

# CIVIL AVIATION NOTICES

## CAN 5-03

### Regulatory Compliance Requirements for ANSP

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## Regulatory Compliance Requirements for Air Navigation Service Providers

### 3.1 General

Civil Aviation Notices are issued in terms of CAR-11 and are a means of circulating safety critical requirements, or essential information of an administrative or technical nature to aviation participants within Oman.

Instructions contained in these Notices are to be observed by all concerned and where dates are given for compliance with such instructions the specified date must not be exceeded, except by written authorisation of the Authority

### 3.2 Purpose

Air Navigation Service Providers (ANSPs) have historically provided Air Navigation Services within Oman without certification to fulfil the requirements of Article 28 of the Convention on International Civil Aviation. These Air Navigation Service Providers are considered legacy providers where they have been appointed to provide the services, on behalf of the Sultanate to meet international obligations.

The Authority has undertaken to certify such legacy ANSPs however, the requirement for the certificate allows for a transitional period to allow the ANSPs to establish and implement the required Management infrastructure for certification.

This Civil Aviation Notice clarifies the requirements for continued compliance with those Regulations.

### 3.3 Continued Compliance of Regulations

#### 3.3.1 Requirement for Continued Compliance with the Regulations

The regulations require “an applicant” for an Air Navigation Service Provider certificate to comply with regulatory provisions defined in the regulations. This would allow for an Air Navigation Service Provider to only comply with the provision of the regulation on application or renewal for certification and does not require the applicant to show continued compliance with the regulations.

Additionally, Certain legacy ANSPs are providing services to meet the requirement of Article 28 of the Convention and as such have historically provided the service without the requirement for certification. Regulations were also drafted providing compliance requirements for the holder of an “Air Navigation Service Provider Certificate”, however, as the legacy providers do not hold such certificate, the requirement for compliance was ambiguous.

At the time of drafting the regulations, ANSPs were not certified and the intention of the Authority was that ANSPs would apply for certification and show continued compliance to the regulations. However, due to transitional arrangements in this implementation, the Authority finds it necessary to clarify the requirement of ANSPs to ensure continued compliance with regulations prior to certification for legacy providers and the obligations of compliance after obtaining certification.

#### 3.3.2 Applicability

This part of the Notice is applicable to all Air Navigation Service Providers (ANSPs) providing services related to:

- (1) Air Navigation Training Centres in terms of CAR-170
- (2) Aeronautical Telecommunications in terms of CAR-171
- (3) Air Traffic Services in terms of CAR-172
- (4) Instrument Flight Procedure Design Services in terms of CAR-173

- (5) Aviation Meteorological Services in terms of CAR-174
- (6) Aeronautical Information Services in terms of CAR-175
- (7) Aeronautical Charts in terms of CAR-177
- (8) Aerodrome Flight Information Services in terms of CAR-179

### 3.3.3 Definition

**Air Navigation Service Provider** – For the purpose of this Notice, an Air Navigation Service Provider is defined as an Organisation that provides air navigation services in the terms of above mentioned applicable regulations

**Legacy ANSP** – For the purpose of this Notice, a Legacy ANSP is defined as a ANSP appointed to provide Air Navigation Services on behalf of the Sultanate and has historically provided such services prior to the applicability of the Regulations mentioned above.

### 3.3.4 Compliance requirements

(1) Legacy ANSP

In the absence of an application for certification, a legacy ANSP shall be required to comply with the requirements of the regulations for operating or delivering any air navigation services except those stipulated by the Regulations relating to entry into force, transitional periods or as detailed in this Notice.

(2) Certified ANSP

An ANSP who has attained certification shall be required to continuously comply with the provisions of all the applicable Regulations, even though they are no longer an applicant for a certificate.

### 3.3.5 Revised wording

In all cases where the wording in the Regulations may be “*An applicant for the grant of an {ANSP} certificate shall*” or “*The holder of an {ANSP} certificate shall*” is to be amended to read “*An {air navigation service provider} shall*”

{ANSP} and {Air Navigation Service Provider} used above will be congruent with the applicable part.

### 3.4. Duration Regulatory Compliance Requirements

The revised wording for the affected Civil Aviation Regulations shall be incorporated into the regulations during the next amendment schedule for each regulation.

### 3.5 Effective date of Notice

This Notice is applicable from the date of issue.

### 3.6 Cancellation of CAN

This notice shall remain in force until the applicable Regulations have been amended to reflect the revised wording.