

## Guernsey ODCA Notice of Proposed Amendment: 2022-7

### 1. Title

**Changes to various GARs resulting from ICAO 2022 amendments, a selected CAAi audit finding and recodification of environmental standards**

### 2. Introduction

This Notice of Proposed Amendment proposes to change the following GARs as a result of:

- amendments to ICAO Annex 6, all Parts, that become applicable in November 2022;
  - a selected finding from the 2018 CAAi audit of the Guernsey DCA;
  - duplication of, and missing reference to, environmental standards:
- (1) GAR 21.17(b): Type Acceptance Certificate (MSN limited)
  - (2) GAR 39.61: recalibration intervals for flight data recorders
  - (3) GAR 91.225/125.225: general aviation RFFS aerodrome evaluation
  - (4) GAR 91.240; Part.SPA section VI: generic term and generic standards for equipment permitting LVO operational credits
  - (5) GAR 135.265: approval required for CAT helicopter offshore destination alternate
  - (6) GAR 121.275: EDTO manual reference
  - (7) GAR 121.707; 119.63: aircraft tracking and flights in distress – operational procedures
  - (8) GAR 121/135.715c: interpretation of infant life vest accessibility
  - (9) GAR 36; GAR 21: environmental standards recodification

### 3. Consultation and timeline

#### 3.1 Consultation categories

This Notice of Proposed Amendment is offered to interested parties for both information and public consultation. The proposals in this NPA fall into three categories, as follows:

Category 1 – information only. This applies to those proposals that would have no material impact on interested parties, or codify policies and practices that are already in use, or are adaptations to external developments that cannot be influenced by Guernsey;

Category 2 – comments invited on proposed implementation period only. This applies to proposals that ensure compliance of GARs with amendments of ICAO Annexes or other mandatory external standards, or from audits. Interested parties may comment on the proposed publication period but not on the substance of the change. Any comment for extending the implementation period should be substantiated with the reason and supported with evidence. It should be borne in mind that whilst the proposed implementation period starts on the publication date of the GAR revision, interested parties can start preparing for implementation from the moment that this NPA is published. The effective implementation period for interested parties is therefore longer.

Category 3 - comments invited on both the proposed implementation period and the substance of the change. This applies to those changes that may have a material effect on interested parties.

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Comments that propose changes to the substance of the proposal should state the reason and preferably contain an alternative text proposal, and be supported with evidence. Any comment for extending the implementation period should be substantiated with the reason and supported with evidence.

## 3.2 Consultation categories and proposed implementation periods

Propo- sal no.	Title of proposal	Consul- tation category	Interested parties	Proposed effectivity date
1	GAR 21.17(b): Type Acceptance Certificate (MSN limited)	2	TAC holders	3 months from GAR revision date
2	GAR 39.61: recalibration intervals for flight data recorders	2	mx. progr approval holders	3 months from GAR revision date
3	GAR 91.15/125.15: General aviation RFFS aerodrome evaluation	3	PICs, POC holders	3 months from GAR revision date
4	GAR 91.240; Part.SPA section VI: generic term and generic standards for equipment permitting LVO operational credits	1	none, currently	upon publication
5	GAR 135.265: approval required for CAT helicopter offshore destination alternate	1	none, currently	upon publication
6	GAR 121.275: EDTO manual reference	1	none, currently	upon publication
7	GAR 121.707; 119.63: aircraft tracking and flights in distress – operational procedures	2	AOC holders	3 months from GAR revision date
8	GAR 121/135.715c: interpretation of infant life vest accessibility	2	AOC holders	3 months from GAR revision date
9	GAR 36, GAR 21: environmental standards recodification	1	none	upon publication

## 3.3 Method of consultation

Interested parties should use the commenting form as published on [www.2-reg/consultations](http://www.2-reg/consultations) for submitting their comments.

## 3.4 Timeline

The commenting period for this NPA is one month. All comments received by 1 October 2022 will be processed by the Guernsey Office of the Director of Civil Aviation (ODCA). It is expected that this process will take one month and result in publication of the revised GARs on 1 November 2022. The changes that would materially affect interested parties would then become effective 3 months after that, i.e. 1 February 2023. Changes that have no effect or would be a relaxation will become effective on the publication date.

## 4. Proposals - rationale

### 4.1 Proposal 1 – GAR 21.17(b): Type Acceptance Certificate (MSN limited)

At the introduction of GAR 21 in 2013 and based on section 3.(2) of the Air Navigation (Bailiwick of Guernsey) Law, 2012, the DCA introduced the concept of the Restricted Type Acceptance Certificate (RTAC). The RTAC is an alternative to the Guernsey Type Acceptance Certificate (TAC), which is issued to the holder of a Type Certificate. An RTAC is issued when the Type Certificate holder is not willing or able to apply for a Guernsey Type Acceptance Certificate. It is typically issued to owners of aircraft, so limited to certain aircraft as identified by Manufacturer's Serial Number (MSN). It obliges the applicant to provide to the DCA Instructions for Continuing Airworthiness (ICA), an obligation that normally rests with the TAC holder.

Three changes are proposed:

- (a) *Name change*: the term Restricted Type Acceptance Certificate has caused confusion. A term better covering its purpose is Type Acceptance Certificate (MSN limited), abbreviated as TAC (OTC);
- (b) *Criteria*: in their 2018 audit, CAAi found that criteria on which basis the Restricted TAC is issued were lacking. These criteria are proposed to be added to GAR 21.17(b), as follows:
  1. The applicant must have a legitimate interest in applying for a TAC(MSN limited);
  2. The Type Certificate holder is not willing or able to apply for a Guernsey TAC;
  3. The TAC(MSN limited) is limited to aircraft as identified by MSN as described in the certificate that are registered on the name of the applicant.
- (c) *Consistency change*: In GAR 21.11, the list of eligible applicants is completed by adding a reference to the TAC(MSN limited) applicants.

### 4.2 Proposal 2 – 39.61 – recalibration intervals for flight data recorders

ICAO introduced<sup>1</sup> a standard for manufacturers of flight recorder systems to provide information for continuing airworthiness for incorporation in aircraft maintenance programmes. This information must include recalibration intervals so as to ensure the reliability of the recorders. Such information will find its way into the maintenance programme under existing requirements and procedures and therefore no change to the GARs is needed. However, ICAO has also introduced a standard that where such information is not available from the manufacturer of the flight recorder system, that maintenance programmes be adjusted to introduce recalibration intervals as follows:

- 2 years for parameters of altitude and airspeed provided by sensors dedicated to the FDR system;
- 5 years for those other parameters which have sensors dedicated only to the FDR and not checked by other means.

Text is proposed to be added in GAR 39.61(i)(10) *Maintenance programme* to introduce this 'fall-back' requirement.

### 4.3 Proposal 3 – 91.225/125.225: General aviation RFFS aerodrome evaluation

As per GAR 121/135.225b, air transport operators must as part of their flight preparation process evaluate destination and alternate aerodromes to have rescue and fire fighting services commensurate with the type of aeroplane. For non-commercial air transport operations this is currently not required. ICAO extends<sup>2</sup> this requirement to general aviation operations as follows:

- for corporate operators (transposed in Guernsey in GAR 125), as a standard;
  - for pilots-in-command (transposed in Guernsey in GAR 91): as a recommendation;
- in both cases as part of a safety level assessment.

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<sup>1</sup> Annex 6, Part I, Amdt 47, App. 8; Annex 6 Part 2, Amdt 40, App. 2.3; Annex 6 Part 3, Amdt 24, App. 4.

<sup>2</sup> Annex 6, Part 2, Amdt 40, 2.2.1.2, 3.4.1.2

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It is proposed to amend GAR 91.225b and 125.225b accordingly. Specifically, comments are requested from pilots-in-command, as it is proposed to transpose the ICAO recommendation into a firm requirement.

## 4.4 Proposal 4 – 91.240; Part.SPA section VI: more generic term and generic standards for equipment permitting LVO operational credits

ICAO has introduced<sup>3</sup> a more generic term ('advanced aircraft') and generic standards for the use of equipment which permit a lower minimum than the aerodrome operating minima. Such permissions are called operational credits and are issued in the form of a specific approval. Previously, equipment such as Head-up display (HUD) and Electronic Vision systems (EVS) were individually mentioned in the standard. To allow further development in this area, ICAO replaces these by the generic term 'advanced aircraft', and introduces generic standards. These ICAO changes, which apply both to commercial air transport and general aviation and both to aeroplanes and helicopters, are proposed to be incorporated as follows:

- amendment of GAR 91.240f and notes, including a reference to the ICAO Manual of All-Weather Operations (ICAO Doc 9365) which includes guidance on the operational credits;
- introduction of an additional section in Part.SPA that contains the generic standards for specific approvals for operational credits.

## 4.5 Proposal 5 – 135.265: approval required for CAT helicopter offshore destination alternate

For commercial air transport operations with helicopters, ICAO has introduced<sup>4</sup> a more stringent standard for offshore destination alternates. The use of such alternates will now be subject to a specific approval. Guernsey currently does not accept applications for commercial air transport operations with helicopters. Therefore, there is no need for the specific approval requirement to be transposed in full in GAR 135. However, for contingency purposes, this ICAO change is codified in GAR 135.265d in an abbreviated way. Should, in the future, Guernsey accept commercial air transport operations with helicopters involving offshore operations, this requirement will serve as a flag to apply the ICAO standard and, if necessary, to transpose the ICAO standard in full.

When reviewing this change, the need for an editorial change to 135.265a and b became apparent to make clear that these subsections apply to aeroplanes only and not to helicopters.

## 4.6 Proposal 6 – 121.275: EDTO manual reference

ICAO has consolidated<sup>5</sup> EDTO standards in a new document: the EDTO manual (ICAO Document 10085). Currently, there are no Guernsey AOC holders that have an EDTO approval or applied for it. Nevertheless, for contingency purposes, it is proposed to amend GAR 121.275 to match the change by ICAO by introducing a note that refers to the new ICAO document. The existing GAC may need to be amended to match the referenced ICAO document. Pending an EDTO application, it will be temporarily withdrawn.

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<sup>3</sup> Annex 6, Part I, Amdt 47, 4.2.8; Annex 6 Part 2, Amdt 40, 2.2.2.2; Annex 6 Part 3, Amdt 24, section 2, 2.2.8.1.1; section 3, 2.2.1.

<sup>4</sup> Annex 6, Part 3, Amdt 24, 2.3.4.3

<sup>5</sup> Annex 6, Part 1, Amdt 47, 3.2, 3.3, 4.3.6, 4.7

## 4.7 Proposal 7 –121.707, 119.63: aircraft tracking and flights in distress – operational procedures

As a result of the MH 370 accident in 2014, ICAO introduced new requirements for aircraft tracking and locating aeroplanes in distress. These requirements have been introduced in GAR 121.707 and GAR 119.63 respectively. ICAO now further specifies<sup>6</sup> that operators are reminded that operational procedures for monitoring and informing appropriate organizations are contained in PANS-OPS, Volume III, section 10. It is proposed to add notes in GAR 121.707 and GAR 119.63 accordingly.

## 4.8 Proposal 8 –121/135.715c: interpretation of infant life vest accessibility

ICAO has introduced<sup>7</sup> clarification for AOC holders as to how to interpret the term ‘easily accessible’ as it pertains to the requirement for life jackets for infants. It is determined that both of the following methods comply with the standard:

- distribution at the start of the flight;
- distribution as part of the ditching preparation procedures.

It is proposed to add a note to this effect in GAR 121/135.715c.

## 4.9 Proposal 9 – GAR 36; GAR 21: environmental standards recodification

When the Air Navigation (Bailiwick of Guernsey) Law, 2012 was introduced, it did not include environmental standards. This was however compensated when GAR 36 was introduced in 2013. GAR 36 makes effective the environmental standards of ICAO Annex 16, Volume 1 (noise) and Volume 2 (engine emissions). In 2015, Guernsey issued an ordinance which also makes effective Volumes 1 and 2 of ICAO Annex 16: the Air Navigation (Bailiwick of Guernsey) (Environmental Standards) Ordinance, 2015. This tandem effectively introduced a regulatory duplication.

It is proposed to remove this duplication by withdrawing GAR 36. A consequential change is then needed in GAR 21.25(a)(3). This section regulates the issue of a Type Acceptance Certificate (TAC) and currently requires compliance with GAR 36 as a condition. This is proposed to be replaced by a reference to the Ordinance. For major design changes, GAR 21.73(c) refers directly to Annex 16 rather than to GAR 36 or the ordinance. This reference to ICAO is proposed to be maintained.

In 2018, ICAO added two more volumes to ICAO Annex 16: Volume 3 (CO<sub>2</sub> emissions) and Volume 4 (CORSIA – carbon offset). Neither GAR 36 nor the ordinance has been changed yet to capture these new volumes. Volume 4 is the only Annex 16 volume that applies to operators. It contains applicability thresholds, but these are currently not crossed by operators holding a Guernsey issued certificate. Volume 3 is applicable to aircraft registered in Guernsey, similar to Volumes 1 and 2. For design changes, volume 3 is already covered by the reference to Annex 16 in GAR 21.73(c). Yet, to avoid any confusion, it is proposed to slightly amend this by listing the volumes. For Type Acceptance Certificates, the reference to Volume 3 is missing. Therefore, and pending a change to the ordinance, such a reference is proposed to be added in GAR 21.25(a)(4).

The practical implications of these changes are very limited. Guernsey’s industry does not include any aircraft design organization, nor is this expected. All aircraft registered in Guernsey rely on foreign Type Certificates and foreign compliance statements with ICAO Annex 16. Therefore, there will be no technical activities involved to show compliance with Annex 16, Volumes 1, 2 and 3. Thus, compliance is an administrative matter only. The reason for the proposed recodification is a legislative correction.

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<sup>6</sup> ICAO Annex 6, Part 1, Amdt 47, 3.5, 6.18.3

<sup>7</sup> ICAO Annex 6, Part 1, Amdt 47, 6.5.2.2

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## 5 Proposals – The changes and their justification

### 5.1 Proposal 1 – GAR 21.17(b): Type Acceptance Certificate (MSN limited)

#### *The change*

Current GAR 21 text	Proposed GAR 119 text	Gist of change
<b>21.11</b>	<b>21.11</b>	
This Subpart details requirements governing the issue of a Type Acceptance Certificate for complete aircraft. The Certificate granted by the Director confirms specific type design acceptance to the type certificate holder and is a prerequisite for the issue of a Certificate of Airworthiness for an aircraft registered in Guernsey.	This Subpart details requirements governing the issue of a Type Acceptance Certificate for complete aircraft. The Certificate granted by the Director confirms specific type design acceptance to the type certificate holder or an applicant as described in 21.17(b)(2) and is a prerequisite for the issue of a Certificate of Airworthiness for an aircraft registered in Guernsey.	Reference to GAR 21.17(b)(2) added.
Current GAR 21 text	Proposed GAR 21 text	Gist of change
<b>21.17(b)</b>	<b>21.17(b)</b>	
A Type Acceptance Certificate may be granted to: (1) an aircraft type, model or series; or (2) a limited range of serial numbers of an aircraft, in which case the Certificate shall be identified as a 'Restricted Type Acceptance Certificate'	A Type Acceptance Certificate may be granted to: (1) a Type Certificate holder, for an aircraft type, model or series; or (2) an applicant other than a Type Certificate holder, for a limited range of serial numbers of an aircraft type, model or series, in which case the Certificate shall be identified as a 'Type Acceptance Certificate (MSN limited)', abbreviated as 'TAC(MSN limited)' and subject to the following conditions: (i) The applicant must have a legitimate interest in applying for a TAC(MSN limited); (ii) The Type Certificate holder is not willing or able to apply for a Guernsey TAC; (iii) The TAC(MSN limited) is limited to aircraft of the type and variant as described in the certificate that are registered on the name of the applicant.	<ul style="list-style-type: none"> <li>• clarity added with respect to type of applicant;</li> <li>• concept of TAC (MSN limited) explained;</li> <li>• criteria for a TAC(MSN limited) added.</li> </ul>

#### *Justification*

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is neutral. The proposal does not change a practice that has been applied since the start of TAC issuing.	ICAO: Annex 8, Ch. 1 ANL (as valid Sept 2022): s. 3(2)

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## 5.2 Proposal 2 – GAR 39.61: recalibration intervals for flight data recorders

### The change

Current GAR 119 text	Proposed GAR 119 text	Gist of change
<b>39.61(i)(10)</b>	<b>39.61(i)(10)</b>	
instructions for continuing airworthiness including inspection and analysis of any installed Flight Data Recorder (FDR) and/or Cockpit Voice Recorder (CVR) in accordance with instructions from the Design Approval Holder, where available; and	instructions for continuing airworthiness including inspection and analysis of any installed Flight Data Recorder (FDR) and/or Cockpit Voice Recorder (CVR) in accordance with instructions from the Design Approval Holder, where available; and, where not available, instructions for recalibration intervals as follows: (i) 2 years for parameters of altitude and airspeed provided by sensors that are dedicated to the FDR system; (ii) 5 years for those other parameters which have sensors dedicated only to the FDR and not checked by other means; and	Recalibration intervals added where no continuing airworthiness data is available from FDR Design Approval Holder

### Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is positive, as reliability of FDR data will be improved.	ICAO: Annex 6, Pt 1 (Amdt 47), App. 8; Annex 6 Part 2 (Amdt 40), App. 2.3; Annex 6 Part 3, Amdt 24, App. 4 ANL: s. 7(1)

## 5.3 Proposal 3 - GAR 91.225/125.225: General aviation RFFS aerodrome evaluation

### The change

Current GAR 119 text	Proposed GAR 125 text	Gist of change
<b>91.225(a)(3)</b>	<b>91.225(a)(3)</b>	
Void	the pilot-in-command, in making a decision on the adequacy of facilities and services available at an aerodrome of intended operation, shall assess the level of safety risk associated with the aircraft type and nature of the operation, in relation to the availability of rescue and fire-fighting services (RFFS).	text added
<b>125.225(a)(3)</b>	<b>125.225(a)(3)</b>	
Void	the operator, in making a decision on the adequacy of facilities and services available at an aerodrome of intended operation, shall assess the level of safety risk associated with the aircraft type and nature of the operation, in relation to the availability of rescue and fire-fighting services (RFFS).	text added

### Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is positive, as flight preparation will now include an assessment of RFFS at the intended aerodrome of operation.	ICAO: Annex 6, Pt 2 (amdt 40), 2.2.1.2 and 3.4.1.2; ANL: s. 39



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## 5.4 Proposal 4 – 91.240; Part.SPA section VI: more generic term and generic standards for equipment permitting LVO operational credits

### The change

Current GAR 91 text	Proposed GAR 91 text	Gist of change
<b>91.240f</b>	<b>91.240f</b>	
The State of Operator may approve operational credit(s) for operations with aircraft with automatic landing systems, Head-up Displays (HUD) or equivalent displays, Enhanced vision system (EVS), Synthetic Vision Systems (SVS) or Combination Vision Systems (CVS). Where the operational credit relates to low visibility operations, this will take the form of a specific approval. Such approvals shall not affect the classification of the instrument approach procedure.	The State of Operator shall approve operational credit(s) for operations with advanced aircraft. Where the operational credit relates to low visibility operations, this will be in accordance with a specific approval issued by the Director and in accordance with the provisions of Subpart SPA sections I and VI. Such approvals shall not affect the classification of the instrument approach procedure.	<ul style="list-style-type: none"> <li>• ‘may’ replaced by ‘shall’;</li> <li>• replacement of listed systems by more generic term ‘advanced aircraft’;</li> <li>• reference to Part SPA added</li> </ul>
<b>91.240f Note 1</b>	<b>91.240f Note 1</b>	
<i>Operational credit includes:</i> a) for the purposes of an approach ban, minima below the heliport or landing location operating minima; b) reducing or satisfying the visibility requirements; or c) requiring fewer ground facilities as compensated for by airborne capabilities.	<i>Operational credit includes:</i> a) for the purposes of an approach ban, or dispatch considerations, a minimum below the heliport or landing location aerodrome operating minima; b) reducing or satisfying the visibility requirements; or c) requiring fewer ground facilities as compensated for by airborne capabilities.	addition of the text ‘or dispatch considerations’
<b>91.240f Note 2</b>	<b>91.240f Note 2</b>	
<i>Guidance for operational credits and use of HUDs, equivalent displays and vision systems is contained in Attachment I of ICAO Annex 6, Part I (for commercial air transport with aeroplanes), Attachment 2.B of ICAO Annex 6, Part II (for aeroplanes) and Attachment 1 to ICAO Annex 6, Part III (for helicopters).</i>	<i>Guidance for operational credits is contained in the Manual for All-Weather Operations (ICAO Doc 9365).</i>	reference to ICAO document changed
<b>Part SPA section VI</b>	<b>Part SPA section VI</b>	
<i>Void</i>	<i>[New text, see Appendix]</i>	New text

### Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is positive, as it introduces more precise compliance criteria.	<b>ICAO:</b> Annex 6, Pt 1 (amdt 47), 4.2.8; Annex 6, Pt 2 (amdt 40), 2.2.2.2 Annex 6, Pt 3 (amdt 24): section 2, 2.2.8.1.1; section 3, 2.2.1. <b>ANL:</b> s. 59A



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## 5.5 Proposal 5 – GAR 135.265: approval required for CAT helicopter offshore destination alternate

### The change

		Gist of change
<b>135.265a</b>	<b>135.265a</b>	
The operator shall ensure that for any flight conducted under IFR, at least one destination alternate aerodrome shall be selected and specified in both the operational and ATS flight plans, unless:	For aeroplanes, the operator shall ensure that for any flight conducted under IFR, at least one destination alternate aerodrome shall be selected and specified in both the operational and ATS flight plans, unless:	Editorial correction: 'For aeroplanes' added to make clear that entire 135.265a applies to aeroplanes only
<b>135.265a1</b>	<b>135.265a1</b>	
For aeroplanes, two separate runways, each with an operational straight-in instrument approach procedure, are usable by the flight at the estimated time of use of the destination aerodrome; and	two separate runways, each with an operational straight-in instrument approach procedure, are usable by the flight at the estimated time of use of the destination aerodrome; and	Correction consequential to above correction.
<b>135.265b</b>	<b>135.265b</b>	
Two destination alternate aerodromes shall be specified in the operational and ATS flight plans when, at the destination aerodrome:	For aeroplanes, two destination alternate aerodromes shall be specified in the operational and ATS flight plans when, at the destination aerodrome:	Editorial correction: 'For aeroplanes' added to make clear that entire 135.265b applies to aeroplanes only
<b>135.265c</b>	<b>135.265c</b>	
[void]	[not reproduced]	Editorial correction: text of 91.265b copied into 135.265c to make clear this text applies
<b>135.265c2ii</b>	<b>135.265c2ii</b>	
a point of no return (PNR) is determined in case of an offshore destination.	[void]	Text deleted as intent overtaken by 135.265d
<b>135.265c</b>	<b>135.265d</b>	
For helicopters conducting offshore operations, offshore alternates may be specified subject to the following conditions:	For helicopters conducting offshore operations, offshore destination alternates shall be subject to a specific approval by the Director.	Replacement of conditions for offshore alternates by a requirement for specific approval.

### Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is positive. By means of this change, the conditions for offshore alternates become subject to approval by the Director.	<b>ICAO:</b> Annex 6, Part 3 (Amdt 24), 2.3.4.3 <b>ANL:</b> s.59A

## 5.6 Proposal 6 – GAR 121.275: EDTO manual reference

### The change

Current GAR 121 text	Proposed GAR 121 text	Gist of change
<b>121.275 Note</b>	<b>121.275 Note</b>	
<i>Note: guidance for operations of aeroplanes beyond 60 minutes to an en-route alternate aerodrome including Extended Diversion</i>	<i>Note: guidance for operations of aeroplanes beyond 60 minutes to an en-route alternate aerodrome</i>	Reference to ICAO Annex 6, Part I, Att. C

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<i>Time Operations is available in ICAO Annex 6, Part I, Attachment C, ICAO Document 10085 and in GAC 121/135-3.</i>	<i>including Extended Diversion Time Operations is available in ICAO Document 10085.</i>	and GAC 121/135-3 removed.
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## Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is neutral. The proposal is mainly administrative in nature.	<b>ICAO:</b> Annex 6, Part I (amdt 47) 3.2, 3.3, 4.3.6, 4.7 <b>ANL:</b> s. 59A

## 5.7 Proposal 7 – GAR 121.707; 119.63: aircraft tracking and flights in distress – operational procedures

### The change

Current GAR 119.63 note 2 text	Proposed GAR 119.63 note 2 text	Gist of change
Void	<i>Operational procedures for monitoring the aircraft tracking information are contained in PANS-OPS, Volume III, Section 10.</i>	Note added
Current GAR 121.707 note text	Proposed GAR 121.707 note text	
Void	<i>Operational procedures for monitoring and making position information of a flight in distress available to the appropriate organizations in a timely manner are contained in PANS-OPS, Volume III, Section 10.</i>	Note added

## Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact will be positive, as the proposal will direct the operator to procedures to be followed for monitoring aircraft, and where relevant, informing appropriate organizations.	<b>ICAO:</b> Annex 6, Part I (Amdt 47), 3.5, 6.8.13 <b>ANL:</b> s.59A

## 5.8 Proposal 8 - GAR 121/135.715c: interpretation of infant life vest accessibility

### The change

Current GAR 121/135 text	Proposed GAR 121/135 text	Gist of change
<b>121/135.715b</b>	<b>121/135.715b</b>	
Void	<i>Note 2: Infant life jackets need not necessarily be made available prior to flight, but may be handed out as part of ditching preparation procedures.</i>	Note added

## Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact will be neutral, as this proposal confirms an existing interpretation.	<b>ICAO:</b> Annex 6, Pt 1 (amdt 47), 6.5.2.2; <b>ANL:</b> s.59A

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## 5.9 Proposal 9 – GAR 36; GAR 21: environmental standards recodification

### The change

Current GAR 21 text	Proposed GAR 21 text	Gist of change
<b>21.25(a)(3)</b>	<b>21.25(a)</b>	
The aircraft complies with GAR 36.	(3) the aircraft complies with the Air Navigation (Bailiwick of Guernsey)(Environmental Standards) Ordinance, 2015; and (4) the aircraft complies with ICAO Annex 16, Volume 3, as appropriate.	<ul style="list-style-type: none"> <li>Legislative reference changed;</li> <li>Reference to ICAO Annex 16, Vol. 3 added.</li> </ul>
<b>21.73(c)(5)</b>	<b>21.73(c)(5)</b>	
there is a statement of compliance with the requirements of ICAO Annex 16, in respect of the design change; and	there is a statement of compliance with the requirements of ICAO Annex 16, Volume 1, 2 and 3, as appropriate, in respect of the design change; and	<ul style="list-style-type: none"> <li>Annex 16 volume numbers added</li> </ul>

### Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The environmental impact will be neutral, as this is an administrative change without practical implications.	ICAO: Annex 16, Vol. 1, 2 and 3 AN(ES)O

## Appendix – new Part SPA section VI

Section VI – Operational credits for LVO minima		
<b>SPA.001.OC</b>		<b>General</b>
		To obtain a specific approval for an operational credit for LVO minima, the operator shall ensure that:
	a	the aeroplane meets the appropriate airworthiness certification requirements;
	b	the information necessary to support effective crew tasks for the operation is appropriately available to both pilots where the number of flight crew members specified in the operations manual is more than one;
	c	the operator has carried out a safety risk assessment of the operations supported by the equipment;
		<i>Note: Guidance on safety risk assessments is contained in the Safety Management Manual (SMM) (ICAO Doc 9859).</i>
	d	the operator has established and documented normal and abnormal procedures and MEL;
	e	the operator has established a training programme for the flight crew members and relevant personnel involved in the flight preparation;
	f	the operator has established a system for data collection, evaluation and trend monitoring for low visibility operations for which there is an operational credit; and
	g	the operator has instituted appropriate procedures in respect of continuing airworthiness (maintenance and repair) practices and programmes.