(ii) *Article 13—Entry and Clearance Regulation*

The National Facilitation Committee shall :

- (a) Develop programmes for control of security problems such as document fraud, illegal migration, smuggling and touting ;
- (b) Support the interested border control agencies in the establishment and maintenance of effective inspection systems at airports, and in their efforts to rationalize their respective procedures ; and
- (c) Co-ordinate preparations for clearing large numbers of passengers, especially during holy pilgrimages.

(iii) *Article 14—Prevention of Spread of Disease*

The National Facilitation Committee shall :

- (a) Establish, review and amend as necessary, the national policies regarding prevention of the spread of contagious diseases by air, for example, aircraft disinfection, public health-related quarantine programmes and screening measures to be applied in a health emergency.

(iv) *Article 22—Facilitation of Formalities*

The National Facilitation committee shall :

- (a) Establish, review and amend as necessary, the national regulations which implement the State's customs, immigration and quarantine laws pertaining to international movements by air.

(v) *Article 23—Customs and Immigration Procedures*

The National Facilitation Committee shall :

- (a) Establish and amend as appropriate, customs and immigration and immigration procedures carried out at Nigerian airports, to harmonize them with the standards and recommended practices set forth in Annex 9 ;

(b) Support and advocate the national issuance of passports and other travel documents in accordance with ICAO specifications in Doc 9303—Machine Readable Travel documents.

(vi) *Article 37—Adoption of International Standards and Procedures*

The National Facilitation Committee shall :

(a) Participate in the development of ICAO *Annex 9* ; and

(b) Review national procedures periodically in order to ensure harmonization with the provisions of *Annex 9*.

(vii) *Article 38—Departures from International Standards and Procedures*

The National Facilitation Committee shall :

(a) Periodically review conformity by all relevant agencies with the provisions of *Annex 9* and notify ICAO of differences between national practices and the relevant standards.

(b) *Schedule of Meeting*

The National Facilitation Committee (NNFC) shall meet bi-annually except in cases of emergency. Venue of meetings shall be as determined by the Chairman of the Committee.

Composition
of the
Airport
Facilitation
Committees.

IS 18.8.5.2 A. The Airport Facilitation Committees shall be headed by the Airport Managers and made up of representatives of the following organizations or agencies :

- (a) Customs ;
- (b) Immigration ;
- (c) Quarantine ;
- (d) State Security Service ;
- (e) NDLEA (Narcotics) ;
- (f) Port Health ;
- (g) NCAA ;
- (h) FAAN ;
- (i) NAMA ;
- (j) Tourism ; and
- (k) Airline operators.

Terms of
Reference of
Airport
Facilitation
Committee.

IS:18.8.5.2. B.—(i) To implement the policies and directives of the National Facilitation Committee.

(ii) To liaise with Airport Security Committee to ensure that security in the airports do not hinder smooth passage of passengers, crew, cargo, mail and aircraft.

(iii) To review reports of activities relating to facilitation at the airports and make suggestion(s) for improvement.

(iv) To hold quarterly meetings except in case of emergency. The venue of the meetings shall be as determined by the Chairman of the Airport Facilitation Committee.

(v) The Airport Facilitation Committee shall devise its own rules of procedure.

IS:18.8.6.2. A. COMPOSITION OF THE AIRPORT SLOT ALLOCATION COMMITTEE

The Airport Slot Allocation Committee shall be headed by the Airport Manager and made up of representatives of the following organizations or agencies :

1. NCAA ;
2. FAAN ; and
3. NAMA.

IS:18.8.6.2.B. TERMS OF REFERENCE/FUNCTIONS OF THE AIRPORT SLOT ALLOCATION COMMITTEE

(i) To formulate the rules for the allocation and exchange of slots at designated international airports in Nigeria, on a fair, transparent and non-discriminatory basis.

(ii) To coordinate and monitor the scheduling process.

(iii) To hold quarterly meetings except in case of emergency. The venue of the meetings shall be as determined by the Chairman of the Airport Slot Allocation Committee.

(iv) The Airport Slot Allocation Committee shall determine its own rules of procedure.

18.9. ALLIED AVIATION SERVICES

18.9.1. This section shall apply to the registration of allied aviation businesses.

No person shall undertake the following businesses without a certificate of registration or licence issued by the Authority. In line with requirements specified in IS 18.9.1.2.

Registration
of Allied
Aviation
Businesses.

- (i) Ground Handling ;
- (ii) Agent of Foreign Airlines ;
- (iii) Travel Agency ;
- (iv) Cargo Agency and Air Freight Forwarding ;
- (v) In-flight Catering Services ;
- (vi) Aviation Fuel Supply ;

- (vii) Air Transport Training Institutions ;
- (viii) Aircraft Sale or Leasing ; and
- (ix) Other Aviation Related Services.

18.9.2. Register of Certificate of Registration or Licence.

The Authority shall keep a register of all allied aviation businesses issued with certificate of registration or licence.

18.9.3. Discrimination against or Decline of Access to Airlines.

Airport operators shall not discriminate against or decline access to any airline, allied aviation service provider in provision of services or facilities at their airports.

Travel
Agency
Business in
Nigeria.

18.9.4.1. Travel Agency business shall be the downstream sector of the aviation industry.

18.9.4.2. All travel agencies shall register with the Authority after fulfilling the necessary requirements specified in IS 18.9.4.2 to these regulations.

18.9.4.3. All Travels Agencies shall be members of the National Association of Travel Agencies (NANTA).

18.9.4.4. All registered travel agencies shall join and trade on IATA BSP platform.

General Sales
Agent.

18.9.5.1. Any person that intends to carry out business as General Sales Agent (GSA) in Nigeria shall :

(i) be a citizen of Nigeria or a body corporate, registered in Nigeria and having its principal place of business within Nigeria, with majority shareholding held by Nigerians ; and

(ii) have adequate resources for the discharge of actual and potential obligations of travel agency.

18.9.6 Information to Security Agencies on incoming flight.

All relevant security agencies at the international airport(s) shall be informed of details of all incoming flights prior to granting of approvals for such flights by the Authority.

18.9.7. Approvals for all Air Transport Commercial Courses.

The Authority shall grant approvals for all air transport commercial courses offered by Air Transport Training Institutions.

18.9.8. Additional Licence for the Aircraft Sale and Leasing.

A holder of an ATL or AOP shall not require additional licence to carry out aircraft sale or leasing.

18.9.9. UNRESTRICTED ACCESS FOR MONITORING PURPOSE

- 18.9.7.1, An applicant for certificate of registration or license for allied aviation service shall grant to any person authorized by the Authority free and unrestricted access at any time without prior notice to inspect the office premises or warehouse and any documents required for issuance of certificate of registration or license.

IS:18.9.1.2(i)(a) GUIDELINES AND REQUIREMENTS FOR LICENSING GROUND HANDLING COMPANIES

Implementing
Standards

IS: A. PROCEDURE FOR APPLICATION

(i) Application for license as a ground handling company shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorised by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six(6) months to the desired commencement of operations.

B. REQUIREMENTS

The application for the licence must contain the following particulars :

- (i) Name and address of applicant ;
- (ii) The type of ground handling services to be provided ;
- (iii) Proposed airport or airports where applicant intends to provide the service(s) ;

C. PRE-QUALIFICATION STAGE

The applicant is expected to fulfill the following requirements :

(i) Payment of One Million Naira (₦1,000,000.00) non-refundable processing fee to the Authority. (Bank Draft made payable to the Authority) ;

(ii) Obtain and complete pre-qualification processing forms and return same to the Authority with evidence of payment of the One Million Naira (₦1,000,000.00) non-refundable processing fee ;

(iii) Submit the following supporting documents for processing of the application.

- (a) Copy of certified true copy of certificate of incorporation of company ;
- (b) Copy of certified true copy of memorandum and articles of association of the company ;
- (c) Statement of Share Capital/Return of Allotment of Shares (Form CAC2) indicating a minimum authorized share capital of five hundred million Naira (₦500,000,000.00).

(d) Copies of tax clearance certificates of the company and of each of the Directors for the last three (3) years ;

(e) Company exposition detailing the ownership and management structure, applicant's experience in the area of the proposed services it intends to provide, name and experience of technical partners (if any) etc ;

(f) Comprehensive details of technical partner including name, address, experience, nature of partnership arrangements etc. Documentary evidence ;

(g) Evidence of financial capability to undertake the business ;

(h) Proposed adequate Insurance Policy and/or insurance arrangement being put in place ;

(i) Duly completed Personal History Statement (PHS) forms and two (2) passport photographs in respect of each of the shareholders of the company having more than 5 percent equity shareholding to enable the NCAA seek security clearance from the Presidency on behalf of the applicant.

(j) A copy of a detailed business plan on the operation indicating, among other things :

(i) Proposed services to be rendered such as passenger handling, baggage handling, ramp services, freight and mail services, flight operations, crew services, surface transport services, aircraft services, catering, etc.

(ii) Marketing analysis including market segments, target market and customers, customers characteristics, customers needs, etc.

(iii) Competitive analysis such as industry overview, nature of competition, primary competitors, competitive products/services, opportunities, threats and risk, etc.

(iv) Marketing and Sales. These should address who the major customers will be and how they will be reached, marketing strategies to be used etc.

(v) Scope of applicant's operations giving comprehensive details of facilities and equipment required and their cost, management structure, staffing plan (employment plans, training and remuneration), operational procedure etc.

(vi) List of key personnel (including the safety and security managers) with details of their qualifications, skills, experience etc. Copies of their curriculum vitae should be provided ;

(vii) Financial plan including estimated costs of setting up the business, Projected revenue, scheme of charges, profit and loss projection, cash flow projection, balance sheet projection, etc (the assumptions used for the computations should also be stated).

(k) Operational Manual containing the company's proposed Standard Operating Procedure on the services to be rendered. This should contain details of how the operations will be conducted in accordance with IATA Ground Handling Manual. This should also contain a sample of the Service Level Agreements (SLAs) the applicant intends to have with the airlines ;

(l) Applicant's Safety Management System (SMS) Manual ;

(m) Applicant's Security Manual which shall be in compliance with the National Civil Aviation Security Programme (NCASP) and showing its understanding of the relevant provisions of ICAO *Annexes* such as *Annex 9* on Facilitation and *Annex 17* on Security ;

(n) Dangerous Goods Manual which should also be in accordance with ICAO *Annex 18* on the Safe Transportation of Dangerous Goods by Air Doc 9284 and Part 15 of these Regulations.

(iv) The applicant may be required to provide additional documents and information depending on the type(s) of services(s) it intends to provide.

(v) The Authority upon receipt of these documents and evaluation of same shall :

(a) Invite the promoters or directors of the company to a meeting with the officials of the Authority ;

(b) Seek the comments of the airport operator or owner on the proposed operation ;

D. QUALIFICATION STAGE

An applicant shall be qualified for this stage if the Authority is convinced that the applicant has the potential to carry out the business and comments are received from the airport operator or owner about the proposed operation.

E. If the authority is satisfied that the applicants has fulfilled the requirements, the Authority will request the applicant to acquire the necessary equipments and demonstrate its capability to carry out efficient services.

F. DEMONSTRATION

The applicant will be required to demonstrate its ability to offer efficient services as contained in its operational manual.

G. ISSUANCE OF A LICENCE

A substantive licence shall be issued to an applicant by the Authority, upon satisfaction that the applicant has demonstrated its ability to offer safe and efficient services.

H. VALIDITY OF LICENCE

(i) The validity of a licence shall be for Ten (10) years.

(ii) Upon receipt of licence, utilization fee of two hundred and fifty thousand Naira (₦250,000.00) shall be paid to the Authority annually.

IS 18.9.1.2(i)(b) GUIDELINES AND REQUIREMENTS FOR THE RENEWAL OF A GROUND HANDLING LICENCE

A. RENEWAL OF CERTIFICATE OF REGISTRATION

(i) Application for renewal of Ground Handling Licence shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing ground handling licence.

B. REQUIREMENTS

The application for the renewal of a ground handling licence shall contain the following particulars :

(i) Receipt of payment of five hundred thousand Naira (₦500,000.00) non-refundable renewal processing fee to the Authority. (Bank Draft made payable to the Authority) ;

(ii) Completed processing forms ;

(iii) Copy of tax clearance certificates of the company and of each of the directors for the last three (3) years ;

(iv) Current insurance policy ;

(v) Duly completed Personal History Statement (PHS) forms and two(2) passport photographs in respect of each of the shareholders of the company having more than five percent (5%) equity shareholding (the PHS forms are available at the Authority). The Authority will seek security clearance from the Presidency on behalf of the applicant ;

(vi) List of any new key personnel (including the safety and security managers) with details of their qualifications, skills, experience etc. Copies of their curriculum vitae should be provided ;

(vii) Updated operational manual containing the company's Standard Operating Procedure on the services being provided.

(viii) Copy of any new Service Level Agreements (SLAs) with the airlines ;

(ix) Applicant's updated manual on Safety Management System (SMS) ;

(x) Applicant's updated Security Manual Applicant's Security Manual which shall be in compliance with the National Civil Aviation Security Programme (NCASP) and in accordance with the relevant provisions of ICAO Annexes such as Annex 9 on Facilitation and Annex 17 on Security ; and

(xi) Updated Dangerous Goods manual which should also be in accordance with ICAO Annex 18 on Safe Transportation of Dangerous Goods Doc 9284 and Part 15 of these regulations.

C. ADDITIONAL INFORMATION

(i) Upon satisfactory fulfillment of the requirements for renewal, the expired ground handling licence shall be renewed for five (5) years.

(ii) Upon receipt of the licence, a utilization fee of two hundred and fifty thousand Naira (₦250,000.00) shall be paid to the Authority annually.

(iii) If on the date of the expiration of the licence, an application for renewal is pending with the Authority, the expiring licence may continue in force under such terms and conditions as prescribed by the Authority. This provision shall only apply if all the required documents for renewal of the licence have been submitted to the Authority and the delay in the renewal of the licence is occasioned by a third party. PROVIDED that this period shall not exceed six (6) months from the date of the expiration of the licence.

IS:18.9.1.2.(ii)(a) GUIDELINES AND REQUIREMENTS FOR THE REGISTRATION OF AGENTS OF FOREIGN AIRLINES

A. PROCEDURE FOR APPLICATION

(i) Application for the registration as an agent of foreign airlines shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application Shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months prior to the date for the commencement of operations.

B. REQUIREMENTS

(a) A non-refundable processing fee of two hundred and fifty thousand Naira (₦250,000.00) shall be paid to the Authority in respect of the application.

(b) The following documents shall be submitted along with the application :

(i) Copy of certified true copy certificate of incorporation ;

(ii) Copy of certified true copy of memorandum and articles of association with minimum share capital of one million Naira (₦1,000,000.00) ;

(iii) Curricula vitae of the directors and operations staff ;

(iv) Certificate(s) (if any) obtained by directors in aviation related courses.

(v) Evidence of agency agreement with foreign airline(s), if any ;

(vi) Current tax clearance certificates of the company and of each of the directors (originals should be submitted for sighting)

(vii) Evidence of publication in respect of the application for registration in two (2) national daily newspapers (format attached) ;

(viii) Corporate profile, including other aviation-related services being performed by the applicant.

C. ADDITIONAL REQUIREMENTS

(i) The Authority shall inspect the office premises of the company at the applicant's cost. In case there is a change of address, the applicant shall notify the Authority immediately.

(ii) The applicant's operations staff shall show evidence of relevant certificates, experience, adequate knowledge and background in aviation-related matters.

D. VALIDITY OF CERTIFICATE

The validity of a certificate shall be two (2) years unless otherwise suspended, withdrawn or revoked.

IS:18.9.1.2(ii) (b) GUIDELINES/REQUIREMENTS FOR THE RENEWAL OF CERTIFICATE OF REGISTRATION OF AGENTS OF FOREIGN AIRLINES

A. PROCEDURE FOR APPLICATION

(i) Application for renewal of an agent of foreign airlines shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorised by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to the expiration of the existing registration.

B. REQUIREMENT

The following supporting documents shall be forwarded with the application:

(a) Returns on agent's activities in the past two (2) years, detailing amongst others, the number of flight clearances obtained and for which airlines, etc ;

(b) Receipt of payment of one hundred and twenty-five thousand Naira (₦125,000.00.00) non-refundable renewal processing fee to the Authority ;

(c) Details of relevant refresher courses attended by the operations staff during the period. (The certificates obtained should be attached) ;

(d) Curricula vitae of any new director and or operations staff ;

(e) Evidence of any new agency agreement with foreign airline(s) if any ; and

(f) Duly completed renewal form NCAA/AFA.001 (Form obtainable from the Authority) ;

C. Upon satisfactory fulfillment of the requirements for renewal, the expired certificate shall be renewed for two (2) years.

IS:18.9.1.2(iii) GUIDELINES AND REQUIREMENTS FOR REGISTRATION OF TRAVEL AGENCY A PROCEDURE FOR APPLICATION

A. PROCEDURE FOR APPLICATION

(i) Application for the registration as a travel agency shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorised by the applicant.

(iii) The application Shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to prior to the date for the commencement of operations.

B. REQUIREMENTS

(i) A non-refundable processing fee of ten thousand Naira (₦10,000.00) shall be paid to the Authority in respect of the application.

(ii) The application must contain the following documents :

- (a) Name and address of applicant ;
- (b) Types of services being offered ;
- (c) Number of offices owned by the applicant/company.

(iii) The following supporting documents must be submitted to the Authority before commencing the processing of the application :

- (a) Copy of certified true copy of certificate of incorporation of company ;
- (b) Copy of certified true copy of memorandum and articles of association of the company with minimum share capital of one million Naira (₦1,000,000.00).
- (c) Curricula vitae of the Directors ;
- (d) Evidence of registration by IATA ;
- (e) Evidence of agency appointment by airlines (if any) ;
- (f) Evidence of National Association of Nigerian Travel Agents (NANTA) membership ;
- (g) Corporate profile in respect of all aviation related services being performed by the applicant ;
- (h) Duly completed application form ; and
- (i) Copy of receipt of payment of the non-refundable fee of Ten Thousand Naira (₦10,000.00) to the Authority ;
- (j) Details of agency's performance in the default insurance programme.

C. ADDITIONAL REQUIREMENTS

(i) Each applicant shall make available its office premises for inspection by officials of the Authority at the applicant's cost.

(ii) Applicant must have at least two (2) full-time qualified personnel, who must have successfully completed a course in Airline Ticketing and Reservation in a recognized training institution. In addition, the personnel must have a minimum of two (2) years work experience with an IATA agency or airline in Ticketing/Reservation. No agency personnel will be deemed qualified, if he or she has not spent a minimum of ninety (90) days with the travel agency as at the time of inspection by the Authority.

D. ADDITIONAL INFORMATION

(i) On receipt of an application, the Director-General may request for additional information from the applicant as may be deemed necessary.

(ii) Any duly registered or accredited agent should be aware that the Authority has the continuing responsibility to be satisfied with the conduct of the registered travel agent. The Authority shall monitor the activities of the travel agent to ensure that its operations are in accordance with set standards and regulations guiding the operation.

(iii) Notification to the Authority of change of name, location, ownership, shareholding in the company.

IS:18.9.1.2. (iv)(a) GUIDELINES AND REQUIREMENTS FOR THE REGISTRATION OF CARGO AGENTS OR AIR FREIGHT FORWARDERS

A. PROCEDURE FOR APPLICATION

(i) Application for registration as a cargo agent or air freight forwarder shall be made in writing to the Director-General.

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to prior to the date for the commencement of operations.

B. REQUIREMENT

(i) A non-refundable processing fee of ₦250,000.00 shall be made payable to the Authority in respect of the application.

(ii) The application shall be submitted along with the following documents :

(a) Copy of certified true copy of certificate of incorporation of company ;

(b) Copy of certified true copy of memorandum and articles of association of the company ;

(c) Statement of Share Capital/Return of Allotment of Shares (Form CAC2) indicating a minimum authorized share capital of one million Naira (₦1,000,000.00).

(d) Curricula vitae of the Directors ;

(e) Evidence of agreement with the airline (if any) ;

(f) Evidence of membership of any relevant association(s) ;

(g) Corporate profile in respect of all aviation related services being performed by the applicant-company ;

(h) Current tax clearance certificates of company and directors of the company ; and

(i) Duly completed application form (form obtainable from the Authority).

C. ADDITIONAL REQUIREMENTS

(i) The Authority shall inspect the office and warehouse premises of the company at the applicant's cost. In case there is a change of address, the applicant shall notify the Authority immediately.

(ii) All personnel involved in cargo acceptance must be trained in Basic Cargo Skills and Procedures. The personnel should be competent to :

- (a) calculate the transportation time ;
- (b) calculate chargeable weight ;
- (c) calculate relevant charges ;
- (d) complete the air waybill (AWB) correctly ;
- (e) have knowledge of conditions of carriage and airline liability ;
- (f) have basic knowledge of relevant characteristics of aircraft ;
- (g) make reference to and use relevant manuals ;
- (h) have basic knowledge of handling Dangerous Goods.

(iii) The following additional requirements shall be fulfilled :

(a) The applicant must have at least two qualified personnel with certificates on Dangerous Goods Regulation (DGR) as appropriate (i.e. current within the validation period of 24 months).

(b) The applicant must submit a copy of its Dangerous Goods manual to the Authority for evaluation and approval.

(c) The applicant must have current copies of the ICAO Technical Instructions, (updated every 2 years).

(d) The applicant must ensure that shipments of dangerous goods are accepted and offered for transport in accordance with the, Part 15 of Nigerian Civil Aviation Regulation and ICAO Technical Instruction for the Transport of Dangerous Goods Doc 9284.

(e) The applicant shall have emergency response guide for all shipments.

IS:18.9.1.2. (iv)(b) GUIDELINES/REQUIREMENTS FOR THE RENEWAL OF REGISTRATION OF CARGO AGENTS OR AIR FREIGHT FORWARDERS

A. PROCEDURE FOR APPLICATION

(i) Application for renewal of a cargo agent or air freight forwarder shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application Shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six (6) months to prior to the date for the expiration of the certificate.

B. REQUIREMENT

The following supporting documents shall be forwarded with the application :

(i) Returns on agent's activities in the past two (2) years, which may not be limited to the following :

(a) The tonnage of cargo processed, both imports and exports.

(b) Addresses of new Offices (if any).

(ii) Receipt of payment of ₦125,000.00 non-refundable renewal processing fee to the Authority ;

(iii) Certificates of refresher courses attended by the operations staff during the period, especially in the handling of Dangerous Goods and special cargoes ; and

(iv) Curriculum vitae of any new directors of the company ;

(v) Evidence of agency agreement with airlines in case there have been changes to the previous agreement, or there are new ones ; and

(vi) Duly completed renewal form NCAA/CA.001 (Form obtainable from the Authority).

C. The facilities of the cargo shed shall be inspected by officers of the Authority prior to the renewal of the certificate.

D. Upon satisfactory fulfillment of the requirements for renewal, the expired certificate shall be renewed for two (2) years.

IS:18.9.1.2. (v) GUIDELINES AND REQUIREMENTS FOR REGISTRATION OF IN-FLIGHT CATERING COMPANIES

A. PROCEDURE FOR APPLICATION

(i) Application for licence as an in-flight catering company shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be submitted to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six(6) months to the desired commencement of operations.

B. REQUIREMENTS

(i) The application for the registration of in-flight catering companies shall contain the following particulars :

(a) Name and address of applicant ;

(b) Areas of in-flight catering services to be provided ; and

(c) Proposed airport or airports where applicant intends to provide service.

(ii) The following supporting documents are required for processing of the application :

(a) Copy of the certified true copy of certificate of incorporation of company :

(b) Copy of certified true copy of memorandum and articles of association of the company :

(c) Statement of Share Capital/Return of Allotment of Shares (Form CA2) indicating a minimum authorized share capital of Twenty-Five Million Naira (₦25,000,000.00) for domestic operations and Two Hundred Million Naira (₦200,000,000.00) for international operations.

(d) Curriculum vitae of the directors and operations staff :

(e) Current tax clearance certificates of the company and of each of the directors (originals should also be submitted for sighting) :

(f) Details of adequate insurance policy (covering all areas of services to be provided) :

(g) Evidence of registration of the company with the National Agency for Food and Drugs Administration and Control (NAFDAC) :

(h) Evidence of publication of the application for registration in two national daily newspapers :

(i) Company profile, including other aviation-related services being performed by the applicant if any :

(j) Payment of non-refundable processing fee of Two Hundred and Fifty Thousand Naira (₦250,000.00) for domestic operations and Five Hundred Thousand Naira (₦500,000.00) for international operations. (Bank Draft made payable to the Authority) :

(k) Company exposition detailing the ownership and management structure, applicant's experience in the area of the proposed services it intends to provide, name and experience of technical partners (if any) etc :

(l) Comprehensive details of technical partner including name, address, experience, nature of partnership arrangements, etc. Documentary evidence should be provided :

(m) A copy of a detailed business plan on the operation indicating, among other things :

(i) Marketing analysis including market segments, target market and customers, etc :

(ii) Competitive analysis such as industry overview, nature of competition, primary competitors, competitive products/services, opportunities, threats and risks, etc :

(iii) Marketing and Sales—These should address who the major customers will be and how they will be reached, marketing strategies to be used, etc :

(iv) Scope of applicant's operations giving comprehensive details of facilities and equipment required and their costs, management structure, staffing plan (employment plans, training and remuneration), operational procedure, etc :

(v) List of key personnel (including the Quality Assurance, Safety and Security Managers) with details of their qualifications, skills, experience etc. Copies of their curriculum vitae should be provided ;

(vi) Financial plan including estimated costs of setting up the business, Projected revenue, scheme of charges, profit and loss projection, cash flow projection, balance sheet projection, etc (the assumptions used for the computations should also be stated).

(n) Operational Manual containing the company's proposed Standard Operating Procedures on the services to be rendered. This should contain details of how the operations will be conducted in accordance with international best practices. This should also contain a sample of the nature of the Service Level Agreements (SLAs) the applicant intends to have with airlines ;

(o) Applicant's Safety Management System (SMS) manual ;

(p) Applicant's Security Manual which shall be in compliance with the National Civil Aviation Security Programme (NCASP) and showing its understanding of the relevant provisions of ICAO Annexes such as *Annex 9* on Facilitation and *Annex 17* on Security ; and

(q) The applicant may be required to provide additional documents and information depending on the areas of service(s) it intends to provide.

C. ADDITIONAL REQUIREMENTS

(i) The office premises of the applicant shall be inspected by official(s) of the Authority at the applicant's cost.

(ii) The applicant's operational staff shall show evidence of relevant certificates and adequate knowledge relevant to the intended operation such as background in In-flight catering-related matters (chefs, microbiologists, quality control and janitors. etc)

(iii) The applicant shall endeavour to organise refresher courses for its staff from time to time.

(iv) The applicant shall endeavour to establish offices at relevant airports.

(v) Duly completed Personal History Statement (PHS) forms and two (2) passport photographs in respect of each of the shareholders of the company having more than 5 percent equity shareholding to enable the NCAA seek security clearance from the Presidency on behalf of the applicant.

(vi) The applicant shall develop and implement an in-flight catering security programme in line with NCASP.

D. VALIDITY OF LICENCE

The validity of the Licence shall be for five (5) years.

**IS:18.9.1.2. (vii) GUIDELINES AND REQUIREMENTS FOR REGISTRATION OF AIR
TRANSPORT TRAINING INSTITUTION**

A. PROCEDURE FOR APPLICATION

(i) Application for licence as an Air Transport Training Institution shall be made in writing to the Director-General, Nigerian Civil Aviation Authority (NCAA).

(ii) The application shall be signed by a person duly authorized by the applicant.

(iii) The application shall be made to the Director-General, Nigerian Civil Aviation Authority (NCAA) on or before a date not less than six(6) months to the desired commencement of operations.

B. REQUIREMENTS

(i) The application for the registration of Air Transport Training Institution shall contain the following particulars :

(a) Name and address of applicant ;

(b) Areas of courses to be provided ; and

(c) Proposed training sites where applicant intends to provide service.

(ii) The following supporting documents are required for processing of the application :

(a) A non-refundable processing fee of one hundred thousand Naira (₦100,000.00) made payable to the Authority ;

(b) Applicant shall obtain and fill form NCAA/ATR/RTI001 and return same to the Allied Services Department of the Directorate of Air Transport Regulation ;

(c) Copy of certified true copy of certificate of incorporation of company ;

(d) Copy of certified true copy of memorandum and articles of association of the company ;

(e) Statement of Share Capital/Return of Allotment of Shares (Form CAC2) indicating a minimum authorized share capital of two million Naira (₦2,000,000.00).

(f) Curriculum vitae of the directors and operations staff ;

(g) Current tax clearance certificates of the proposed institution and of each of the directors (originals should also be submitted for sighting) ;

(h) Proposed outline of courses the applicant intends to run and information and qualifications of lecturer(s) to undertake the proposed courses ;

(i) Reference manuals for the course(s) ;

(j) Photocopies of the qualifications of the Director of Studies ; (originals to be sighted).

C. ADDITIONAL REQUIREMENTS

(i) The office premises of the institution shall be inspected by official(s) of the Authority at the applicant's cost. In case there is a change of address, the applicant shall notify the Authority appropriately.

(ii) The applicant must have a well-qualified Director of Studies. Such qualification must be aviation related.

Airline
Financial
Health.

18.10.1. This section shall apply to the continuous monitoring of the operations of Nigerian licensed airlines for the purpose of ensuring their financial capability for safe and sustainable services.

18.10.2. All Nigerian licensed airlines shall ensure proper, transparent and prudent financial management in the conduct of their operations.

18.10.3. All Nigerian licensed airlines shall submit to the Authority on a monthly basis, all financial data and records on their operations in the form and manner as may be prescribed by the Authority.

18.10.4. The Authority shall evaluate the financial returns and make available a copy of the report of the financial health assessment to the Management of the airline which may make a representation to the Authority.

18.10.5. The Authority upon receipt of the airline's representation shall review same and communicate its decision to the airline.

Aviation
Insurance.

18.11.1. This section prescribes the type of insurance cover to be maintained by all aviation service providers in Nigeria.

18.11.2. No person shall operate any aircraft in public air transport category without adequate and valid insurance.

18.11.2.1. Aerodrome, air navigation, meteorological services, ground handling and other allied aviation service providers shall not operate without maintaining adequate and valid insurance.

18.11.2.2. Any person having a duty to maintain adequate insurance shall submit to the Authority on quarterly basis, insurance certificates, evidence of payment of premium and policy documents.

18.11.2.3. All airlines, aerodrome operators, air navigation, meteorological services, ground handling services and other allied service providers shall ensure payment of premium as and when due and submit same to the Authority on a quarterly basis.

18.11.3. All airlines shall include in their tickets a statement to the effect that liability arising from death and bodily injury to passengers in the course of carriage by air within or from Nigeria shall be governed by the provisions of the Act and these regulations.

18.11.4. The minimum third party liability insurance limit for aircraft engaged in aircraft operations in Nigeria shall be in relation to the Maximum Take-Off Weight (MTOW) of an aircraft as indicated in the table below :

FIXED WING AIRCRAFT

<i>Category</i>	<i>A/C MTOW (kg)</i>	<i>Minimum Third Party Liability Limit (US\$)</i>
1.	Up to 499	375,000
2.	500-999	750,000
3.	1,000-2699	1,500,000
4.	2700-5999	3,500,000
5.	6,000-11,999	9,000,000
6.	12,000-24999	40,000,000
7.	25,000-49,999	75,000,000
8.	50,000-199,999	150,000,000
9.	200,000-499,999	250,000,000
10.	500,000 plus	350,000,000

ROTARY WINGS AIRCRAFT

<i>Category</i>	<i>A/C MTOW (kg)</i>	<i>Minimum Third Party Liability Limit (US\$)</i>
1.	Up to 499	750,000
2.	500-999	1,500,000
3.	1,000-2699	3,000,000
4.	2700-5999	7,000,000
5.	6,000-11,999	18,000,000
6.	12,000-24999	80,000,000
7.	25,000-49,999	150,000,000

18.11.5. The minimum insurance cover for aircraft engaged in the carriage of passengers, mail and cargo in Nigeria shall be in relation to the aircraft available seat capacity.

18.11.6. The limits of liability for death or bodily injury of passenger, loss or delay of baggage and cargo for domestic and international operations shall be as prescribed by the Act,

18.11.7. The minimum insurable cover for aerodromes, air navigation, meteorological services, ground handling and other allied aviation services shall from time to time be fixed by the Authority. The insurable sum shall cover the following areas :

(i) Airside and landside

(ii) Bodily injury

(iii) Property damage

(iv) Hijacks and Hostage-taking

(v) War Risks

18.11.7.1. Operators of the following aviation services shall maintain minimum insurance cover for their operations as follows :

(i)	Ground Handling	—	US\$5million
(ii)	Aerodrome (International)	—	US\$250 million
(iii)	Aerodrome (Domestic)	—	US\$100 million
(iv)	Air Navigation Services	—	US\$250 million
(v)	Aeronautical Meteorology	—	US\$20 million

Family
Assistance
Programme.

18.11.8.1. There shall be established a Victim's Family Assistance Programme (VFAP) which shall provide succour to families of victims of aircraft accidents in Nigeria.

Civil
Aviation
Fees.

18.12.1. This section shall apply to the collection and remittance of all sales charges and sundry charges as may be specified by the Authority.

18.12.1.1. All domestic and international airlines operating in Nigeria shall forward to the Authority through an electronic platform provided by the Authority, all relevant documents such as flown coupons, passenger or cargo manifests, air waybills, load sheets, clients' service invoices and other documents necessary for accurate billing within forty-eight (48) hours after each flight.

18.12.1.2. All Nigerian licensed airlines shall join the IATA/BSP for the purpose of remittance of 5 percent Sales Charges, and shall execute a contract with the Authority to that effect.

18.12.1.3. All foreign cargo operators shall submit cargo manifests and continue to pay royalty in a manner prescribed by the Authority before the flight is approved to land or take off in Nigeria.

18.12.1.4. All Nigerian charter operators shall submit clients' service invoices (CSIs) on hourly or fixed sum contract for invoicing and payment of Charter Sales Charge (CSC) to the Authority.

18.12.1.5. All sales charges and royalties shall be paid in the currency in which they are being charged.

18.12.1.6. Any dispute arising from bills raised by the Authority shall be resolved through a Reconciliation Committee, comprising the Authority and the disputing airline.

Air
Transport
Statistics.

18.13.1. This section shall apply to the collation, submission and analysis of statistical data on domestic and international airline operations.

18.13.2. All airlines, air navigation service providers, aerodrome operators and other service providers shall submit to the Authority statistical data of their operations in the form and manner as prescribed by the Authority in IS 18.13.2.

18.13.3. The Authority shall keep a record of all data submitted and shall analyze same for annual statistical publication and file with ICAO in accordance with Article 67 of the Chicago Convention.

IS:18.13.2 A. STATISTICAL DATA REPORTING FORMS

<i>Forms to be Completed by Airlines (Scheduled) and Service Providers (FAAN and NAMA)</i>	<i>Frequency of Submission</i>
(i) <i>Form A : Traffic—Commercial Air Carriers</i>	Monthly
(ii) <i>Form A-S : Traffic-Commerical Air Carriers</i>	Yearly
(iii) <i>Form B : On-Flight Origin & Destination</i>	Quarterly
(iv) <i>Form C : Traffic by Flight Stage</i>	Yearly
(v) <i>Form D : Airline's Fleet and Personnel</i>	Yearly
(vi) <i>Form EF : Airline's Financial Data</i>	Yearly
(vii) <i>Form I : Airport Traffic</i>	Quarterly
(viii) <i>Form J : Airport Financial Data</i>	Yearly
(ix) <i>Form K : Air Nav. Services Financial Data</i>	Yearly
(x) <i>Form L : En-route Services Traffic Statistics</i>	Yearly
(xi) <i>Form ATS 01/1: NCAA International Operations Statistical Returns (Passenger)</i>	Monthly
(xii) <i>Form M : Fuel Consumption and Traffic- International and Total Services, Commercial Air Carrier</i>	Yearly
(xiii) <i>Form ATS 01/2 : NCAA International Operations Statistical Returns (Cargo)</i>	Monthly
(xii) <i>Form ATS 02 : NCAA Airline Monthly Operations Returns</i>	Monthly

IS:18.13.2 B. STATISTICAL DATA REPORTING FORMS

<i>Forms to be Completed by Airlines (Non-Schedule)</i>	<i>Frequency of Submission</i>
(i) <i>Form A : Traffic—Commercial Air Carriers</i>	Monthly
(ii) <i>Form D : Fleet and Personnel</i>	Yearly
(iii) <i>Form EF : Financial Data</i>	Yearly
(iv) <i>Form M : Fuel Consumption and Traffic- International and Total Services, Commercial Air Carrier</i>	Yearly
(v) <i>Form ATS 02 : NCAA Airline Monthly Operations Returns</i>	Monthly

IS:18.13.2 C. STATISTICAL DATA REPORTING FORMS

<i>Forms to be Completed by Foreign Airlines</i>	<i>Frequency of Submission</i>
(i) <i>Form ATS 01/1 : NCAA International Operations Statistical Returns (Passenger)</i>	Monthly

Fares and
Tariff.

18.14.1. FILING OF FARES AND TARIFFS

18.14.1.1. Except as provided in an international agreement, convention or arrangement regarding civil aviation, before commencing the operation of a service, an air carrier or its agent shall:

(i) file with the Authority a tariff for that service showing all rates, fares and add-on charges, including the terms and conditions of free and reduced rate transportation for that service, as specified in IS.18.14.1.1.

(ii) denominate all rates, fares and charges shown in any tariff in the first instance, in local currency, notwithstanding whether such fares and charges are denominated in foreign currencies in the case of foreign carriers ; and

(iii) obtain approval from the Authority to introduce and or increase add-on charges or surcharges such as fuel, internet booking, insurance, security and similar surcharges, prior to implementation.

18.14.1.2. All tariffs required to be filed in pursuance of 18.14.1.1 shall be done at least seven (7) days before the rates come into effect, except in the case of matching an existent rate for which no more than prior notification is required.

18.14.1.3. All fares may be available for sale and carriage as long as they are not disallowed or suspended in accordance with section 18.14.2 of these regulations.

18.14.1.4. If an air carrier that offers a service fails to apply the fares, rates, charges or terms and conditions of carriage set out in the tariff that applies to that service, the Authority may direct it to :

(i) take the corrective measures it considers appropriate ; and

(ii) pay compensation for any expense incurred by a person adversely affected by its failure to apply the fares, rates, charges or terms and conditions set out in the tariff.

18.14.1.5. Tariffs in any medium may be filed with the Authority provided that, where a medium other than paper is to be used, the Authority and the filer have signed an agreement for the processing, storage, maintenance, security and custody of the data base.

18.14.1.6. The following shall apply to changes in tariff:

(i) Except where a toll is disallowed, no rate may be changed unless the tariff or amendment in which it is set out is filed within the appropriate time limit set out in section 18.14.2.2.

(ii) Every tariff or toll may bear an expiry date.

(iii) Any amendment to the expiry date of a tariff after the date of its publication shall be made in accordance with section 18.14.1.2.

18.14.2.1. Subject to the provisions of these regulations, the Director-General may decide, at any time:

Disallowance
or
Suspension
of Fares

(i) to disallow or suspend a basic fare which, taking into account the whole fare structure for the route in question and other relevant factors including the competitive market situation, is excessively high to the disadvantage of consumers in relation to the long term fully-allocated relevant costs of the air carrier, including a satisfactory return on capital ;

(ii) to stop, in a non-discriminatory way, further fare decreases in a market, whether on a route or a group of routes, when market forces have led to sustained downward development of air fares deviating significantly from ordinary seasonal pricing movements and resulting in widespread losses among all air carriers concerned for the air services concerned, taking into account the long term fully allocated relevant costs of the air carriers.

18.14.2.2. In the case of a foreign air carrier whose State has entered a bilateral or multilateral air services agreement with Nigeria that contain parallel notification or double disapproval obligations, the following shall apply:

(i) a decision taken pursuant to 18.14.2.1 shall be notified with reasons to the relevant authorities of the foreign state involved as well as to the affected air carriers.

(ii) if within fourteen days of the date of receiving notification, no relevant authority of any concerned foreign state has notified disagreement stating its reasons, the Director-General may advise the Minister to direct the air carrier concerned to withdraw the basic fare or to abstain from further fare increases or decreases, as appropriate.

(iii) in the case of disagreement, the Director-General may advise the Minister to consult the relevant authority of the foreign state involved to review the situation.

18.14.2.3. In all cases other than 18.14.2.2, the following shall apply:

(i) a decision taken pursuant to 18.14.2.1, shall be notified with reasons to the affected air carrier.

(ii) the affected air carrier under 18.14.2.3.

(iii) may within fourteen (14) days of receipt of the decision, make written representations identifying clearly a rational justification for its rate to the Authority with a request for a review of the decision.

(iv) the Authority shall within fourteen (14) days of its receipt of the written representations convey its final decision to the affected air carrier.

18.14.2.4. Where any provision of a tariff is suspended or disallowed by the Authority or the Minister, the issuing air carrier or its agent shall immediately

file with the Authority an appropriate tariff, to become effective not less than two (2) working days after the date of filing that restores the provision replaced by the suspended or disallowed provision.

18.14.2.5. Where any provision of a tariff is suspended or disallowed by directive of the competent authorities of a foreign state, or the suspension or disallowance has been rescinded or the cancellation of the suspended or disallowed provision has been directed by those authorities, the issuing air carrier or agent may comply with their decision in accordance with such regulations of the competent authorities as may be pertinent.

Approval of
Charges.

18.14.3.1. In requesting for approval of any add-on charge or surcharge, an air carrier is required to provide a justifiable basis for the charge or surcharge with a consideration of all relevant factors including a near linear rationalization for the specific aggregated costs sought to be recovered and consumer interests.

18.14.3.2. When approving any application for an add-on charge or surcharge related to fuel, the Authority shall :

(i) take into account changes in the prices of aviation fuel, the relevant hedging policies of the air carrier, the justifications provided by the air carrier and other relevant factors ;

(ii) ensure that the revenue so generated would not exceed the additional fuel costs borne by the airline operators during the corresponding period; and

(iii) approve on a short term basis, not exceeding a period of two (2) months in each instance.

Publication
and Display
of Tariffs.

18.14.4.1. Every air carrier shall :

(i) display in a prominent place at the business offices of the air carrier a sign indicating that the tariffs for the domestic service offered by the air carrier, including the terms and conditions of carriage, are available for public inspection at the business offices of the air carrier, and allow the public to make such inspections;

(ii) publish the tariffs and the terms and conditions of carriage on any Internet site used by the air carrier for selling the service offered by the air carrier ;

(iii) in its tariffs, specifically identify (avoiding the use of codes) the basic fare, and all specific charges and surcharges between all points for which the air service is offered by the air carrier; and

(iv) retain a record of its tariffs for a period of not less than six years after the tariffs have ceased to have effect.

18.14.4.2. A tariff referred to in 18.14.4.1 shall include such other information as the Authority may by order prescribe from time to time.

18.14.4.3. An air carrier shall not apply any fare, rate, charge or term or condition of carriage applicable to the service it offers unless the fare, rate, charge, term or condition is set out in a tariff that has been published or displayed under 18.14.4.1 and is in effect.

18.14.4.4. An air carrier shall provide a copy or excerpt of its tariffs to any person on request and on payment of a fee not exceeding the cost of making the copy or excerpt.

18.14.4.5. If, on complaint in writing to the Authority by any person, the Authority finds that, contrary to 18.14.4.1, an air carrier has applied a fare, rate, charge, surcharge or term or condition of carriage applicable to the service it offers that is not set out in its tariffs, the Authority may order the air carrier to:

(i) apply a fare, rate, charge, surcharge or term or condition of carriage that is set out in its tariffs ;

(ii) compensate any person adversely affected for any expenses they incurred as a result of the air carrier's failure to apply a fare, rate, charge, surcharge or term or condition of carriage that was set out in its tariffs; and

(iii) take any other appropriate corrective measures.

18.14.5.1. Before an air carrier publishes tariffs through an agent, the carrier shall file with the Authority a letter authorizing the agent to act on its behalf.

Filing
through an
Agent.

18.14.5.2. Where an air carrier publishes tariffs through another air carrier or a company that is not an air carrier, the issuing carrier shall first file with the Authority a letter authorizing the other carrier or company to act on its behalf.

IS:18.14. IMPLEMENTING STANDARDS

IS 18.14.1.1. Contents of Tariffs

18.14.1.1.1 Every tariff shall contain :

(a) the name of the issuing air carrier and the name, title and full address of the officer or agent issuing the tariff ;

(b) the tariff number, and the title that describes the tariff contents ;

(c) the dates of publication, coming into effect and expiration of the tariff, if it is to expire on a specific date ;

(d) a description of the points or areas from and to which or between which the tariff applies ;

(e) in the case of a joint tariff, a list of all participating air carriers ;

(f) a table of contents showing the exact location where information under general headings is to be found ;

(g) an index of points from, to or between which rates apply ;

(h) a list of the airports, aerodromes or other facilities used with respect to each point shown in the tariff ;

(i) where applicable, information regarding prepayment requirements and restrictions and information regarding non-acceptance and non-delivery of cargo, unless reference is given to another tariff number in which that information is contained ;

(j) a full explanation of all abbreviations, acronyms, notes, reference marks, symbols and technical terms used in the tariff and, where a reference mark or symbol is used on a page, an explanation of it on that page or a reference thereon to the page on which the explanation is given ;

(k) the terms and conditions governing the tariff, generally, stated in such a way that it is clear as to how the terms and conditions apply to the rates named in the tariff ;

(l) any special terms and conditions that apply to a particular rate and, where the rate appears on a page, a reference on that page to the page on which those terms and conditions appear ;

(m) the terms and conditions of carriage, clearly stating the air carrier's policy in respect of at least the following matters, namely :

(i) the carriage of persons with disabilities,

(ii) acceptance of children,

(iii) passenger re-routing,

(iv) failure to operate the service or failure to operate on schedule,

(v) refunds for services purchased but not used, whether in whole or in part, either as a result of the client's unwillingness or inability to continue or the air carrier's inability to provide the service for any reason,

(vi) ticket reservation, cancellation, confirmation, validity and loss,

(vii) refusal to transport passengers or cargo,

(viii) method of calculation of charges not specifically set out in the tariff,

(ix) limits of liability regarding passengers and cargo,

(x) exclusions from liability respecting passengers and cargo, and

(xi) procedures to be followed, and time limitations, for making claims;

(n) the rates; shown in Nigerian currency, together with the names of the points from, to or between which the fares apply, arranged in a simple and systematic manner, clearly identified ;

(o) the routings related to the rates unless reference is made in the tariff to another tariff in which the routings appear ; and

(p) the official descriptive title of each type of passenger fare, together with any name or abbreviation thereof.

18.15.1. This section shall apply to unfair methods of competition and anti-competitive practices.

18.15.2.1. It shall be unlawful to enter into any contract, arrangement, understanding or conspiracy between two or more parties in the civil aviation industry where such contract, arrangement, understanding, or conspiracy constitutes a restraint of competition.

18.15.2.2. For the purposes of this section, restraint of competition in relation to a contract, arrangement, understanding, conspiracy or combination means restraint in any market in which a party supplies or acquires or is likely to supply or acquire products or services and shall include acts which—

(i) directly or indirectly fix a charge, fee, rate, fare and tariff or any other trading condition ;

(ii) divide markets by allocating customers, passengers, suppliers, slots, territories or specific types of products or services ;

(iii) involve collusive action ;

(iv) limit or control development or investment in capacity, slots, and any other market or operational factor ;

(v) apply dissimilar conditions to equivalent transaction with other service providers thereby placing the other party at a competitive disadvantage ; and

(vi) make the conclusion of an arrangement, understanding or contract subject to acceptance by the other parties of supplemental conditions which, by their nature or according to commercial usage, have a connection with the subject of the contract.

18.15.2.3. Any contract, arrangement, or understanding which is prohibited under section 18.15.2.1 of these regulations are prohibited and void.

18.15.2.4. The provisions of section 18.15.2.3 shall not apply to any agreement or category of agreements the entry into which is authorized by the Authority after being satisfied that it :

(i) contributes to the improvement of availability or distribution of products and services or the promotion of technical or economic progress, while allowing consumers a fair share of the resulting benefit ;

(ii) imposes on the airline, service providers or operators concerned only such restrictions as are indispensable to the attainment of objectives referred to in paragraph (i) ; or

(iii) does not afford such airline, service providers or operators the possibility of eliminating competition in respect of a substantial part of the products and services concerned.

18.15.3.1. An agreement to engage in a restrictive practice is presumed to exist between two or more parties where :

(i) any one of the parties owns a majority interest in the other, or they have at least one director or substantial shareholder in common ; and

(ii) any combination of the parties are engaged in that restrictive practice.

18.15.3.2. Notwithstanding 18.15.3.1, the practices identified in 18.15.3.3.-18.15.3.4. shall be deemed to be restrictive practices which constitute unfair methods of competition, and anti-competitive in nature and are hereby prohibited.

18.15.3.3. Airlines shall not engage in the following restrictive practices :

(i) undue and discriminatory policies for commissions, offering sales commissions to the trading counterpart(s) [passengers or customers], or taking any other improper marketing actions, to sell its passenger tickets or tonnage ;

(ii) preventing or restraining sales agents from selling passenger tickets or tonnage of other airlines or service providers; for the purpose of selling its own passenger tickets or tonnage ;

(iii) restraining passengers or customers from selecting carriers freely with a view to excluding other airlines or service providers ;

(iv) imposing restrictions on the regular operations of other airlines, service providers, operator or sales agents by taking advantage of computer applied system or communication network that is under its control.

18.15.3.4. Airport or air navigation service providers shall not engage in the following restrictive practices :

(i) placing undue conditions in respect of sales, checking, aircraft loading or other matters, and imposing improper restrictions on takeoff or landing of aircraft of an airline, or refusing to contract with an airline to provide support services that are in its range of business ;

(ii) taking exclusive or discriminatory actions against an airline who has no agreement for ground handling with it ;

(iii) setting chargeable items and standards; without authorization from the Authority;

(iv) taking advantage of its superior position, by violating the principle of equality, mutual benefit and reaching unanimity through consultation; imposing unfair provisions in the agreement for ground services or other service agency agreement concluded with its counterpart ;

(v) intentionally raising or reducing the bid price in collusion with the bidder in a public bidding for airport services or operation of commercial facilities.

18.15.3.5. Agents and tour operators shall not engage in the following restrictive practices :

(i) acting beyond the limits of agency authorized by the airline and infringing upon the lawful rights and interests of the airline or other sales agents or tour operators ;

(ii) soliciting passengers and cargo customers by bribery, offering sale commission to the counterpart outside the tickets or the accounts, or other improper marketing means ; and

(iii) controlling seats by making false reservations, thus infringing upon the lawful rights and interests of the airline or other sale agents or tour operators while selling passenger tickets.

18.15.3.6. All decisions and concerted practices by airlines, service providers, or operators or associations that prevent, restrict or distort competition are prohibited under these Regulations.

18.15.4.1. Nothing in this section shall prohibit—

Exemptions
of Certain
Agreements.

(i) a contract or an arrangement where the only parties are or will be wholly owned subsidiary and holding companies ;

(ii) a contract of service or a contract for the provision of services in so far as it contains provisions by which a person, not being a body corporate agrees to accept restrictions as to the work, whether as an employee or otherwise, in which that person may engage during or after the termination of the contract ;

(iii) contract for the sale of a business or shares in the capital of a company carrying on business in so far as it contains a provision that is solely for the protection of the purchases in respect of the goodwill of the company;

(iv) contract or an arrangement in as much as it contains a provision that relates to the remuneration, conditions of employment, hours of work or working conditions of employees ;

(v) any act done otherwise than in trade, in concert by passengers, consumers of products and services against the suppliers of those products and services ;

(vi) any act done to give effect to a provision of a contract or an arrangement referred to in paragraphs (i) to (v) of this section ;

(vii) any act done to give effect to any intellectual property right, which shall mean 'a right, privilege, or entitlement that is conferred as valid by or under any enactment in force.

18.15.5.1. For the purposes of these Regulations, one or more airline, service providers or operators hold a dominant position in the relevant market if, singularly (by itself) (including activities involving an interconnected or affiliated company) or collectively :

Abuse of
Dominant
Position or
Market
Power.

(i) it or they has or have a share of more than twenty five percent (25%) of the relevant market ; or

(ii) it or they has or have the ability to control prices or to exclude competition ; or

(iii) it or they behave to an appreciable extent independently of its or their competitors, customers, or passengers.

18.15.5.2. An airline, service provider or operator abuses a dominant position if it impedes the maintenance or development of effective competition in a market and in particular is engaged in any of the following :

- (i) restriction of the entry of any other operator into that or any other market ;
- (ii) preventing or deterring any operator from engaging in competitive conduct in the relevant route or market ;
- (iii) eliminating or removing any operator from the relevant route or market ;
- (iv) directly or indirectly imposing unfair, discriminatory or predatory tariffs or fares, purchase or selling prices or other anti-competitive practices through any discount, allowance or rebate practice in relation to the supply of services ;
- (v) limiting the provision of services to the prejudice of consumers ;
- (vi) operating capacity on a route or routes at fares that do not cover the avoidable cost of providing the service ;
- (vii) increasing capacity on a route or routes at fares that do not cover the avoidable cost of providing the service ;
- (viii) pre-empting airport facilities or services that are required by another air carrier for the operation of its business, with the object of withholding the airport facilities or services from a market ;
- (ix) to the extent not governed by regulations regarding take-off and landing slots, pre-empting take-off or landing slots that are required by another air carrier for the operation of its business, with the object of withholding the take-off or landing slots from a market ;
- (x) using commissions, incentives or other inducements to sell or purchase its flights for the purpose of disciplining or eliminating a competitor or impeding or preventing a competitor's entry into, or expansion in, a market ;
- (xi) altering its schedules, networks, or infrastructure for the purpose of disciplining or eliminating a competitor or impeding or preventing a competitor's entry into, or expansion in a market.
- (xii) making the conclusion of agreements subject to acceptance by other parties of supplementary obligations which by their nature, or according to commercial usage, have no connection with the subject of such agreements ;
- (xiii) engaging in any business conduct that results in the exploitation of its customers and suppliers, including, but not limited to such conduct as exclusive dealing, market restriction or tied selling.

18.15.5.3. An airline, service provider or operator shall not be treated as abusing a dominant position :

- (i) if it is shown that its behaviour was exclusively directed to improving the production or distribution of products or to promoting technical or economic progress and consumers were allowed a fair share of the resulting benefits ;
- (ii) if the effect or likely effect of its behaviour is to improve the results of its superior competitive performance ;
- (iii) if it seeks to enforce any right under a copyright, patent, registered design or trade mark.

18.15.5.4. An airline, service provider or operator may be treated as abusing its dominant position in enforcing or seeking to enforce the rights referred to in 18.15.5.3(ii), if the Authority is satisfied that the exercise of those rights has the effect of unreasonably lessening competition in the relevant market.

18.15.5.5. Any conduct on the part of one or more operators which amounts to the abuse of a dominant position in a market is prohibited.

18.15.6.1. *Notification*

18.15.6.1.1. Mergers, takeovers, joint ventures or other acquisitions of control in the aviation industry, including interlocking directorships, whether of a horizontal, vertical, or conglomerate nature, should be notified to the Authority when :

Mergers,
Acquisition,
Combinations
and Joint
Ventures.

(i) At least one of the company is established within Nigeria ;

(ii) The resultant market share in the aviation industry, or any substantial part of it, relating to any product or service, is likely to create market power ;

(iii) At least one of the company derives income in or from Nigeria, arising from the sale and rendering of services in the civil aviation industry or there exists use of the firm's assets in a manner that yields interest, royalties and dividends.

18.15.6.1.2. No company in the cases under 18.15.6.1 and 18.15.6.2, shall effect a merger until the expiration of a 60 day waiting period from the date of the issuance of the receipt of the notification, unless the Authority shortens the said period or extends it by an additional period of time not exceeding thirty (30) days with the consent of the company concerned, in accordance with the provisions of 18.15.6.1.4.

18.15.6.1.3. Notification can be made to the Authority by all the parties concerned, or by one or more of the parties acting on behalf of the others, or by any persons properly authorized to act on their behalf.

18.15.6.1.4. A single agreement can be notified where a company or person is party to a restrictive agreement on the same terms with a number of different parties, provided that particulars are also given of all parties, or intended parties, to such agreements.

18.15.6.1.5. Notification shall be made to the Authority where any agreement, arrangement or situation notified under the provisions of the Act or these Regulations has been subject to change either in respect of its terms or in respect of the parties, or has been terminated (otherwise than by effluxion of time), or has been abandoned, or if there has been a substantial change in the situation within 30 days of the event.

18.15.6.2. *Prohibition*

18.15.6.2.1. Mergers, take-overs, joint ventures or other acquisitions of control in the aviation industry, including interlocking directorships, whether of a

horizontal, vertical or conglomerate nature, are prohibited where the proposed transaction substantially increases the ability to exercise market power either by giving the ability to a company or group of companies acting jointly to profitably maintain prices above competitive levels for a significant period of time or by any other anti-competitive means.

18.15.6.3. *Investigation*

18.15.6.3.1. Upon the receipt of a notification, the Authority shall :

- (i) conduct an investigation ;
- (ii) request for relevant documents ;
- (iii) hold a hearing and obtain testimonies from the parties, if necessary.

18.15.6.3.2. If a hearing before the Authority results in a finding against the transaction, such acquisitions or mergers may be prevented or undone whenever they are likely to lessen competition substantially in the aviation industry or in a significant part of the relevant market within the industry.

18.15.6.3.3. Where a transaction or practice is not expressly prohibited, and the possibility exists for its authorization, the company shall notify the transaction or practice to the Authority, providing full details as requested.

18.15.7.1. If the Authority determines that any person has violated the provisions of this Part, the Authority may :

- (i) impose such civil penalties or fines in the manner prescribed by the sanctions regime contained in sanctions regime.
- (ii) prescribe the payment of compensation to any person adversely affected by the violation ;
- (iii) direct the violator to take any other appropriate corrective measures.

18.15.7.2. Any person who makes or enters into any contract or engages in any arrangement, conspiracy or practice declared unlawful under 18.15.2. or 18.15.3 of these Regulations shall be guilty of an offence and shall be fined in accordance with Part 19 Provisions or a fine of at least two times the amount of profit the person would have made.

18.15.8.1. *Grant of Leniency, Concessions and Immunity*

18.15.8.1.1. The Authority may grant conditional leniency, concessions and immunity for cooperation to persons who offer significant assistance in detecting and proving unfair methods of competition and anti-competitive conduct.

18.15.8.1.2. Upon the application of a person, the Authority may proceed under any of the following programmes :

- (i) *Leniency* : Conditional leniency will be granted where an applicant is the first participant in an anti-competitive activity to apply to the Authority and to meet the prescribed conditions. Immunity is 'conditional' in that the holder must continue to meet the prescribed conditions to maintain their immunity status.

Penalties for
Civil
Violations,
Offences
and
Penalties in
Respect of
Agreements
etc. in
Restraint of
Trade.

Leniency,
Concessions,
Immunity
Programmes
and Rules.

(ii) *Co-operation* : The Authority may exercise its discretion by taking a lower level of enforcement action, or, for individuals, no action at all, in exchange for information and full, continuing and complete cooperation throughout an investigation and any subsequent proceedings.

(iii) *Immunity* : The Authority may grant immunity in appropriate cases as provided under 18.15.8.1.5.

18.15.8.1.3. Where a person enables the Authority to detect and or prove the existence of anti-competitive conduct, he may be granted conditional leniency.

18.15.8.1.4. The Authority may apply reduced penalties to provide incentives for full co-operation that facilitates the Authority's quick and effective investigation with fewer resources.

18.15.8.1.5. In all applications for leniency and concessions, the applicant must be the first to come forward either before the Authority becomes aware of the violation or before there is sufficient evidence to warrant an investigation or other regulatory action by the Authority.

18.15.8.1.6. Subject to the requirements set out in 18.15.8.2.1, if a violation constitutes criminal offence, the Authority may recommend that immunity be granted to a party in the following situations.:

(i) the Authority is unaware of the offence, and the party is the first to disclose it ; or

(ii) the Authority is aware of an offence, and the party is the first to come forward before there is sufficient evidence to warrant a referral of the matter to the appropriate authorities.

18.15.8.2.1. The following are the relevant requirements to qualify for immunity :

Requirements
for
Qualification.

(i) The party must terminate its participation in the unlawful activity.

(ii) The party must not have coerced others to be party to the unlawful activity.

(iii) Where the party requesting immunity is the only party involved in the offence it will not be eligible for immunity.

18.15.8.2.2. Throughout the course of the Authority's investigation and subsequent referral for prosecutions, a party involved in a leniency, concession, immunity process must provide complete, timely and ongoing co-operation :

(i) unless made public by the relevant prosecuting authority, or as required by law, the party shall not disclose its application for leniency, concession, immunity, or any related information, to a third party without the consent of the Authority. Where disclosure is required by law, the party must give notice to and consult with the Authority on how to protect the interests of the investigation in light of the disclosure requirement. The party shall give this notice as soon as it becomes aware of the disclosure requirement ;

(II) the party must reveal to the Authority any and all conduct of which it is aware, or becomes aware, that may constitute a violation of the law and in which it may have been involved ;

(III) the party must provide full, complete, frank and truthful disclosure of all non-privileged information, evidence and records in its possession, under its control or available to it, wherever located, that in any manner relate to the anti-competitive conduct for which leniency, concession or immunity is sought. There must be no misrepresentation of any material facts ;

(IV) companies must take all lawful measures to secure the co-operation of current directors, officers and employees for the duration of the investigation and any ensuing proceedings. Companies must also take all lawful measures to secure the cooperation of former directors, officers and employees as well as current and former agents, where doing so will not jeopardize the investigation. Companies shall encourage such persons to voluntarily provide to the Authority all of their non-privileged information, evidence and records, in their possession or under their control, wherever located, that in any manner relate to the anti-competitive conduct ; and

(V) companies must facilitate the ability of current and former directors, officers, employees and agents to appear for interviews and to provide testimony in administrative and judicial proceedings in connection with the anti-competitive conduct.

18.15.8.2.3. Parties must co-operate with the Authority's investigation and any subsequent proceedings at their own expense.

18.15.8.2.4. If the first party to apply under any of the programmes fails to meet the requirements above, a subsequent party that does meet the requirements qualify to participate.

The Process
for Leniency,
Concession
or Immunity.

18.15.8.3.1. A person may initiate a request for leniency, concession or immunity by communicating with the Director-General to discuss the possibility of participating in a programme.

18.15.8.3.2. The request to the Authority to participate in the programme may be made by an applicant's legal representative.

18.15.8.3.3. If the authority decides that the applicant participates in the programme, the applicant will be required to provide a detailed description of the unlawful activity and to disclose sufficient information for the Authority to determine whether it might qualify for the programme.

18.15.8.3.4. The Authority will require existence of material with sufficient detail and certainty and also seek assurances as to the nature of any records the applicant can provide, the evidence or testimony a potential witness can give and how probative the evidence is likely to be. The Authority may request an interview with one or more witnesses, or an opportunity to view certain documents, prior to determining whether the applicant qualifies for the programme.

18.15.8.3.5. If the Authority determines that the applicant has qualified to participate in the programme the authority *may* execute the relevant program agreement with the applicant.

18.15.8.3.6. After the party enters into an agreement with the Authority, full disclosure and cooperation with the investigation and any ensuing proceedings is essential.

18.15.8.3.7. Parties are required to voluntarily provide the Authority with all non-privileged information, evidence and records that in any manner relate to the anti-competitive conduct. Witnesses will be expected to attend interviews and may be called upon to testify in administrative or court proceedings. The full disclosure process will be conducted with the understanding that the Authority will not use the information against the party, unless the party fails to comply with its agreement.

18.15.8.3.8. The Authority may revoke a party's benefits under a programme, and take appropriate action against the party, if that party fails to comply with any of the terms and conditions under its agreement.

18.15.8.3.9. Where the Authority determines that a party has failed to fulfill the terms and conditions set out in its agreement, the Authority will provide fourteen (14) days written notice to the party before revoking the agreement.

PART 19—CONSUMER PROTECTION REGULATIONS

INTRODUCTION

Part 19 deals with passengers' Rights and Airlines Obligations to passengers. The Part addresses consumer protection issues and sets out compensation for overbooking and denied boarding as well as delays and cancellations of flights.

PART 19—CONSUMER PROTECTION REGULATIONS

ARRANGEMENT OF REGULATIONS

- 19.1. Applicability.
- 19.1.1. Scope of Application.
- 19.2.1. "No-show" and Overbooking.
- 19.3.1. Denied Boarding.
- 19.3.5.1. Boarding Priority Procedures.
- 19.4. Delay.
- 19.4.1.1. Domestic Flights.
- 19.4.2.1. International Flights.
- 19.5.1. Cancellation.
- 19.6.1. Right to Compensation.
- 19.7.1. Right to Re-imbursement or Re-routing.
- 19.8.1. Right to Care.
- 19.9.1. Upgrading and Downgrading.
- 19.10.1. Persons with Reduced Mobility or Special Needs.
- 19.11.1. Further Compensation.
- 19.12.1. Right of Redress.
- 19.13.1. Obligation to Inform Passengers of their Rights.
- 19.14.1. Exclusion of Waiver.
- 19.15.1. Misleading Advertising.
- 19.16. Complaints.
- 19.17. Provision of Information.
- 19.18. Complaints Procedure.
- 19.19. Assessment.
- 19.20. Determination of Complaints.
- 19.21. Administrative Hearing Procedure.

S. I. 49 of 2012

PART 19—PASSENGERS RIGHTS AND AIRLINES OBLIGATIONS

19.1. This section proscribes minimum rights and obligations for passengers and air carrier where : Applicability.

- (a) There is an incidence of "No-show" and Overbooking ;
- (b) Passengers are denied boarding against their will ;
- (c) A scheduled flight is delayed ;
- (d) A scheduled flight is cancelled.

19. 1.1. These Regulations shall apply :

Scope of
Application.

(i) to passengers departing from an airport located within the Nigerian territory to another airport within Nigeria ;

(ii) to passengers departing from an airport located in another country to an airport situated within Nigeria, unless they received benefits or compensation and were given assistance in that other country, if the operating air carrier of the flight concerned is a Nigerian carrier ;

(iii) to foreign air transportation with respect to non-stop flight segments originating at a point within Nigeria.

19.1.2. In respect of section 19.1.1. of this Regulation, it shall apply on the condition that a passenger :

(i) has a confirmed reservation on the flight concerned and, except in the case of cancellation referred to in section 19.5, present himself or herself for check-in, as stipulated and at the time indicated in advance and in writing (including by electronic means) by the air carrier, tour operator or an authorized travel agent, or, if no time is indicated, not later than 1 hour before the published departure time; or

(ii) has been transferred by an air carrier or tour operator from the flight for which he or she held a reservation to another flight, irrespective of the reason.

19.1.3. These Regulations shall not apply to passengers travelling free of charge or at a reduced fare not available directly or indirectly to the public. However, it shall apply to passengers having tickets issued under a frequent flyer programme or other commercial programme by an air carrier or tour operator.

19.1.4. These Regulations shall apply to any operating air carrier providing transport to passengers covered in sections 19.1.1. and 19.1.2. above. Where an operating air carrier, which has no contract with the passenger, performs obligations under these Regulations, it shall be regarded as doing so on behalf of the carrier having a contract with that passenger.

19.1.5. These Regulations shall not apply in cases where a packaged tour is cancelled for reasons other than cancellation of the flight.

"No Show"
and
Overbooking.

19.2.1. A passenger who shows-up on a later date or time other than the scheduled date or time of departure on his or her ticket may be considered for wait-listing on another flight subject to seat availability after meeting the airlines requirement(s).

19.2.2. An air carrier may overbook a scheduled flight in contemplation of the possibility of some passengers not showing up for that flight.

Denied
Boarding

19.3.1. An airline shall have the following obligations in the event of an oversold flight :

(i) ensure that the smallest practicable number of persons holding confirmed reserved space on that flight are denied boarding involuntarily ;

(ii) request for volunteers for denied boarding before applying boarding priority.

19.3.2. Any other passengers denied boarding except in accordance with Section 19.3.1 above, is considered for purposes of this Regulation to have been denied boarding involuntarily, even if the passengers accept the denied boarding compensation. Volunteers shall be compensated in accordance with Sections 19.6 and 19.7. (Compensation Provision), such assistance being additional to the benefits mentioned in this paragraph.

19.3.3. In relation to each passenger solicited to volunteer for denied boarding, no later than the time the airline solicits that passenger to volunteer for denied boarding, the airline shall :

(i) advise whether he or she is in danger of being involuntarily denied boarding and, if so, the compensation the carrier is obligated to pay if the passenger is involuntarily denied boarding ;

(ii) disclose all material restrictions, including but not limited to administrative fees, advance purchase or capacity restrictions, and blackout dates applicable to the offer before the passenger decides whether to give up his or her confirmed reserved space on that flight in exchange for the free or reduced rate transportation.

19.3.4. If an insufficient number of volunteers come forward, the carrier may deny boarding to other passengers in accordance with its boarding priority procedures.

Boarding
Priority
Proce-
dures.

19.3.5.1. Every operating air carrier shall establish priority procedures and criteria for determining which passengers holding confirmed reserved space shall be denied boarding on an oversold flight if an insufficient number of volunteers come forward. Such procedures and criteria shall reflect the obligations of the operating air carrier set forth in sections 19.3.1 and 19.3.2 to minimize involuntary denied boarding and to request volunteers, and shall be written in such manner as to be understandable and meaningful to the average passenger. Such procedures and criteria shall not make, give, or cause any undue or unreasonable preference or advantage to any particular person or subject any

particular person to any unjust or unreasonable prejudice or disadvantage in any respect whatsoever.

19.3.5.2. Boarding priority factors may include, but are not limited to, the following :

- (i) passengers on urgent medical trips ;
- (ii) a passenger's time of check-in ;
- (iii) whether a passenger has a seat assignment prior to boarding ;
- (iv) the fare paid by a passenger ;
- (v) a passenger's frequent-flyer status ;
- (vi) a passenger's reduced mobility status, including unaccompanied minor ;
- (vii) Families (maximum of two adults) where at least one child is aged five years or under.

19.3.5.3. If an insufficient number of volunteers come forward to allow the remaining passengers with reservations to board the flight, the operating air carrier may then deny boarding to passengers involuntarily.

19.3.5.4. If boarding is denied to passengers involuntarily, the operating air carrier shall immediately compensate them in accordance with Sections 19.6. and 19.7.; and assist them in accordance with Sections 19.8., 19.9. and 19.10.

19.3.5.5. Every air carrier shall develop and file with the Authority Boarding Priority Procedures consistent with these Regulations.

19.4. DELAY

19.4.1.1. For domestic flights, when an operating air carrier reasonably expects a flight to be delayed beyond its scheduled time of departure, it shall provide the passengers the assistance specified below :

Domestic
Flights.

(i) immediately after one hour, the assistance specified in section 19.8.1(i) (Refreshments) and section 19.8.2. (telephone calls, SMS and E-mails) ;

(ii) at a time between 10p.m. and 4a.m., or at a time when the airport is closed at the point of departure or final destination, the assistance specified in sections 19.8.1(iii) and 19.8.1(iv) (hotel accommodation and transport) ; and

(iii) two hours and beyond, the assistance specified in section 19.7.1(i) (Reimbursement).

19.4.2.1. For international flights, when an operating air carrier reasonably expects a flight to be delayed beyond its scheduled time of departure, it shall provide to the passengers the assistance specified below :

International
Flights.

(i) between two and four hours, the assistance specified in sections 19.8.1(i) and 19.8.2. ;

(ii) for four hours or more the assistance specified in sections 19.8.1(ii) and 19.8.2. ; and

(iii) when the reasonably expected time of departure is at least six hours

after the time of departure previously announced, the assistance specified in sections 19.8.1. (iii) and 19.8.1. (iv).

19.4.2.2. In any event, the assistance shall be provided within the time limits set out in these regulations.

Cancellation. - 19.5.1. In case of cancellation of a flight, the passengers concerned shall :

(i) Be offered assistance by the operating air carrier in accordance with Sections 19.6. and ;

(ii) Be offered assistance by the operating air carrier in accordance with Sections 19.7. (1) (i) and 19.7. (2), as well as, in the event of re-routing when the reasonably expected time of departure of the new flight is at least the day after the departure as it was planned for the cancelled flight, the assistance specified in Sections 19.7.(1)(ii) and 19.7.(1)(iii) ;

(iii) In respect of domestic flights, have the right to compensation by the operating air carrier in accordance with Section 19.8, unless they are informed of the cancellation at least twenty-four hours before the scheduled time of departure ; and

(iv) In respect of international flights, have the right to compensation by the operating air carrier in accordance with Section 19.8, unless :

(a) they are informed of the cancellation at least seven days before the scheduled time of departure ; or

(b) they are informed of the cancellation between three and seven days before the scheduled time of departure and are offered re-routing, allowing them to depart not more than two hours before the scheduled time of departure and to reach their final destination less than four hours after the scheduled time of arrival ; or

(c) they are informed of the cancellation less than seven days before the scheduled time of departure and are offered re-routing, allowing them to depart not more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.

19.5.2. When passengers are informed of the cancellation, an explanation shall be given concerning possible alternative transport.

19.5.3. An operating airline shall not be obliged to pay compensation , for cancellation if it can prove that the cancellation is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.

19.5.4. The burden of proof concerning any question as to whether and when the passenger has been informed of the cancellation of the flight shall rest with the operating airline.

19.6.1. Where reference to compensation is made in this section, passengers shall receive at least :

(i) 25% of the fares or passenger ticket price for all flights within Nigeria.

(ii) 30% of the passenger ticket price for all international flights.

19.6.2. When passengers are offered re-routing to their final destination on an alternative flight pursuant to Section 19.8, the arrival time of which does not exceed the scheduled arrival time of the flight originally booked :

(i) by one hour, in respect of all domestic flights ;

(ii) by three hours, in respect of all international flights, the operating airline may reduce the compensation provided for in section 19.6.1. by 50%.

19.6.3. The compensation referred to in Section 19.7(1) shall be paid in cash, by electronic bank transfer, bank orders or bank cheques or, with the signed agreement of the passenger, in travel vouchers or other services.

19.6.4. Where compensation is made in voucher, the voucher shall be redeemable at all sales outlets of the air carrier providing the voucher.

19.7.1. Where reference to reimbursement or re-routing is made in this section, passengers shall be provided any of the following choices :

Right to
Reimburse-
ment or Re-
routing.

(i) immediate reimbursement in cash for domestic flights and reimbursement within fourteen days for international flights, by the means provided for in sections 19.6.3. (method of payment), of the full cost of the ticket at the price at which it was bought, for the part or parts of the journey not made, and for the part or parts already made if the flight is no longer serving any purpose in relation to the passenger's original travel plan, together with, when relevant, a return flight to the first point of departure, at the earliest opportunity ;

(ii) re-routing, under comparable transport conditions, to their final destination at the earliest opportunity ; or

(iii) re-routing, under comparable transport conditions, to their final destination at a later date at the passenger's convenience, subject to availability of seats.

19.7.2. Section 19.7.1(i) shall also apply to passengers whose flights form part of a package, except for the right to reimbursement where such right arises under any contractual understanding between the passenger and provider.

19.7.3. When an operating air carrier offers a passenger a flight to an airport alternative to that for which the booking was made, the operating air carrier shall bear the cost of transferring the passenger from that alternative airport either to that for which the booking was made, or to another close-by destination agreed with the passenger.

19.8.1. Where reference to care is made in this section, passengers shall be offered free of charge :

Right to Care.

(i) refreshments including water, soft drinks, confectioneries or snacks ;

(ii) a meal ;

(iii) hotel accommodation ;

(iv) transport between the airport and place of accommodation (hotel or other accommodation).

19.8.2. In addition to section 19.8.1., passengers shall be offered free of charge, two telephone calls, SMS or e-mails.

19.8.3. In applying this section, the operating air carrier shall prioritize the needs of persons with reduced mobility and any persons accompanying them, as well as to the needs of unaccompanied minors.

Upgrading
and
Downgrading.

19.9.1. If an operating airline places a passenger in a class higher than that for which the ticket was purchased, it may not request any supplementary payment.

19.9.2. If an operating airline places a passenger in a class lower than that for which the ticket was purchased, by the means provided for in Section 19.6(3), it shall immediately reimburse the difference to the passenger in accordance with the mode of payment, plus :

(i) 30% of the price of the ticket for all domestic flights immediately, and

(ii) 50% of the price of the ticket for all international flights within 14 days.

Persons with
Reduced
Mobility or
Special
Needs.

19.10.1. Operating airline shall give priority to carrying persons with reduced mobility and any persons accompanying them, unaccompanied minors, and families (maximum of two adults) where at least one child is aged five years or under.

19.10.2. In cases of denied boarding, cancellation and delays of any length, persons with reduced mobility and any persons accompanying them, unaccompanied minors, and families (maximum of two adults) where at least one child is aged five years or under, shall have the right to care in accordance with section 19.8.

Further
Compensa-
tion.

19.11.1. This section shall apply without prejudice to a passenger's rights under any contractual, statutory or any other applicable law.

19.11.2. Without prejudice to relevant principles under any other law, including case law, section 19.16.1 shall not apply to passengers who have voluntarily surrendered a reservation under section 19.3.1(i+).

Right of
Redress.

19.12.1. In cases where an operating air carrier pays compensation or meets the other obligations incumbent on it under these Regulations, no provision of these Regulations may be interpreted as restricting its right to seek compensation from any person, including third parties, in accordance with any applicable law. In particular, these Regulations shall in no way restrict the operating air carrier's right to seek reimbursement from a tour operator or any other person with whom the operating air carrier has a contract. Similarly, no provision of these Regulations may be interpreted as restricting the right of a tour operator or a third party, other than a passenger, with whom an operating airline has a contract, to seek reimbursement or compensation from the operating airline in accordance with applicable relevant laws.

19.13.1. The operating airline shall ensure that at check-in, a clearly legible notice containing the following text is displayed in a manner clearly visible to passengers: "If you are denied boarding or if your flight is cancelled or delayed for at least one hour, ask the airline officials for a written statement of your rights, particularly with regard to compensation and assistance".

Obligation to Inform Passengers of their Rights.

19.13.2. An airline denying boarding or cancelling a flight shall provide each passenger affected with a written notice setting out the procedures for compensation and assistance in line with these Regulations. It shall also provide each passenger affected by a delay of at least one hour with an equivalent notice.

19.13.3. In respect of illiterate, visually impaired or other persons under disability, the provisions of this Regulation shall be applied using appropriate alternative means.

19.14.1. Airline's obligations to passengers under these Regulations may not be limited or waived, notably by a derogation or restrictive clause in the contract of carriage.

Exclusion of Waiver.

19.14.2. If such a derogation or restrictive clause is applied in respect of a passenger, or if the passenger is not correctly informed of his rights and for that reason has accepted compensation which is inferior to that provided for in these Regulations, the passenger shall still be entitled to pursue any available remedies.

19.15.1. The Authority shall deem any advertising or solicitation by an air carrier, tour operator, or an agent of either, for passenger air transportation, a package, or a package component that states a price for such air transportation, package, or package component to be an unfair or deceptive practice, unless the price stated is the entire price to be paid by the passenger to the air carrier, tour operator or agent, for such air transportation, package, or package component.

Misleading Advertising.

19.15.2. No airline, tour operator, or an agent of either shall charge or collect any additional fare (whether taxes, commissions, brokerage fees, administrative charges, or any other fees) from passengers not expressly displayed and described in the marketing material or advertisement.

19.16.1. A passenger may lodge a complaint with the Consumer Protection Directorate, or any other competent person designated by the Authority, about an alleged infringement of these Regulations.

Complaints.

19.17.1. When requested to provide information by the Authority for the purposes of enforcing these Regulations, an operating airline carrier shall provide such information as the Authority may specify.

Provision of Information.

19.17.2. Any information generated by an operating airline carrier in relation to Section 19.17.1, shall be retained by the airline carrier for a period of not less than two years.

19.18.1. Every airline shall establish a consumer protection desk at every airport it operates into and shall appoint an officer to manage the desk for the purpose of receiving, resolving and channeling difficult complaints to their travel offices, as well as liaising with the Authority where necessary.

Complaint Procedure.

19.18.2. A complainant may make a complaint with the Authority against an airline in relation to the breach of air passenger rights as provided in the Regulations by filling and submitting a Complaint Form(available at all airports), after the consumer must have notified the air carrier of such a breach and the complaint remains unresolved.

19.18.3. A complaint may be made in writing and transmitted to the Authority.

19.18.4. Every complaint shall be accompanied by :

- (i) a copy of the airline ticket ;
- (ii) A copy of the letter to the air carrier stating a claim for breach of air passenger rights ;
- (iii) any response or responses or correspondence thereto ;
- (iv) Any other relevant document(s).

19.18.5. Where a Complaint has been made in a representative capacity, the representative shall provide the complainant's written authority to act on his or her behalf.

19.18.6. Complainants can present a class action before the Authority, but must appoint a representative for the class.

Assessment.

19.19.1. The Authority shall cause an investigation to be carried out on the substance of the complaint and the consideration given by the air carrier within a reasonable period of time after the receipt thereof.

19.19.2. In carrying out any assessment under these Regulations, an officer designated by the Authority shall have all the powers of investigation stipulated in Section 30(4)(i) of the Civil Aviation Act, and in addition may request for submissions to be made by any interested person(s) in relation to a complaint.

19.19.3. The Authority shall amongst other things :

- (i) Notify the Respondent that a request has been lodged under these regulations ;
- (ii) Require the Respondent to respond to the complaint within 7 days ;
- (iii) Require the Respondent to describe the procedure it has taken to resolve the matter.

**Determina-
tion of
Complaints.**

19.20.1. After every assessment, the investigator shall make an assessment report and shall make recommendations therein.

19.20.2. Upon a consideration of the assessment report, the nature of the conduct alleged against the Respondent, the extent of the claim by the complainant, public interest and other relevant factors, the Authority shall make a determination in any of the following ways :

(i) the complaint lacks merit pursuant to which the complaint would be struck out ;

(ii) the complaint is of such a nature as to advise the parties to resolve the dispute through mediation ;

(iii) the complaint is of such a nature as to be subjected to the Authority's administrative hearing procedure set out in Section 19.21.

(iv) take any other such actions as the authority may deem necessary.

19.20.3. The Authority shall give notice of its determination to the interested parties.

19.21.1. In the event that the interested parties do not agree to submit to the mediation procedure, the complaint shall be subject to the Administrative Hearing Procedure of the Authority.

Administra-
tive Hearing
Procedure.

19.21.2. If the Authority is of the view that the matter raised in the complaint are those over which any provision of the Act applies, the Authority shall set the complaint for Administrative Hearing.

19.21.3. The Authority shall serve the parties a notice requesting a statement in support of their claim or case together with any evidence in support thereof.

19.21.4. The Complainant shall within 7 days of the receipt of the notice transmit a statement of his case in writing to the Authority and the Respondent together with any evidence to be relied upon.

19.21.5. The Respondent shall within 7 days of the receipt of the Statement of the case of the Complainant, transmit a statement of his case together with any evidence to be relied upon to the Authority and the Complainant.

19.21.6. The Authority shall fix a date for the hearing and shall so inform the complainant and the Respondent.

19.21.7. At every hearing fixed pursuant to these Regulations :

(i) the person who made the complaint, or in whose behalf it was made, and each person to whom a notice was sent and any other person whose presence at the hearing is considered by the Authority to be desirable, is entitled to attend and participate personally or, in the case of a company or a firm, be represented by a person who, or by persons each of whom, is a director, officer, or employee of the company or firm ; and

(ii) a person participating in the hearing in accordance with paragraph (i) above is entitled to have another person, who may be a legal practitioner, or other persons present to assist him.

19.21.8. At every hearing, the Authority shall provide for as little formality and technicality as the requirements of the Act and a proper consideration of the complaint may permit.

(i) Where the complainant fails to appear before the Authority on the date of hearing, the Authority may recommend that the complaint be dismissed for default, or decide it on merit.

(ii) Where the Respondent fails to appear before the Authority on the date of hearing, the Authority would make recommendations based on the available records.

19.21.9. The Authority shall cause such records of the hearing to be made as is sufficient to set out the matters raised by the persons participating in the hearing.

19.21.10. Every complaint shall be heard as expeditiously as possible and a determination made thereon within a reasonable time after the termination of the hearing.

19.21.11. (i) No adjournment of hearing shall be granted by the Authority unless sufficient cause is shown and the reasons for grant of adjournment has been recorded in writing by the Authority ;

(ii) The Authority may make such a decision as to the cost for the adjournment as may be considered appropriate.

19.21.12. The Authority may terminate the hearing after it is satisfied that every person participating in the hearing has been given a reasonable opportunity to state or explain his or its position.

19.21.13. (i) Where the Authority is of the opinion that no provision of the Act, or any Regulations made thereunder has been violated by the person against whom the complaint was made, the Authority shall make a determination to that effect.

(ii) Where the Authority is of the opinion that any provision of the Act, or any Regulations made thereunder has been violated, the Authority shall make a determination to that effect and make recommendations as it deems fit and reasonable to ensure that the violation ceases and that the injured party is accorded a reasonable remedy for his injury.

19.21.14. The Authority shall on the basis of any recommendations made pursuant to the hearing, issue the relevant Order which shall relate to :

(i) the payment of compensation or restitution to a complainant ;

(ii) the payment of fines and/or penalties ;

(iii) the referral of any persons for criminal prosecution ; or

(iv) any other Order that may grant redress to a complainant.

19.21.15. Every Order of the Authority shall be complied with within 30 days of it being issued.

PART 20—CITATION, REPEAL AND OFFENCES

INTRODUCTION

Part 20 sets out enforcement actions to address non-compliance with these Regulations. It provides a table of sanctions for certificate action and civil penalties against violations of the Regulations.

The Rules of Constitution, investigative and Enforcement Procedures, Exemptions and Definitions contained in Part I Nig. CARS 2009 Vol. I shall apply to this Part.

PART 20—CITATION, REPEAL AND OFFENCES

ARRANGEMENT OF REGULATIONS

- 20.1 Applicability.
- 20.1.5 Repeal.
- 20.1.6 Citation.
- 20.2 Table of Sanctions.
- 20.3 Criminal Referrals.

S. I. 50 of 2012

PART 20—CITATION, REPEAL AND OFFENCES

20.1.1. This part shall apply to citation, repeal and offences, sanctions, penalties and enforcement relating to violations of these Regulations. Applicability.

20.1.2. Every person performing duties in the civil aviation shall observe and comply with the requirements of these regulations, rules, orders and directives issued thereunder.

20.1.3. Every person performing duties in the civil aviation who violates these regulations, rules, orders and directives issued thereunder is subject to the penalties provided in the Table of Sanctions under this part.

20.1.4. Any person other than a person performing duties in the civil aviation who violates these regulations, rules, orders, directives issued thereunder is subject to such penalties as may be imposed by the Authority.

20.1.5. Parts 1.8(b) and (c) Nig. CARS 2009 Vol. 1 which saved Parts 12, 13, 14, 15, 16, 17 and 18 of Nigerian CAR 2006 is hereby repealed and shall cease to have the force by law as if same had not been enacted. Repeal.

20.1.6 These regulations shall be cited as the Nigeria Civil Aviation Regulations 2012 (Nig. CARs 2012 Volume II). Citation.

20.2.1. The Table of Sanctions describes the range of civil penalties as minimum, moderate or maximum for a single violation of a particular regulation and every repetition of a contravention of the provision of these regulations shall be treated as a fresh offence with penalties to apply consecutively in each case.

20.2.2. RANGE OF PENALTIES

Air Carriers.	Maximum	₦5,000,000.00
	Moderate	₦2,000,000.00
	Minimum	₦500,000.00
Aerodrome Operators.	Maximum	₦10,000,000.00
	Moderate	₦5,000,000.00
	Minimum	₦2,500,000.00
Airstrip/Heliport Operators.	Maximum	₦2,000,000.00
	Moderate	₦1,000,000.00
	Minimum	₦500,000.00
Air Navigation Service Providers.	Maximum	₦10,000,000.00
	Moderate	₦5,000,000.00
	Minimum	₦1,000,000.00
Air Carrier Personnel.	Maximum	₦200,000.00
	Moderate	₦100,000.00
	Minimum	₦50,000.00
General Aviation Owners, Operators, aircraft engineers, Other licensed and non-licensed persons.	Maximum	₦1,000,000.00
	Moderate	₦500,000.00
	Minimum	₦50,000.00
Approved Maintenance Organizations.	Maximum	₦2,500,000.00
	Moderate	₦1,500,000.00
	Minimum	₦500,000.00
Approved Training Organization.	Maximum	₦2,500,000.00
	Moderate	₦1,500,000.00
	Minimum	₦500,000.00
Allied Aviation Service Providers.	Maximum	₦1,000,000.00
	Moderate	₦500,000.00
	Minimum	₦50,000.00
Person(s) other than Aviation Personnel/Organization.	Maximum	₦200,000.00
	Moderate	₦100,000.00
	Minimum	₦50,000.00

20.2.3. SANCTIONS

<i>Violations</i>	<i>Recommended Sanction per Violation</i>
1. Failure to provide assistance in case of denied boarding.	Minimum to Moderate penalty plus payment of the value of compensation prescribed in the regulation.
2. Failure to submit Boarding Priority Rules to the Authority.	Minimum Penalty.
3. Failure to comply with Boarding Priority Rules when denying boarding.	Minimum to moderate penalty plus compensation prescribed in the Regulation.
4. Failure to render assistance in case of flight cancellation.	Moderate to maximum penalty plus prescribed compensation.
5. Failure to give priority to persons with reduced mobility during boarding.	Minimum to moderate penalty.
6. Failure to provide care for persons with reduced mobility, persons accompanying them, unaccompanied minors, in case of denied boarding, flight cancellations and delays.	Moderate to maximum penalty plus monetary value of the prescribed care to be given to complainant.
7. Failure to display at check-in counter passenger rights statement.	Minimum penalty.
8. Failure to provide to passenger on request, passenger rights leaflet.	Minimum to moderate penalty.
9. Misleading Advertising.	Moderate to maximum penalty plus seizure of all inappropriate excess gains/profit from the advert or promotional scheme Possible criminal referrals.
10. Obstruction of investigation/failure to provide information.	Moderate to maximum penalty plus possible criminal referral.
11. Failure to comply with approved birds/wildlife management programme.	Moderate to maximum penalty.
12. Operating an Aerodrome without an approved Aerodrome Operations Manual.	Moderate penalty.
13. Failure to develop and submit work plan during construction/maintenance of facilities at the Airport.	Minimum to moderate penalty.

SANCTIONS—continued

<i>Violations</i>	<i>Recommended Sanction per Violation</i>
14. Failure to renew Aviation Height Clearance at the expiration of 12 calendar months.	Minimum to moderate penalty.
15. Other violations of these regulations not specifically listed above.	Minimum to maximum penalty.
16. Obstruction and prevention of the Authority or any of designated officers from carrying out lawful duties.	Moderate to maximum penalty.
17. Failure to provide information upon request by the Authority.	Minimum to moderate penalty.
18. Use of Aircraft for air transportation without approval of the Authority.	Maximum penalty or possible criminal referral.
19. Provision of false information to the Authority in support of application for licence, certificate or approval.	Maximum penalty plus criminal referrals.
20. Organizing air tour without the approval of the Authority.	Moderate to maximum penalty.
21. Operation of sales outlet other than those approved by the Authority by foreign airlines.	Minimum penalty.
22. Distribution of tickets through financial institutions by airlines.	Minimum penalty.
23. Delay or failure or non-remittance of information and returns to the Authority by airlines or service provider or holder of a license issued by the authority.	Minimum to moderate penalty.
24. Failure to render to an authorized officer required documents, forms for statistical verification.	Minimum penalty each day the violation continues.
25. False declaration of information on airline operation for 5% TSC computation.	Maximum penalty and possible criminal referral.
26. False declaration of documents relating to statistical verification.	Maximum penalty and possible criminal referral and suspension of operating authorization.
27. Delay in submission of documents requested by the Authority.	Minimum penalty for each day the violation continues.

SANCTIONS—continued

<i>Violations</i>	<i>Recommended Sanction per Violation</i>
28. Failure or refusal to maintain adequate insurance cover, failure to make quarterly returns on the adequacy of insurance cover.	Maximum penalty and possible criminal referrals of principal officers.
29. Violation of any condition of a license or approval by any company or allied aviation service provider.	Moderate penalty for initial violation and for each day the violation continues.
30. Failure or refusal to file fares, tariff, charges or give information thereof.	Moderate penalty for initial violation and minimum penalty for each day the violation continues.
31. Failure or refusal by any air carrier or service provider to implement directives issued by the Authority on protection of consumer interest.	Moderate penalty.
32. Failure by any service provider to investigate complaint of passengers in respect of compensation and failure to respond to Authority's letter in respect of same.	Moderate penalty or Suspension.
33. Failure or refusal to compensate passengers who are denied boarding involuntarily as a result of over booking.	Minimum penalty and compliance with the regulation.
34. Negligence in handling passenger baggage resulting in delay, damage or loss of baggage.	Moderate penalty and replacement of damaged baggage.
35. Over charging, discrimination in applying charges and anti competitive practices or any unfair business practices.	Maximum penalty for each day the violation continues.
36. Establishing an unauthorized aerodrome.	Moderate penalty and closure of the aerodrome.
37. Unauthorized provision of allied aviation services.	Minimum to moderate penalty.
38. Failure to submit statistical and financial returns.	Minimum to moderate penalty.
39. Failure to respond to consumer letter of complaint duly issued by the Authority.	₦50,000.00 for each day the violation continues.

SANCTIONS—*continued*

<i>Violations</i>	<i>Recommended Sanction per Violation</i>
40. Failure to place advertisement without the Authorities written approval.	Minimum penalty.
41. Failure to comply with the conditions of approved flight clearance for non scheduled international air service.	Minimum to moderate penalty.
42. Unruly passengers.	Minimum to maximum penalty or imprisonment of not less than 2 months or both.
43. Staff of an airline being discourteous to passengers.	Minimum to moderate penalty.
44. Failure to process ticket refund beyond stipulated time.	Refund of full value of ticket and an additional 5% of the ticket value.
45. Failure to renew aerodrome license within the stipulated time.	Minimum to moderate penalty.
46. Unauthorized use of aerodrome.	Maximum penalty and or suspension.
47. Failure to obtain Aviation Height Clearance.	Moderate penalty.
48. Failure to obtain written approval of the Authority to amend, upgrade, alter, transfer, sale or lease or alienate ownership of an existing aerodrome.	Moderate to maximum penalty.
49. Reduction of published level of service without approval.	Minimum penalty.
50. Failure to comply with safety directive issued by the Authority.	Maximum penalty.
51. Failure to maintain adequate fire and rescue services as approved by the Authority in Aerodrome.	Moderate penalty and revocation of certificate if the violation continues.
52. Failure to conform with approved Environmental Protection Programme.	Minimum to moderate penalty.
53. Failure to remove disabled aircraft.	₦10,000.00 for each day the violation continues after demand is made.
54. Failure to install an approved wind direction and speed indicator(s).	Minimum to moderate penalty.

SANCTIONS—continued

<i>Violations</i>	<i>Recommended Sanction per Violation</i>
55. Failure to provide adequate weather information or meterological services according to Authority's approved standards.	Maximum penalty with possible criminal referral of principal officers.
56. Failure to comply with approved emergency procedure/plan.	Moderate penalty with possible criminal referral of principal officers.
57. Failure to develop or implement an approved Safety Management System.	Moderate penalty.
58. Failure to carry out maintenance of Aeronautical Facilities as approved by the Authority.	Moderate penalty.
59. Failure to disseminate Aeronautical Information Services in accordance with approved procedure.	Minimum penalty and criminal referral of officer in charge.
60. Operation of aircraft into an aerodrome when weather is below the state weather minima or failure to report same.	Moderate penalty.
61. Failure to provide approved standard of any type of Air Traffic Services.	Moderate penalty and criminal referral.
62. Failure to calibrate any Navigational and Landing Aids in accordance with approved standard.	Minimum to moderate penalty.
63. Failure to operate without an approved security programme by Tenant Restricted Area Operator.	Minimum penalty.
64. Operating without necessary certificate, license, permit and approval by Security Company.	Moderate penalty.
65. Disclosure of unauthorized information.	Minimum penalty and criminal referral.
66. False information in order to obtain license, permit or any authorization.	Moderate penalty and criminal referral.
67. Operating an aerodrome without approved security programme.	Maximum penalty.
68. Operating an airline without approved security programme.	Maximum penalty.

SANCTIONS—*continued*

<i>Violations</i>	<i>Recommended Sanction per Violation</i>
69. Failure to implement approved security programme.	Minimum penalty.
70. Failure to submit to security screening of persons, baggage or cargo.	Moderate penalty.
71. Failure to carry out security screening of passengers, baggage, mail or cargo.	Maximum penalty and possible criminal referral.
72. Attempted or unlawful seizure of aircraft.	₦10,000,000.00 and life imprisonment.
73. Conspiracy to attempt unlawful seizure of aircraft.	₦10,000,000.00 and life imprisonment.
74. Attempted or unlawful act of violence against a person, airport facilities or an aircraft.	₦10,000,000.00 and life imprisonment.
75. Release of Biological, Chemical or Nuclear (BCN) weapon or explosives, radioactive or similar substance in an aircraft.	₦10,000,000.00 and life imprisonment.
76. Illegal transportation of BCN weapon or explosives, radioactive or similar substance in an aircraft.	₦10,000,000.00 and life imprisonment.
77. Communication of false information with intent to endanger the safety of aircraft in flight.	₦10,000,000.00 and life imprisonment.
78. Destruction or damage of Air Navigation facilities.	₦10,000,000.00 and life imprisonment.
79. Use of aircraft to cause death, damage to property or environment.	₦10,000,000.00 and life imprisonment.
80. Conspiracy to commit a violation of any the security regulation.	₦10,000,000.00 and life imprisonment.
81. Use of a device, substance or weapon to perform an act of violence on an aerodrome.	₦10,000,000.00 and life imprisonment.
82. Threat to commit an unlawful act of violence on an aerodrome.	₦10,000,000.00 and life imprisonment.

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| 83. Breach of any AVSEC regulation or directive. | ₦50,000.00 for each breach/
Criminal referral. |
| 84. Failure to adhere to approved security programme. | Moderate to Maximum penalty. |
| 85. Obstruction of AVSEC personnel from carrying out lawful duties and functions. | Maximum penalty. |
| 86. Failure to maintain orderliness at check-in counters or boarding gates. | ₦200,000.00 |
| 87. Delay in remittance of 5 <i>per cent</i> TSC | Attracts a daily surcharge of 1% compound interest on the outstanding balance on the amount unremitted. |

20.4. The Authority may also refer the violator for criminal prosecution as provided in the Civil Aviation Act, 2006.