



Procedures Manual for **CAR-11** on **Notification and Publication of Differences**

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Directorate General for Civil Aviation Regulation (DGCAR)

Pursuant to ICAO Critical Element (5) “Technical Guidance, Tools, and Provision of Safety Critical Information”, the Directorate General for Civil Aviation Regulation (DGCAR), hereby approves the

Procedures Manual for CAR-11 on Notification and Publication of Differences

Effective on 01/08/2023

as a Guidance Document to the relevant focal points in this regard and DGCAR Inspectors.

Salim Hamed Al-Husaini

Act. Director General Civil Aviation Regulations



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Table of Contents

Corrigendum of Amendments	7
Glossary of Terms.....	9
Foreword.....	11
1. Obligations and Requirements Related to Differences	13
2. Purposes of Notifying Differences	14
3. Components to which Notification of Differences Apply	15
3.1. Not Applicable SARPs.....	16
4. Categories and Description of Differences	17
5. Determination of Significant Differences	20
6. Notification of Differences.....	21
6.1. Timelines applicable to Notification of Difference.	21
6.2. Guidance on using CC/EFOD:	22
6.3. Publication of Significant differences in the Oman AIP	23
7. Procedure of handling ICAO State Letters related to the Proposal or Adoption of amendment to SARPs.	25
7.1. Additional information on the terminology used	27
8. Specific Process for handling differences between ICAO Annex 17 and Annex 9 security-related SARPs, and National Aviation Security Regulations, Practices and Procedures.....	28
APPENDIX 1 Entities Responsible for ICAO Annexes	31
APPENDIX 2 Applicable Timeline	32
Attachment 1 Template for the response to the ICAO.....	33
Attachment 2 Template for notification of compliance with or differences from annex 17	34

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Glossary of Terms

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

AIM	Aeronautical Information Management
AIP	Aeronautical Information Publication
AIRAC	Aeronautical Information Regulation and Control
AIS	Aeronautical Information Services
AMC	Acceptable means of compliance
ATC	Air traffic control
ATS	Air traffic service(s)
ATSU	ATS Unit
CAA	Civil aviation authority
CMA	Continuous Monitoring Approach
Doc	Document
FIR	Flight information region
ICAO	International Civil Aviation Organization
OTSB	Oman Transport Safety Board
PANS	Procedures for Air Navigation
SARPs	Standards and Recommended Practices (ICAO)
SUPPs	Regional Supplementary Procedures
USAP	Universal Security Audit Programme (ICAO)
USOAP	Universal Safety Oversight Audit Programme (ICAO)

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Foreword

These procedures have been adapted from ICAO Doc 10055 Manual on Notification and Publication of Differences and associated procedures in ICAO Doc 8126 to specify how to “**Notification of Differences to the ICAO**” and in addition, “**Handling of ICAO State Letters related to amendment to the SARPs**”.

This procedure manual is referenced to CAR-11.250(c) including its AMCs/GMs.

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 publishes 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 that is essential to international operations, and which is not readily available.

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1. 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.

Important Note: The notification of differences does not relieve a State of its obligations as per the Chicago Convention.

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.

2. 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 shall 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.

3. 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 (reference ICAO Doc 10055 Chapter 2 Para 2.1):

- (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) ***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.
- (d) ***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.**
- (e) ***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.**
- (f) ***Forewords, introductions, notes and attachments.*** – The notification of differences process **does not apply to such forewords, introductions, notes and attachments.**

3.1. Not Applicable SARPs

While most SARPs are applicable to all States, some SARPs may only apply to some States. For instance, Annex 3 contains provisions that apply only to States that have accepted the responsibility for providing a world area forecast centre (WAFC) within the framework of the world area forecast system. Likewise, 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 against that SARP that is not applicable to them (no need 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.**

4. 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 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.

Note: This is of particular importance where a State requires a higher standard which affects the operation of aircraft of other Contracting States in and above its territory.

Example of 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.

(b) Different in character or other means of compliance (Category B).

A 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" (Category 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 Categories A or C.

Example of 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.

(c) Less protective or partially implemented or not implemented (Category C).

A State’s requirement is less protective or partially implemented/not implemented.

This category applies when:

- 1) the national regulation and practices are less protective than the corresponding SARP;
- 2) no national regulation has been promulgated to address the corresponding SARP, in whole or in part;
- 3) the Contracting State has failed to bring its practices into full accord with the corresponding SARP.

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.

Notes:

- (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 the CAA Surveillance activities may provide more details on when differences should be filed.*

5. Determination of Significant Differences

(See Also AMC2 to CAR-11.250(c) (a))

Description of Significant Differences as per ICAO Doc 10055 para 2.3.7:

According to Doc 8126, any deviation (i.e., difference) from the below provisions that need to be considered in aircraft operations should constitute a “significant difference” and be published in the AIP:

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

Important note: The filing of differences assists operators in determining compliance requirements when operating in Oman.

6. Notification of Differences.

(See also AMC1 to CAR 11.250(c) & GM1 to CAR-11.250(c))

All cases where Oman has a difference with an ICAO SARP are required to be notified to ICAO. ICAO facilitates this process by providing the CC/EFOD Module available for the States on the USOAP-CMA OLF. The significant differences are required to be published in the CC/EFOD and in the Oman AIP.

Differences shall be notified to ICAO using the Form “*Notification of Compliance with or Differences*” (paper-based process); or through the Electronic Filing of Differences (EFOD) system at www.icao.int/usoap. The EFOD is a web-based tool that allows Member States to provide Compliance/Differences Information and facilitates the sharing of information by ICAO.

While the paper-based process employing the Form “*Notification of Compliance with or Differences*” is still the primary means, Member States are encouraged to use the EFOD system to address issues associated with the timeliness of the notification and/or dissemination of differences, as provided in Article 38 of the Chicago Convention.

Note – More details on the EFOD can be found in the ICAO Procedures and Principles on the Use of the EFOD System.

When notifying differences, the following information shall be provided:

- the number of the paragraph or subparagraph as amended which contains the SARP to which the difference relates;
- a clear and concise description of difference; and
- the reasons for the difference, intentions for future compliance, and any planned date by which the CAA will have complied with the SARP for which the difference has been notified.

6.1. Timelines applicable to Notification of Difference.

(See also CAR 11.260 & AMC to CAR-11.260)

(a) Updating CC/EFOD after changes to the Regulations (Source: Rulemaking):

Focal points should perform the below actions during the timeline specified in AMC to CAR-11.260 (see row 11 of the timeline table):

- (1) In accordance with CAR-11.250(c) once a new Regulation or an amendment to a Regulation has been approved the focal point should review the CC/EFOD to ensure the relevancy of the information provided for the related SARPs.
- (2) If any update is deemed necessary the focal point should update the CC/EFOD and inform the NCMC regarding such update. NCMC will verify the changes and submit them to the ICAO using tools provided for NCMC in the CC/EFOD (verification page).

(b) Updating CC/EFOD on Applicability of amendment to ICAO SARPs (source: ICAO State Letters except Annex 17):

Focal points shall review and update CC/EFOD information relevant to the SARPs which are newly introduced or amended in accordance with the timeline specified in those ICAO State Letters related to “Adoption of amendment to the ICAO SARPs”. For this purpose:

- (1) The Focal point shall perform the above action at last before the relevant date provided by the ICAO state letter.

*Note: Such date is one (1) Month **before the Applicability Date** of the adoption.*

If ICAO delays publishing the adoption updates relevant to the above-mentioned SARPs on CC/EFOD, the Focal point should monitor USOAP-CMA OLF and perform the above action once ICAO updates are settled in the CC/EFOD.

- (2) the focal point should inform the NCMC after updating CC/EFOD, then NCMC will verify the changes and submit them to the ICAO using tools provided for NCMC in the CC/EFOD (verification page).

6.2. Guidance on using CC/EFOD:

To ensure a Difference (including Significant Difference) is published in the CC/EFOD 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 correct category of difference (Category A, B, or C) is selected.
- (3) For Significant Differences (only) the focal points should ensure that the Significant Difference box is selected.

The screenshot shows the CC/EFOD form interface with the following elements highlighted by numbered callouts:

- 1:** Radio button for "No Difference".
- 2:** Radio button for "C) Less protective or partially implemented or not implemented".
- 3:** Radio button for "Significant Difference".
- 4:** Text input field for "State Reference" containing "CAR 180.061".
- 5:** Text input field for "Details of Difference" containing "b) the ETD and brief details of the intended flight c) the destination."
- 6:** Text input field for "Remarks" 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".
- 7:** "Save Row" button.

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

6.3. Publication of Significant differences in the Oman AIP

(See also GM2 to CAR-11.250(c))

ICAO Doc 10055 para 1.4.2: The purpose of the publication of significant differences in the AIP is, primarily, to provide flight crews, and other stakeholders, with information which is essential to international operations, and which is not readily available.

All significant differences shall be published in Oman's AIP GEN 1.7 as per ICAO Annex 15². The AIP is amended as per the publication schedule contained in the AIP GEN 0.1 and published as per the appropriate AIRAC date (Oman amends its AIP twice a year).

Service Level Agreement (SLA) between DGCAR and DGAN-AIM office:

DGCAR signed a Service Level Agreement (SLA) with the DGAN-AIM office to facilitate the publication of required information on the AIP as a data originator. This information is inclusive of details on significant differences (to be published in AIP GEN 1.7) and the list of national laws and regulations (listed in AIP GEN1.6). DGCAR focal points should utilize the standard form called "DGCAR Change request form" (for AIP) which is an attachment to the SLA.

Procedure to follow:

(See Also AMC2 to CAR-11.250(c) (b))

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

- (1) The Safety Regulation Department receives a notification from the Static Data Coordinator (email: sdc@caa.gov.om), which is the DGAN-AIM office focal point for AIP Data, once the process of an upcoming AIRAC starts (twice per year).
- (2) SRD Expert shall send a request to all concerned Annex Focal points requesting all significant differences and relevant details to be submitted to SRD using the Standard form (as per SLA).
- (3) The Annex focal point shall complete an AIP DGCAR Change request form (Available from SRD) by indicating the following details as per his/her own area of responsibility/relevant Annex/PANS/SUPPs:
 - a. SARP details (stating Annex number, edition number, and paragraph, etc.); and
 - b. difference in full text.
- (4) SRD Expert will prepare a consolidated list of all significant differences.
- (5) The SRD Expert coordinates with the Static Data Coordinator and submits the above list by using the DGCAR Change request form to the DGAN – AIM Section.

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.

Example of details of a Significant Difference

Note: the table formation is for illustration purposes only. The actual text will be published without a table.

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>

7. Procedure of handling ICAO State Letters related to the Proposal or Adoption of amendment to SARPs.

(See Also GM3 to CAR-11.250(c))

DGCAR has officially assigned a focal point for every ICAO Annex/PANS/SUPPs. The Focal point is responsible to file any differences (using the EFOD through the USOAP CMA Portal or, a paper-based process if applicable).

Note: The Director of the Oman Transport Safety Board (OTSB) is responsible to file any difference between CAR-13 and ICAO Annex 13 using this procedure.

The focal point shall review amendments to the ICAO SARPs to ensure the relevancy of existing CAA regulations and appropriate filing of any potential or actual differences with ICAO SARPs.

The timeline specified in Appendix 2 to this procedure shall be followed to the best extent possible. The objective is to implement related action in a timely manner.

The following procedure shall be used for the handling of those ICAO State Letters that contain a Proposal or an Adoption, of amendment to the ICAO SARPs.

(a) The OIC Section within the CAA is the identified focal point for the reception and distribution of ICAO State Letters.

The OIC will forward any ICAO state letter related to the Proposal / Adoption of amendment to the ICAO SARPS (Annexes, PANS, and SUPPs) to the DGCAR having Safety Regulation Department (SRD) in copy.

(b) The SRD specialist will liaise SRD Expert to determine a distribution list of concerned Focal point(s) and then send an official email (with the ICAO State Letter as an attachment) requesting a response or an action plan within the stated timeframe as appropriate.

(c) The Focal point shall review the contents of the ICAO State letter and determine the required action which might be any or combination of the below items, as appropriate:

- response to the ICAO State Letters is required;
- amendment to the Specific Operating Regulation (CE-2) of the CAA is required;
- amendment to the administrative procedure (i.e. Office Procedure Manuals, etc.) is required;
- notification of difference to ICAO is required.

(d) The focal point should initiate “ICAO Annex Adoption Tracker” form (FR-SRD-04)³ in close coordination with relevant SRD experts to ensure the timely follow up and effective tracking of ICAO State Letters related to Adoption of Amendment to ICAO Annex.

Important items to be tracked by this form are:

- Notification of Disapproval (if any);
- Notification of Compliance or Difference;
- Implementation Task List: including any required amendment to the Regulatory materials;
- Coordination between relevant departments and SRD.

³ The latest version of the FR-SRD-04 should be obtained from [CAA Technical Library Portal](#) – CAA forms Page.

Important Note: Depending on the time lines of the ICAO State Letters the processing of this form might take long. In such case the Focal point should send the original form to SRD for appropriate archiving. Later as specified by the ICAO State Letter dates (see 7.1 below) the focal point shall submit updates relevant to this form to SRD.

- (e) In particular cases, the Focal Point shall draft an official response to ICAO. ICAO State letters regarding the amendment to the SARPs are in two categories as below:
- (1) ***Proposals for amendment to ICAO SARPs***: The official response to these ICAO State letters is compulsory. The response shall be sent to ICAO:
 - ✓ using the predefined form which is attached to the state letter; and
 - ✓ approved by DGCAR, forwarded to OIC having SRD in CC.
 - (2) ***Adoption of amendment to ICAO SARPs***: ICAO expects any of the below actions from States as applicable:
 - i. ***Notify any disapproval before the Effective Date:***

If State does not approve the adoption of the SARPs, the “NOTIFICATION OF DISAPPROVAL OF ALL OR PART OF AMENDMENT” to the ICAO becomes compulsory (if approved no response is necessary). The notification shall be sent to ICAO:

 - ✓ using the predefined template which is attached to the state letter; and
 - ✓ approved by DGCAR, forwarded to OIC having SRD in CC.
 - ii. ***Notify any differences and compliance 1 month before the Applicability Date:***

If the adoption of amendment to the SARPs requires any filing of Differences, then the Focal point shall ensure the notification of difference to the ICAO performed using the EFOD.
- (f) The SRD Specialist updates the SRD State Letter Matrix to follow up with the concerned focal point, track the progress required, and registers response to ICAO state letters.

7.1. Additional information on the 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 that 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 the 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 percent 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 AIRAC⁴ 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.

⁴ 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.

8. Specific Process for handling differences between ICAO Annex 17 and Annex 9 security-related SARPs, and National Aviation Security Regulations, Practices and Procedures

The process for Identification and notification of differences to ICAO Annex 17 SARPs and the security-related SARPs of Annex 9, follows the definitions and requirements of this Procedure as explained above. However, for identification and notification of such differences to ICAO, the process slightly differs since the Compliance Checklist (CC) is available on the ICAO Secure Portal and there is no EFOD under USOAP-CMA OLF for Annex 17 as well as mentioned in the Civil Aviation Security and Facilitations Guidance Material, Chapter 17 (Notifications of Difference Procedures).

The Compliance Checklists have been prepared to assist Member States in ascertaining the status of implementation of the Annex 17 SARPs and security-related Standards of Annex 9. The Compliance Checklists will also enable Member States to identify and notify ICAO of differences between their national regulations and practices and those established by the corresponding Standards (Article 38 of the Convention on International Civil Aviation refers). Although differences to Recommended Practices are not notifiable under Article 38 of the Convention, Member States are urged to notify ICAO of the differences between their national regulations and practices and corresponding Recommended Practices.

- (a) The below process explains the steps to be performed for **identification** of differences as relevant to ICAO Annex 17 SARPs:
- (1) The Aviation Security and Facilitation Department shall nominate an expert to be the DGCAR Focal Point responsible for performing the actions required by the process and ICAO State Letters related to ICAO Annex 17 (see Appendix 1);
 - (2) The DGCAR focal point of Annex 17 shall download the latest **Compliance Checklist (CC)** from the ICAO Universal Security Audit Program Continuous Monitoring Approach (USAP) group, which is available on ICAO Secure Portal (www.portal.icao.int/USAP).
 - i. The CC is available on the subpage of this group named as “USAP-CMA Tools”. The CC is provided in six(6) ICAO official languages. Both Arabic and English versions of the CC can be used for notification of differences to ICAO.
 - (3) The DGCAR focal point might be asked to provide his/her ICAO Secure Portal username and password once opening (or editing) the word version of the CC. This is required to prevent any loss of changes to this file.
 - (4) The Aviation Security and Facilitation Department in coordination with all relevant stakeholders concerned, when necessary, review the details of the amendments and assess whether:
 - i. The amendments have already been covered by or implemented through existing legislation, regulations, guidance materials published by the Authority or other administrative measures; or
 - ii. A revision of guidance material or administrative measures required to affect the amendments; or

- iii. The amendments will have to be affected through an amendment to legislation/regulations and initiate action as appropriate.
- (5) The Heads of Section will keep an “Annex Amendment Implementation Tracking Worksheet” to track the process of implementation of the amendment through appropriate administrative and/or legislative means of the newly adopted SARPs. The worksheet will also be used as a tracking system for the section to record and track the implementation status/progress of these SARPs.
- (6) If compliance with an amendment cannot be achieved before its applicable due date to the time required to amend legislation/regulations or guidance materials Heads of Section will initiate a notification of difference with details, reasons for late implementation and the anticipated schedule for compliance where applicable.
- (7) The relevant sections will also periodically review previously filed differences and consider their withdrawal in light of any changes on their implementation.
- (8) In the process of review the sections will also consult other relevant government departments and agencies and/or the service providers where necessary.
- (9) The Head of Section will advise the National Coordinator of any new differences and/or withdrawal of previous differences, the National Coordinator will consolidate the responses and prepare a submission on the proposed differences to be filed.
- (10) Upon the approval of DGCAR regarding the differences to be filed, the National Coordinator will take necessary step to file the differences using the latest Compliance Checklist and forward differences for publication in the AIP.
- (11) The various Heads of Section will endeavour to update all the applicable technical guidance material affected by the Annex amendment or document so as the same is circulated to the service providers before the applicable date.
- (12) To ensure that all amendments remain centralized, all tracking records shall be forwarded to Legal Department for custody, but it is important that each section must keep its records.

The guidance to filing the compliance checklist is provided by ICAO in the state letter attachment as well as the compliance checklist itself. The other steps of process for identifying and notifying ICAO of differences remains the same as outlined in this procedure.

For the notification letter regarding compliance with or differences from Annex 17, the template in Attachment 2 should be used.

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APPENDIX 1 Entities Responsible for ICAO Annexes

Departments responsible within DGCAR

Departments		Annexes
1	Flight Safety Department	Annex 1 Personnel Licensing Annex 6 Operation of Aircraft Annex 7 Aircraft National and Registration Marks Annex 8 Airworthiness of Aircraft Annex 10 Aeronautical Telecommunications Annex 16 Environmental Protection Annex 18 The Safe Transport of Dangerous Goods by Air Annex 19 Safety Management
2	Air Navigation Safety Department	Annex 2 Rules of the Air Annex 3 Meteorological Services for International Air Navigation Annex 4 Aeronautical Charts Annex 5 Units of Measurement to be Used in Air and Ground Operations Annex 10 Aeronautical Telecommunications Annex 11 Air Traffic Services Annex 12 Search and Rescue Annex 15 Aeronautical Information Services Annex 19 Safety Management
3	Aerodrome Safety Department	Annex 14 Aerodromes Annex 19 Safety Management
4	Environmental Protection Section of DGCAR	Annex 16 Environmental Protection
5	Aviation Security and Facilitation Department	Annex 9 Facilitation Annex 17 Aviation Security

Organizations outside DGCAR

Organizations		Annexes
1	Oman Transport Safety Board	Annex 13 Aircraft Accident and Incident Investigation

APPENDIX 2 Applicable Timeline

TIMELINE FOR ACTIONS ON ICAO STATE LETTER RELATED TO AMENDMENT TO SARPS

SRD	Focal Points (FP)*	Department Director (DD)	DGCAR	OIC	Timeline**
1				Forward the ICAO State Letter to SRD	Within 5 working days of receiving from ICAO
2	Distribution of State Letter via e-mail to the respective FPs				Within 7 working days of receiving the State Letter
3		1) Review the State Letter and evaluate the: <ul style="list-style-type: none"> a) proposed amendment of SARPs for any points of agreement or disagreement b) adoption of the amendment of SARPs for: <ul style="list-style-type: none"> - any point of disapproval - any difference or compliance (Initiate the SRD form 4***) 2) Draft the formal response and forward it to DD			Within 3 months of receiving the e-mail
4			Evaluate response and submit for DGCAR approval		Within 5 working days of receiving the draft response from the FP
5				Approval and forward to OIC	Within 5 working days of receiving from the DD
6				State Response made to ICAO	Within 5 working days After DGCAR approval

* Focal points within Department responsible for Annexes to the Convention, as outlined in [Appendix-1](#).

** The specified time frame may vary depending on the need or urgency of the subject matter. It is expected that the process be performed as per this time frame, however, it could be varied as per FP discretion. This extension should not pass the relevant deadline specified in ICAO State Letter.

*** The SRD Form 4 (FR-SRD-04) which initiated in this stage by FP, to be completed in a later stage as per the ICAO State Letter specified deadline.

Attachment 1 Template for the response to the ICAO

(Sample – not to be used as is)

C.C.A. / 2 / 4 / 1 / /2021

Date: July 2021

The Honourable Juan Carlos Salazar,

Secretary General

ICAO Headquarters, Montreal, Canada

International Civil Aviation Organization (ICAO)

999 Robert – Bourassa Boulevard

Montreal, Quebec H3C 5H7, Canada

After Compliments,

Subject: Adoption of Amendment 91 to Annex 10, Volume III

The Civil Aviation Authority of the Sultanate of Oman sends its compliments to the International Civil Aviation Organization (ICAO).

With reference to ICAO state letter **AN 7/64.2.2-20/127 dated 9 December 2020** on the above-mentioned subject, please find the attached Oman response to ICAO Notification of Compliance with or Differences **from Annex 10, Volume III**.

Yours Sincerely

Eng. Naif Ali Hamed Al-Abri

President of Civil Aviation Authority

Copy to:

- **Acting** Director General of Civil Aviation Regulations
- OIC Section
- File (ICAO / **A. S**)

Attachment 2 Template for notification of compliance with or differences from annex 17

(Sample – not to be used as is)

C.C.A. / 2 / 4 / 1 / /

Date:

The Honourable Juan Carlos Salazar,

Secretary General

ICAO Headquarters, Montreal, Canada

International Civil Aviation Organization (ICAO)

999 Robert – Bourassa Boulevard

Montreal, Quebec H3C 5H7, Canada

After Compliments,

The Civil Aviation Authority of the Sultanate of Oman sends its compliments to the International Civil Aviation Organization (ICAO).

- 1) No differences will exist on **18 November 2022** between the national regulations and/or practices of **the Sultanate of Oman** and the provisions of Annex 17, including all amendments up to and including Amendment 18.
- 2) The following differences will exist on **18 November 2022** between the regulations and/or practices of **the Sultanate of Oman** and the provisions of Annex 17, including **Amendment 18** (please see Note 3 below):

a) Annex Provision	b) Difference Category	c) Details of Difference	d) Remarks
(Please give the exact paragraph reference)	(Please indicate A, B or C)	(Please describe the difference precisely)	(Please indicate the reasons for the difference)

(Please use extra sheets as required)

3) By the dates indicated below, **the Sultanate of Oman** will have complied with the provisions of Annex 17, including all amendments up to and including Amendment 18, for which differences have been notified in 2 above.

a) Annex Provision (Please give the exact paragraph reference)	b) Date	c) Comment

(Please use extra sheets as required)

Yours Sincerely

Eng. Naif Ali Hamed Al-Abri
President of Civil Aviation Authority

Copy to:

- **Acting** Director General of Civil Aviation Regulations
- OIC Section
- File (ICAO / **A. S**)