



Public Authority for Civil Aviation

Procedures Manual for the Notification and Publication of Significant Differences In support of CAR-11

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Glossary of Terms

The following terms or acronyms may be used in any manual or document published by PACA. Reproduction in part or whole is allowed without prior approval. The Document Control Office reserves the rights to include such a listing in any PACA manual or document prior to publishing.

AIM	Aeronautical Information Management	OSC	Organization safety culture
AIP	Aeronautical Information Publication	OTSB	Oman Transport Safety Board
AIRAC	Aeronautical Information Regulation and Control	PACA	Public Authority for Civil Aviation
AIS	Aeronautical Information Services	PANS- AIM	Procedures for Air Navigation – Aeronautical Information Management
AMC	Acceptable means of compliance	PANS- ATM	Procedures for Air Navigation – Air Traffic Management
ANS	Air navigation service	PANS	Procedures for Air Navigation
ATC	Air traffic control	PANS	Procedures for Air Navigation
ATM	Air traffic management	PANS	Procedures for Air Navigation
ATS	Air traffic service(s)	PANS	Procedures for Air Navigation
CAA	Civil aviation authority	PANS-AD	Procedures for Air Navigation - Aerodrome
CEO	Chief executive officer	PANS-OPS	Procedures for Air Navigation Services – Aircraft Operations
Cir	Circular	PANS-TRG	Procedures for Air Navigation Services — Training
CNS	Communications, navigation and surveillance	QA	Quality assurance
DGR	Dangerous goods regulation	QC	Quality control
DMS	Document management system	QM	Quality management
Doc	Document	QMS	Quality management system
EAD	Emergency airworthiness directive	RAIO	Regional accident and incident investigation organization
EI	Effective Implementation	RSOO	Regional safety oversight organization
FIR	Flight information region	SA	Safety assurance
FL	Flight level	SAG	Safety action group
GM	Guidance material	SARPs	Standards and Recommended Practices (ICAO)
H	Hazard	SB	Service bulletin
HF	Human factors	SeMS	Security management system
IATA	International Air Transport Association	SM	Safety management
ICAO	International Civil Aviation Organization	SMM	Safety management manual
ISO	International Organization for Standardization	SMS	Safety management system(s)
iSTARS	Integrated Safety Trend and Reporting System		
LEI	Lack of effective implementation		
MOR	Mandatory occurrence report		
OPM	Office Procedures Manual		
OPS	Operations		
ORP	Organization risk profile		

SOPs	Standard operating procedures	SUPPs	Regional Supplementary Procedures
SPI	Safety performance indicator	TBD	To be determined
SPM	Safety performance monitoring	TOR	Terms of reference
SPT	Safety performance trend	USOAP	Universal Safety Oversight Audit Programme (ICAO)
SRB	Safety review board	WIP	Work in progress
SRC	Safety review committee		
SRM	Safety risk management		
SSP	State safety programme		

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1. Foreword

These procedures have been adapted from ICAO Doc 10055 Manual on Notification and Publication of Differences and associated procedures in Doc 8126.

Standards and Recommended Practices (SARPs) are technical specifications adopted by the Council of ICAO in accordance with Article 37 of the Convention on International Civil Aviation (Chicago Convention) in order to achieve "the highest practicable degree of uniformity in regulations, standards, procedures and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation".

SARPs are critical to ICAO Member States and other stakeholders, given that they provide the fundamental basis for harmonized global aviation safety and efficiency in the air and on the ground, the worldwide standardization of functional and performance requirements of air navigation facilities and services, and the orderly development of air transport.

Furthermore, ICAO publish Procedures for Air Navigation Services (PANS) which are documents approved by the ICAO council and recommended to states for worldwide application. As such they attempt to make air navigation services uniform across the world.

The establishment and maintenance of international Standards and Recommended Practices (SARPs), as well as Procedures for Air Navigation (PANS), are fundamental tenets of the Convention on International Civil Aviation and a core aspect of ICAO's mission and role in ensuring civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically.

While the implementation of Standards is considered, by definition, obligatory, the Chicago Convention also recognizes, through Article 38, that there are instances when this is impracticable or it is necessary to adopt regulations or practices differing from those established by Standards. When this occurs the State is required to notify the difference to ICAO and publish details of the difference in the National AIP to provide flight crews, and other stakeholders, with information which is essential to international operations, and which is not readily available.

2. Obligations and Requirements Related to Differences

Article 1 of the Convention on Chicago Convention underlines that every State has complete and exclusive sovereignty over the airspace above its territory however in accordance with Article 37 of the Chicago Convention, each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in all matters in which such uniformity facilitates and improves air navigation.

In accordance with Article 38¹, a Contracting State must notify ICAO at all times (or at any time) if it does not comply with a Standard in all respects or if the State does not bring its regulations or practices into full accord with any Standard. Where a State adopts regulations or practices differing in any particular respect from the Standard, the State shall also notify of such difference.

A difference can be simplified as covering “noncompliance in any respect” with a Standard. The following provides some examples of scenarios that require the notification of a difference:

- a) A situation in which the State does not bring its practices into full accord with the Standard. For example, when a Contracting State has incorporated a Standard into its national regulations, but has only partially implemented or applied it in practice.
- b) A situation in which the State’s regulation including situations where a state has a (or lack thereof) differs from the Standard. For example, when a Contracting State applies a Standard in practice, but has not incorporated it into its national regulations.
- c) A situation in which the State does not comply with a Standard in all respects. For example, when a Contracting State has not incorporated a Standard into its national regulations and not implemented or applied it in practice.

The notification of differences does not relieve a State of its obligations as per the Chicago Convention and may still result in a Universal Safety Oversight Audit Programme (USOAP) finding related to the specific SARP.

¹ Article 38 of the Chicago Convention:

Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure¹ after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case, the Council shall make immediate notification to all other states of the difference which exists between one or more features of an international standard and the corresponding national practice of that State.

3. Purposes of Notifying Differences

The primary purpose of notifying differences is to promote safety, efficiency and regularity in air navigation by ensuring that all stakeholders concerned with international civil aviation are aware of all national rules and practices insofar as they differ from those prescribed in SARPs. Lack of information on differences creates uncertainty and poses a potential hazard to the safety, regularity and efficiency of air navigation as operators will normally comply with the published SARP and may not conform to regional or local requirements.

Dissemination of differences enhances transparency of safety information, and, consequently, facilitates States' decisions specifically within the context of the management of safety.

Incorrect, ambiguous or nil notification of differences may also potentially lead to misunderstandings and could result in undesirable operational situations, or in other potential negative consequences in terms of recognition of certificates and licences, ramp inspections, and ultimately traffic rights.

The notification of differences is an important action that contributes to ensuring the safe and orderly growth of international civil aviation.

While Article 38 sets out obligations for the notification of differences against Standards, it is recognised that knowledge of differences from Recommended Practices may also be important for the safety, regularity and efficiency of air navigation. The ICAO Assembly has resolved that the Council should urge Member States to notify the Organization (ICAO) of any differences that exist between their national regulations and practices and the provisions of SARPs, as well as the date or dates by which they will comply with the SARPs.

4. Components to which Notification of Differences Apply

The descriptions as well as the application of the obligations related to the filing of differences are as follows:

- a) **Standard.** – Any specification for physical characteristics, configuration, material, performance, personnel or procedures, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Contracting States will conform in accordance with the Convention; in the event of non-compliance, notification to the Council is **compulsory** under Article 38.
- b) **Recommended Practice.** – Any specification for physical characteristics, configuration, material, performance, personnel or procedures, the uniform application of which is recognized as desirable in the interest of safety, regularity or efficiency of international air navigation, and to which Contracting States will endeavour to conform in accordance with the Convention; in the event of non-compliance notification to the Council is **encouraged** under Assembly Resolutions.
- c) **Appendices.** – Material grouped separately for convenience but forming part of the SARPs adopted by the Council. The notification of differences therefore **applies** to appendices. In order to file a difference against an appendix, States should file a difference against the SARPs that make reference to the Appendix.
- d) **Definitions.** – These do not have independent status but are an essential part of each SARP in which the term is used, since a change in the meaning of the term would affect the specification. Therefore, differences against definitions **should** be notified. Once a difference against a definition has been notified, differences against the SARPs using that definition should be notified as well. Attention is drawn to the possible far-reaching consequences of adopting a definition differing in substance from an Annex definition.
- e) **Tables and figures.** – These add to or illustrate a SARP and form part of the associated SARP and have the same status. The notification of differences therefore **applies** to such tables and figures. In order to file a difference against a table or figure, States should file a difference against the SARP that makes reference to the table or figure.
- f) **Forewords, introductions, notes and attachments.** – These are complimentary elements published for information purposes. The notification of differences process **does not apply** to such forewords, introductions, notes and attachments.
- g) **Not Applicable SARPs.** – some SARPs may only apply to some States. For instance, Annex 8 (Airworthiness of Aircraft) contains provisions that apply to the State of Design of a particular aircraft type. In such cases, States do not have to notify differences stating that the state is less protective against that SARP that is not applicable to them. States are, however, **required to indicate** that the SARP is not applicable when filing their differences to the Annex and publishing such in the AIP.

5. Categories and Description of Differences

The following categories of differences are provided as a guide in determining whether a difference in the context of Article 38 exists:

- a) **More exacting or exceeds (Category A)**. A Contracting State's requirement is more exacting or exceeds the SARP. This category applies when the national regulation and practices are more demanding than the corresponding SARP, or impose an obligation within the scope of the Annex which is not covered by the SARP. This is of particular importance where a Contracting State requires a higher standard which affects the operation of aircraft of other Contracting States in and above its territory (see 5.1.1.);
- b) **Different in character or other means of compliance (Category B)**. A Contracting State's requirement is different in character or other means of compliance. This category applies when national regulation and practices are different in character from the corresponding SARP, or when the national regulation and practices differ in principle, type or system from the corresponding SARP, without necessarily imposing an additional obligation. The expression "different in character or other means of compliance" in paragraph b) would be applied to a national regulation and practice which achieves, by other means, the same objective as that of the corresponding ICAO SARPs and so cannot be classified under paragraphs a) or c) (see 5.1.2.); and
- c) **Less protective or partially implemented or not implemented (Category C)**. A Contracting State's requirement is less protective or partially implemented/not implemented (Category C). This category applies when the national regulation and practices are less protective than the corresponding SARP; when no national regulation has been promulgated to address the corresponding SARP, in whole or in part; or when the Contracting State has failed to bring its practices into full accord with the corresponding SARP (see 5.1.3.).

5.1. 5.1 Examples of Differences

5.1.1. Category A – More Exacting or exceeds

Annex reference	Provision	Text of the difference	Remarks, including the reasons for the difference and intentions including any planned date for implementation)
Annex 2, 3.3.1.3	A flight plan shall be submitted, before departure, to an air traffic services reporting office or, during flight, transmitted to the appropriate air traffic services unit or air-ground control radio station, unless arrangements have been made for submission of repetitive flight plans.	For flights crossing international borders, the flight plan should be submitted at least 30 minutes prior to departure.	This additional requirement is necessary for the air traffic flow management system and procedures used in the State of Utopia.

5.1.2. Category B – Different in character or other means of compliance

Annex reference	Provision	Text of the difference	Remarks, including the reasons for the difference and intentions including any planned date for implementation)
Annex 3, 6.5.3	Area forecasts for low-level flights prepared in support of the issuance of AIRMET information shall be issued every 6 hours for a period of validity of 6 hours and transmitted to meteorological watch offices and/or aerodrome meteorological offices concerned not later than one hour prior to the beginning of their validity period.	The area forecasts are issued every 3 hours instead of 6 hours, from 0700 to 2200 local time, and once at 0100 with a validity of 6 hours (until 0700).	The frequency and issuance periods are considered to offer a better benefit/cost ratio.

5.1.3. Category C – Less protective or partially implemented or not implemented

Annex reference	Provision	Text of the difference	Remarks, including the reasons for the difference and intentions including any planned date for implementation)
Annex 11, 2.33.1	Each prohibited area, restricted area, or danger area established by a State shall, upon initial establishment, be given an identification and full details shall be promulgated.	Even though this standard is implemented in practice, it has not been incorporated into national regulations.	Incorporation is planned for the 2022 air traffic services code of regulations update.

5.2. Identifying differences

- a) The ICAO USOAP On-Line Framework (OLF), Compliance Checklist (CC) and Electronic Filing of Differences (EFOD) module should be used as a tool for identifying existing differences.
- b) State letters advising of adoption of new standards, industry workshops and PACA Surveillance activities may provide more details on when differences should be filed.

6. Determining Significant Differences

This Chapter should be read in conjunction with AMC to CAR 11.045

6.1. Description of Significant Differences

ICAO Document 8126, describes a “significant difference” as any deviation from

- a) any of the International Standards;
- b) Recommended Practices that are important for the safety of air navigation or,
- c) in the case of facilitation, for the speedy handling and clearance through customs, immigration, etc. of aircraft and the loads they carry;
- d) Procedures for Air Navigation Services (PANS) that are important for the safety of air navigation; and
- e) Regional Supplementary Procedures (SUPPs) that are important for the safety of air navigation. that needs to be taken into account in aircraft operations

All significant differences shall be published in the State’s AIP as per ICAO Annex 15².

6.2. Conditions requiring the designation of a Significant Difference within Oman

The following conditions would necessitate the publication of a Significant Difference within Oman.

6.2.1. Compulsorily filing of differences

A difference shall be filed when any of the following cases occur:

- a) An ICAO Standard that does **not** have supporting regulations promulgated in Oman
- b) An ICAO Standard that has been implemented with regulations in Oman that are **less protective** than the standards promulgated by ICAO
- c) An ICAO Standard that has been implemented with regulations in Oman, that implement another standard that is **different** to the standard published by ICAO
- d) An ICAO Standard that has been **deferred** for implementation in Oman, later than the proposed effective date from ICAO (Note - The date of proposed implementation should be included in the notification)
- e) An ICAO Standard that in **not-applicable** in Oman
- f) An ICAO Standard or Recommended Practice that has been implemented with regulation in Oman that are **more prescriptive** and exceed the standard published by ICAO.
- g) An ICAO PANS for which the majority of neighbouring states have implemented but has **not** been implemented by Oman

²Annex 15 — Aeronautical Information Services, 5.2.2 states:

AIP shall include (but not limited to):

- c) a list of significant differences between the national regulations and practices of the State and the related ICAO Standards, Recommended Practices and Procedures, given in a form that would enable a user to differentiate readily between the requirements of the State and the related ICAO provisions;
- d) the choice made by a State in each significant case where an alternative course of action is provided for ICAO Standards, Recommended Practices and Procedures.

- h) A Regional SUPP procedure that has been published in ICAO DOC 7030 as applicable for the Region but **not** implemented by Oman

6.2.2. Discretionary filing of differences

For non-significant differences, Departments are encouraged to indicate differences by filing such in the AIP and EFOD module. The filing of differences assists operators in determining compliance requirements when operating in Oman. Where the following circumstances exist it is recommended that a difference notification be made:

- a) A ICAO Recommended Practice that has not been adopted and which does **not** have supporting regulations promulgated in Oman
- b) An ICAO Recommended Practice that has been implemented with regulations in Oman that are **less protective** than those recommended by ICAO
- c) An ICAO Standard or Recommended Practice that has been implemented with regulations in Oman that are different in Character or for which an Alternate Means of Compliance have been published.

7. Publication of Differences.

This chapter is complementary to AMC to CAR 11.045

All cases where Oman has a difference with an ICAO SARP is required to be notified on the OLF EFOD Module, however cases that constitute a significant difference as defined in paragraph 6.2.1 are required to be published in the EFOD Supplement and in the Oman AIP. Both Steps 1 and 2 are required to have correctly published the significant differences.

7.1. Step 1 – EFOD Supplement

To ensure a significant difference is published in the EFOD Supplement the following steps should be taken:

- 1) The standard to which a difference is to be filed should be identified on the CC/EFOD Module on the OLF.
- 2) The Focal points should ensure that the category of difference (Category A, B or C) should be selected and if the difference meets the criteria as stipulated in paragraph 6.2.1 the Significant Difference box shall also be selected.

The screenshot shows a web form for reporting differences. At the top, there are radio buttons for selecting the type of difference: 'No Difference', 'Less protective or partially implemented or not implemented', 'Significant Difference' (which is selected), 'More Exacting or Exceeds', 'Different in character or Other means of compliance', and 'Not Applicable'. Below this, there are several text input fields: 'Text as provided by State', 'State Reference' (containing 'CAR 180.061'), 'Details of Difference (Please describe the difference clearly and concisely)' (containing 'b) the ETD and brief details of the intended flight; c) the destination.'), and 'Remarks (Please indicate reasons for the difference and intentions including any planned date for implementation)' (containing 'ATS System requires a flight plan to be submitted to ensure that all flights present ATS with a data label and Flight Progress strip'). At the bottom left, there is a 'Save Row' button.

- 3) The reference in the Oman Regulations should be inserted in State Reference box.
- 4) The Details of the difference using the exact text (if possible) of the difference should be inserted in the “Details of Difference” Box
- 5) The reasons for the Difference should be included in the Remarks box.
- 6) After completing all the required fields the entry should be saved by selecting the Save row icon.
- 7) The OLF Module should indicate that this has been submitted to ICAO

7.2. Step 2 – Publication in the Oman AIP

All significant differences are required to be published in the Oman AIP Gen 1.7 (DIFFERENCES FROM ICAO STANDARDS, RECOMMENDED PRACTICES AND PROCEDURES)

The AIP is amended as per the publication schedule contained in the AIP GEN 0.1 and published as per the appropriate AIRAC date.

To ensure a difference is published in the AIP the following steps should be taken.

- 1) The focal point shall complete an AIP DG-CAR Change request form (Available from AIS) by inserting the following table with the appropriate Annex reference as well as the SARP number, the text of the provision as per the Annex, the Text of the difference as used in Oman, and the reason for the difference.

Annex reference	Provision	Text of the difference	Remarks, including the reasons for the difference and intentions including any planned date for implementation)
Annex 2, 3.3.1.2	<p>A flight plan shall be submitted prior to operating:</p> <ol style="list-style-type: none"> (1) any flight or portion thereof to be provided with air traffic control service; (2) any IFR flight within advisory airspace; (3) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate the provision of flight information, alerting and search and rescue services; (4) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate coordination with appropriate military units or with air traffic services units in adjacent States in order to avoid the possible need for interception for the purpose of identification; (5) any flight across international borders. 	<p>Flight plans: Operators of all flights within the Muscat FIR are required to submit a flight plan to ATC.</p> <p>Operators of local flights, i.e., those which will remain within the Muscat TMA or Salalah CTR may satisfy the above requirements by notifying the appropriate ATSU of:</p> <ol style="list-style-type: none"> (a) the aircraft call sign (and registration if different); (b) the ETD and brief details of the intended flight; (c) the destination. 	<p>ATS System requires a flight plan to be submitted to ensure that all flights present ATS with a data label and Flight Progress strip.</p>

- 2) The focal point route the change request form through their Director to the Safety Regulation Department.
- 3) Safety Regulation Department will prepare a list of all significant differences for approval by DG CAR
- 4) The final list of differences shall be approved by DG CAR and sent to the Air Navigation Services – AIM Section and the Safety Regulation Department will coordinate with the Static Data Coordinator to ensure these are published in the AIP.
- 5) Safety Regulation Department shall maintain a register of all differences filed and review this for applicability annually.

8. Additional information on terminology used

There is a difference in meaning between the terms ‘Adopted’, ‘effective’ and ‘applicable’, as regards ICAO Standards and Recommended Practices.

‘Adopted’, ‘effective’ and ‘applicable’ are all terms which refer to amendments to the Annexes to the Chicago Convention which are managed through ICAO.

They specifically regard new or adjusted civil aviation Standards and Recommended Practices agreed to by States through ICAO, and how States and operators must implement them, as follows:

Adoption date:

This is the actual date that the amendment is adopted by the ICAO Council’s 36 Member States. Normally this occurs in March of a given calendar year and the Council is responsible for ICAO’s Governance decisions while our full Assembly (every three years) is not in session.

Effective date:

A common effective date for all amendments adopted by Council is set as four months after the last day of the Council session when the adoption took place. A standard Council session normally takes four weeks.

The effective date is the date by which States must advise ICAO that they do not approve the amendment. If more than 50 per cent of States indicate disapproval, the amendment does not become effective, but this has not yet happened in the over 70 years that ICAO has been supporting global civil aviation.

Applicability date:

This is usually in November (eight months after adoption and approximately four months after the effective date) and is based on the November AIRAC³ date.

By this date States should be applying the amendment unless they have notified ICAO of differences between their regulations and the ICAO Standards in the amendment. The deadline to notify differences is one month before the applicability date.

³ AIRAC means *Aeronautical Information Regulation and Control* and stems from Annex 15 - Aeronautical Information Services (AIS). It defines a series of common dates and an associated standard aeronautical information publication procedure for States.