

Development and amendment of, and compliance with the standards

1. Development of SARPs

1.1. The creation of SARPs and their effectiveness in ensuring the safe, efficient and orderly growth of international civil aviation in the years to come lies in the four "C's" of aviation: cooperation, consensus, compliance and commitment. Cooperation in the formulation of SARPs, consensus in their approval, compliance in their application, and commitment of adherence to this on-going process.

1.2. The formulation of new or revised SARPs begins with a proposal for action from ICAO itself or from its Contracting States. Proposals also may be submitted by international organizations.

1.3. For technical SARPs, proposals are analysed first by the Air Navigation Commission, or ANC. Depending on the nature of the proposal, the Commission may assign its review to a specialized working group.

1.4. Meetings are, of course, the main vehicle for progress in the air navigation field, although much of the preparatory work is accomplished by correspondence. It is through a variety of meetings that most of the work is finalized and the necessary consensus reached.

1.5. In the development, a number of consultative mechanisms are used:

- Air Navigation meetings are divisional-type meetings devoted to broad issues in the air navigation fields. They can be either divisional meetings dealing with issues in one or more related fields or air navigation conferences normally having a "theme" covering issues in more than one field. All Contracting States are invited to participate in these meetings with equal voice. Interested international organizations are invited to participate as observers.
- ANC panels are technical groups of qualified experts formed by the ANC to advance, within specified time frames, the solution of specialized problems which cannot be solved adequately or expeditiously by the established facilities of the ANC and the Secretariat. These experts act in their expert capacity and not as representatives of the nominators.
- Air Navigation study groups are small groups of experts made available by States and international organizations to assist the ICAO Secretariat, in a consultative capacity, in advancing progress on technical tasks.
- Council technical committees are established to deal with problems involving technical, economic, social and legal aspects, for the resolution or advancement of which expertise is required that is not available through the normal Council means, are also instrumental in developing ICAO SARPs.

1.6. In summary, technical issues dealing with a specific subject and requiring detailed examination are normally referred by the ANC to a panel of experts. Less complex issues may be assigned to the Secretariat for further examination, perhaps with the assistance of an air navigation study group.

1.7. These various groups report back to the ANC in the form of a technical proposal either for revisions to SARPs or for new SARPs, for preliminary review. This review is normally limited to consideration of controversial issues which, in the opinion of the Secretariat or the Commission, require examination before the recommendations are circulated to States for comment.

1.8 The original recommendations for core SARPs along with any alternative proposals developed by the ANC are submitted to Contracting States and selected international organizations for comment. Detailed technical specifications for complex systems are made available to States upon request and are submitted to a validation process. States are normally given three months to comment on the proposals.

1.9 Standards developed by other recognized international organizations can also be referenced, provided they have been subject to adequate verification and validation.

1.10 The comments of States and international organizations are analysed by the Secretariat and a working paper detailing the comments and the Secretariat proposals for action is prepared.

1.11 The Commission undertakes the final review of the recommendations and establishes the final texts of the proposed amendments to SARPs, PANS and associated attachments. The amendments to Annexes recommended by the Commission are presented to the Council for adoption under cover of a "Report to Council by the President of the Air Navigation Commission".

2. Adoption/Publication of Annex Amendments

2.1. The Council reviews the proposals of the ANC and adopts the amendment to the Annex if two-thirds of the members are in favour.

2.2. Within two weeks of the adoption of an Annex amendment by the Council, an interim edition of the amendment, referred to as the "Green Edition", is dispatched to States with a covering explanatory letter. This covering letter also gives the various dates associated with the introduction of the amendment.

2.3. Policy prescribes that Contracting States be allowed three months to indicate disapproval of adopted amendments to SARPs. A further period of one month is provided for preparation and transit time, making the Effective Date approximately four months after adoption by Council. There should be a period of four months between an amendment's Effective Date and its Applicability Date. However, this can be longer or shorter as the situation requires. The Notification Date is normally one month prior to the Applicability Date.

2.4. Provided a majority of States have not registered disapproval, the amendment will become effective on the Effective Date.

2.5. On the Notification Date, which is one month prior to the Applicability Date, the States must notify the Secretariat of any differences that will exist between their national regulations and the provision of the Standard as amended. The reported differences are then published in supplements to Annexes.

2.6. Immediately after the Effective Date, a letter is sent announcing that the amendment has become effective and the Secretariat takes action to issue the "Blue Edition" which is the form of the amendment suitable for incorporation in the Annex or PANS.

2.7. On the Applicability Date, States must implement the amendments unless, of course, they have notified differences. To limit the frequency of Annex and PANS amendments, the Council has established one common applicability date for each year. This date is chosen from the schedule for the regulation of amendments to Aeronautical Information Regulation and Control (AIRAC) for the month of November.

2.8. The result of this adoption procedure is that the new or amended Standards and Recommended Practices become part of the relevant Annex.

2.9. It takes on average 2 years from the Preliminary Review by the ANC to the applicability date. Although this process may seem lengthy at first glance, it provides for repeated consultation and extensive participation of States and international organizations in producing a consensus based on logic and experience.

2.10. Cooperation and consensus have thus provided international aviation with the vital infrastructure for safe and efficient air transport. The third "C", compliance, brings this comprehensive regulatory system to life.

3. Compliance with SARPs

3.1. In accordance with the Convention and the definitions provided for ICAO SARPs:

- **Compliance with a Standard** is recognized as **necessary** for the safety or regularity of international air navigation; in the event of impossibility of compliance, notification to the Council is **compulsory** under Article 38; and
- **Compliance with a Recommended Practice** is recognized as **desirable** in the interest of safety, regularity or efficiency of international air navigation; States are **invited** to inform the Council of non-compliance.