Government of India
Office of the Director General of Civil Aviation
Opp. Safdurjung Airport, New Delhi – 110 003

ICAO ANNEX MANAGEMENT
MANUAL

EDITION – 2012
PREFACE

The ICAO Annex Management Manual has been prepared for use and guidance of officers of DGCA for dealing with ICAO amendments. The processes outlined in the manual include coordination of input to ICAO technical State Letters for annex amendments, notification of differences to SARPs and maintenance of the Compliance Checklists.

In addition, the manual also lays down the procedure for nomination of ICAO Panel members including their interaction with DGCA.

The manual will be updated from time to time based on suggestions received or to incorporate any changes in the procedures that may be carried out.

(Arun Mishra)
Director General of Civil Aviation
2nd November 2012
(Approved vide F. No. DG/ICAO SARPs/ 22/2009)
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| 1.     | Rev. No. 1 dated 17.12.2012 | Revision to Table of Contents  
Revision to Pages 3 – 5  
Addition of Appendices ‘A’ and ‘B’ |
| 2.     | Rev. No. 2 dated 10.09.2015 | Revision to Table of Contents  
Revision to Definitions  
Revision to Pages 1 – 11  
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| 3.     | Rev. No. 3 dated 01.12.2015 | Revision to Appendix ‘A’ |
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DEFINITIONS

ICAO Focal Point: Officer nominated by the Director General responsible for receipt, distribution of State Letters via the ICAO electronic distribution system including sending India’s response to ICAO.

National Continuous Monitoring Coordinator: Person nominated and approved by the Ministry to act as primary point of contact for all USOAP CMA processes and activities.

Project Officer: Person nominated by the Director General with the responsibility of an Annex/Annexes. The Project Officer would be responsible for initiating rule/CAR amendment process in coordination with concerned directorates including maintenance of Annex Compliance Checklist up-to-date in accordance with the procedures outlined in this manual.

*Note: In respect of Annex 13 (Aircraft Accident and Incident Investigation), the nominated Project Officer would be an officer from Aircraft Accident Investigation Bureau (AAIB).*

SARP: Standards and Recommended Practices to the ICAO Annexes.

EFOD: Electronic Filing of Differences

Civil Aviation Regulation Group (CARG): A group headed by the Director General and consisting of Joint Directors General, ICAO focal point, NCMC and the concerned technical officials for review and finalization of Civil Aviation Requirements/changes required to rules.

CARG Nodal Officer: Person nominated by the Director General responsible for conduct of CARG meetings.
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CHAPTER 1

INTERNATIONAL CIVIL AVIATION ORGANISATION (ICAO)

1.1 Purpose

This Chapter provides an overview of DGCA’s regulatory development activities directly associated with ICAO.

These processes include coordination of input to ICAO technical State Letters for annex amendments, notification of differences to SARPs, maintenance of the Compliance Checklists and interaction with nominated ICAO Panel members.

1.2 India – Signatory to the Chicago Convention

1.2.1 India is a signatory to the Convention on International Civil Aviation (known as the Chicago Convention) and is therefore obliged to comply with international standards and procedures established through the International Civil Aviation Organization (ICAO). In addition, Section 4 of the Aircraft Act 1934 empowers the Central Government, by notification in the Official Gazette, to make such rules as appear to it to be necessary for carrying out the Convention relating to International Civil Aviation signed at Chicago on the 7th day of December, 1944 (including any Annex thereto relating to international standards and recommended practices) as amended from time to time. Further, Rule 29C of the Aircraft Rules 1937 empowers the Director-General to lay down standards and procedures not inconsistent with the Aircraft Act, 1934 (22 of 1934) and the rules made thereunder to carry out the Convention and any Annex thereto.

1.2.2 The Chicago Convention requires that when a State finds it impracticable to comply in all respects with international standards or procedures, or if a State otherwise takes a decision to differ from international standards, the State is required to notify that difference to ICAO. Differences are published by ICAO in Supplements to the Annexes to the Chicago Convention, and significant differences are published by India through the AIP.

1.3 Legislation of ICAO Standards and Recommended Practices (SARPs)

1.3.1 DGCA is generally required to ensure that new or changed legislation drafted is consistent with the relevant ICAO Standards and Recommended Practices (SARPs) contained in the Annexes to the Chicago Convention. If India is not fully compliant, a difference is required to be notified to ICAO. Further, significant differences are required to be published in the AIP.
CHAPTER 2

ICAO STATE LETTERS (ANNEX AMENDMENTS)

2.1 Notification of amendment to an ICAO Annex.

2.1.1 Proposals to amend an ICAO Annex are notified by an ICAO technical State letter. Amendment to regulations (involving rule/ Civil Aviation Requirements) is initiated as a result of amendments to ICAO Standards and Recommended Practices (SARPs). Detailed process in this regard is laid down in this Chapter.

2.2 Procedure for Coordination of ICAO State Letters (Amendments to ICAO Annex SARPs)

2.2.1 The Information and Regulation Directorate (I&R Dte) in DGCA is responsible for coordinating India’s technical response to the ICAO State letter dealing with proposal to amend an Annex and adoption of amendment to an Annex.

2.2.2 Detailed process is contained in the flow chart shown in Figure 2.1.

2.3 Receipt and Distribution of State Letter

2.3.1 State Letters are received in Director General’s office (Focal Point) via the ICAO electronic distribution system.

Note: The primary function of the Focal Point in this process is to liaise with concerned project officer and external agencies on the final response to the letter on behalf of DGCA.

2.3.2 Focal Point reviews the content of the State Letter and distributes to the relevant Directorates, responsible Project Officer(s) and external agencies for response. Distribution to the external agencies shall be as per Appendix ‘A’.

2.4 Action on State Letter – Project Officer

2.4.1 Reviews the State letter and identifies the regulatory changes required.

2.5 Amendment to Regulation:

2.5.1 Project Officer prepares amendment to regulation based on the State Letter in consultation with concerned directorates.
2.5.2 While preparing the amendment to a regulation, the Project Officer shall ensure that the proposed regulations once approved/ finalized would repeal the previous regulations, if required.

Note: Irrespective of whether the SARP requires an amendment to the Aircraft Rules or Civil Aviation Requirements, the amendment shall be placed in CARG for further action. In case of amendment in Annex 13, the Project Officer in AAIB will put up the proposal for amendment to regulations (if required) to Ministry of Civil Aviation directly.

2.6 Review of amendment to Regulation in CARG:

2.6.1 The Nodal Officer CARG will set up the meeting of the CARG.

2.6.2 CARG will review the proposed amendment to the CAR/rule based on ICAO Annex amendment.

2.6.2 On acceptance of the proposed amendment, the draft CAR will be placed on DGCA website for seeking public comments.

2.6.3 The comments once received will be reviewed by the Project Officer and presented in CARG for finalization of the amendment to the CAR.

Note: Amendment to the rule will be forwarded to Ministry of Civil Aviation by I&R Dte for processing and finalization of amendment to the rules.

2.7 Publication of Final Regulation:

2.7.1 Based on the publication of final regulation, Project Officer prepares final response to Annex amendment and identifies differences, if any.

2.8 Approval of Response and Notification of Differences

2.8.1 Response and differences are provided to I&R Directorate by the Project Officer.

Note: In case of differences to Annex 13, the Project Officer in AAIB sends the differences to DGCA (I&R Directorate) for notifying ICAO.

2.8.2 Responsible Officer of I&R Directorate dealing with ICAO matters puts up the response to ICAO and notification of differences or advice to revoke current differences (if applicable) to Director General for approval.
2.8.3 Post actions:

Based on DG’s approval:

a) I&R Directorate sends letter to ICAO containing India’s response to the ICAO State letter and difference, if any;
b) Project Officer updates Compliance Checklists (CCs) electronically through EFOD;
c) NCMC confirms EFOD data is updated;
d) Focal Point closes action on amendment as completed.

2.9 Timelines for activities

2.9.1 The timelines for the activities listed above have been detailed at Appendix ‘B’.
State Letter received from ICAO via the electronic notification system

Content of the State Letter reviewed by ICAO Focal Point and distributed to:
1) the relevant Directorates
2) Responsible Project Officer(s)
3) external agencies

Project Officer:
1) Reviews the State Letter
2) Identifies regulatory changes required
3) Prepares amendment to regulation (rules/ CAR) in consultation with concerned directorates
4) Puts up to CARG for approval

CARG Process (for Amendment to Rule/ Civil Aviation Requirements)

Review of proposed amendment in CARG

Consultation Process

Comments reviewed and amendment to regulation finalized in CARG

Final Regulation: Project Officer:
1) Prepares final response to Annex amendment
2) Identifies differences, if any

I&R Directorate: Puts up to DG for approval.
1) Response to ICAO
2) Notification of differences, if any

On DG’s approval
1) I&R Directorate sends letter to ICAO and AAI for AIP.
2) Project Officer updates online CMA.
3) NCMC ensures data updated in CMA.
4) Focal Point closes action on amendment as completed.

Figure 2.1 - Procedures for Coordination of ICAO State Letters
CHAPTER 3

FILING OF DIFFERENCES

3.1 Purpose

3.1.1 This Chapter provides the process for identification and filing of differences to ICAO SARPs.

3.2 Identification of differences

3.2.1 Project Officers are required to ensure that new or changed legislation drafted is consistent with the relevant ICAO Standards and Recommended Practices (SARPs) contained in the Annexes to the Chicago Convention. If India is not fully compliant, a difference must be notified to ICAO through DGCA’s Information and Regulations Directorate. Further, all differences to SARPs (where there is a significant safety impact) are published in the AIP Supplement (SUP) by Airports Authority of India.

3.2.2 A decision for DGCA to introduce a standard that is inconsistent with ICAO SARPs requires adequate justification and needs to be addressed as part of the regulatory work plan.

3.2.3 Project Officers must assess whether the outcomes of their project create new differences, removes existing differences or varies the status of existing differences.

3.2.4 In addition, where the Indian regulations are based on foreign legislation or incorporate the foreign standard by reference, an annual review would be undertaken each October to determine any differences between foreign standards and the ICAO SARPs. Project Officers may require the filing of new differences, amendments to existing differences or to the removal of differences previously filed.

3.2.5 The process for the identification and notification of differences can be found in diagram 3.1 and will be notified as per guidelines provided by ICAO in the respective State Letter.

3.2.6 Project Officers need to refer to the ICAO-Net website (www.icao.int/icaonet/) for the most recent version of the ICAO SARPs. The AIP Supplement (SUP) ‘Differences from ICAO Standards, Recommended Practices and Procedures’ publication for the most recent differences filed by India is available on AAI website.

3.2.7 In the event of any difference to the SARPs, a difference justification and description is to be developed by the Project Officer. The difference is
3.3 Notification of differences to ICAO

3.3.1 Information and Regulation Directorate in DGCA is responsible for notifying differences to ICAO and will notify the differences as per guidelines provided by ICAO in the respective State Letter.

3.3.2 The officer responsible for ICAO matters in the Information and Regulation Directorate would put up the differences to ICAO Annexes identified by the Project Officer to the Director General for approval.

3.3.3 On approval, the approved difference will be notified to ICAO by I&R Directorate.

3.3.4 The Project Officer will update the online Compliance Checklist including approved differences.

3.4 Publication of differences in Aeronautical Information Publications (AIP)

3.4.1 ICAO Annex 15 – Aeronautical Information Services requires publication of a list of significant differences in Part 1 — General (GEN) of Aeronautical Information Publications (AIP).

3.4.2 I&R Directorate shall send a consolidated list of differences annually (December) to Airports Authority of India (AIS Section) for inclusion in AIP. The list would include the following:

1) provision affected (Annex and edition number, paragraph); and
2) difference in full text.

All Annexes shall be listed in numerical order even if there is no difference to an Annex, in which case a NIL notification shall be provided.

Note: Significant difference: Any difference to an ICAO Standard constitutes a significant difference. Any difference to a Recommended Practice, PANS and SUPPS, which is important for the safety of air navigation shall be considered significant.

Reference ICAO Doc 8126 Chapter 5, 5.8.4 – All the provisions in ICAO Annexes that are Standards are significant, and that any differences between the national regulations or practices of a State and the related ICAO Standards are differences which must be notified. This is an obligation which originates from Article 38 of the Convention. In the matter of Recommended Practices, PANS
and SUPPS, only those differences that are important for the safety of air navigation or, in the case of facilitation, to the speedy handling and clearance through customs, immigration, etc. of aircraft and their loads are significant. Because of their nature, most of the Recommended Practices in ICAO Annexes contribute to the safety of air navigation.
Figure 3.1: General process to be followed for the consideration and filing of ICAO differences.
CHAPTER 4

ICAO PANEL MEMBERSHIP

4.1 ICAO Panel Membership – Interaction with CARG

4.1.1 Determination of DGCA/ India’s position on issues being discussed at panel meetings:

a) DGCA position: Prior to attending ICAO Panel and Working Group meetings, panel members will meet with CARG to discuss the work-plan, emerging issues for the upcoming meeting, and determination of a DGCA position.

b) India’s position: If the Indian representation involves other agencies input (i.e. advisory role to panel member), a joint DGCA /relevant agency meeting will be held to determine an Indian position.

4.1.2 Debrief meeting: Upon return from the meeting, a debrief will be held with CARG and external agencies (for joint representation, if applicable).

4.1.3 A DGCA internal work-plan will then be developed and/or amended accordingly if required.

Note: This serves as advance notice of emerging issues and changes that will have an impact on Indian Industry and the need to amend/create regulations etc. Advance notification of changes enables adequate planning time to progress work to coincide with required implementation timeframes.

4.2 ICAO Panel and/or Working Group Membership

4.2.1 Any DGCA nominations for membership on an ICAO Panel or working group are assessed initially by the CARG.

4.2.2 Once the nomination is confirmed within DGCA by CARG, Information and Regulation Directorate seeks approval of Ministry of Civil Aviation.

4.2.3 On approval from MCA, ICAO and Representative of India are informed.
## Appendix ‘A’

### ICAO STATE LETTERS – EXTERNAL AGENCIES DISTRIBUTION

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<td>3</td>
<td>Meteorological Service for International Navigation</td>
<td>Indian Meteorological Department</td>
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<td>Aeronautical Charts</td>
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### ICAO Annex Management - Timelines

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<tr>
<th>Sl. No.</th>
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<th>CARG</th>
<th>Responsible Officer (I&amp;R)</th>
<th>Timelines</th>
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<tr>
<td>1.</td>
<td>Distribution of State Letter via the electronic notification</td>
<td>1) Review of State Letter 2) Prepare of draft amendment to Rules/ Civil Aviation Requirements; and 3) Put up draft proposal to CARG for approval</td>
<td></td>
<td></td>
<td>Within 15 days of receipt of the letter</td>
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<tr>
<td>2.</td>
<td>--</td>
<td>1) Review of State Letter 2) Prepare of draft amendment to Rules/ Civil Aviation Requirements; and 3) Put up draft proposal to CARG for approval</td>
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<td>Within 60 days of receipt of the State letter from Focal Point</td>
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### REGULATION AMENDMENT PROCESS

<p>| 3.      | Call for meeting of CARG |                           | Within 15 days of receipt of proposal for amendment to regulation |
| 4.      | Meeting of CARG for acceptance of proposed amendment to the Rule/ Civil Aviation Requirements |                           | |
| 5.      |                           | Publication of draft amendment to CAR for inviting comments for 30 days * In case of amendment to Rule, I&amp;R will send a draft Notification to Ministry | |</p>
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<tr>
<td>6.</td>
<td></td>
<td>Preparation of final CAR based on comments received</td>
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<td>Within 30 days of last date for receipt of comments</td>
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<td>7.</td>
<td></td>
<td>Meeting of CAR for finalization of CAR</td>
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<td>Within next 15 days</td>
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<td>8.</td>
<td></td>
<td>Preparation of final response to Annex amendment and identification of differences, if any and submit to I&amp;R Dte</td>
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<td>Within 15 days of publication of final CAR/ rule</td>
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**NOTIFICATION OF DIFFERENCES PROCESS**

| 9.     |             | Put up to DG for approval. 1) Response to ICAO 2) Notification of differences, if any |      | Within 15 days |
| 10.    | 1) NCMC ensures data updated in CMA. 2) Focal Point closes action on amendment as completed. | Update online CMA. | On DG’s approval Send letter to ICAO and AAI for AIP. | Within 15 days |